

# **The M.P. Rajya Sadak Parivahan Seva (Bina Tikat Yatra Ki Rok) Adhiniyam, 1974**

MADHYA PRADESH

India

## **The M.P. Rajya Sadak Parivahan Seva (Bina Tikat Yatra Ki Rok) Adhiniyam, 1974**

### **Act 28 of 1974**

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The M.P. Rajya Sadak Parivahan Seva (Bina Tikat Yatra Ki Rok) Adhiniyam, 1974 M.P. Act No. 28 of 1974 [Dated 11th July, 1974] Received the assent of the President on the 11th July, 1974; assent first published in the Madhya Pradesh Gazette (Extra-ordinary), dated the 19th July, 1974. An Act to make provision for prevention of ticketless travel in Road Transport Service carried on by the State Transport Undertaking in the State and for matters connected therewith. Be it enacted by the Madhya Pradesh Legislature in the Twenty-fifth Year of the Republic of India as follows :-

### **1. Short title and commencement.**

(1) This Act may be called the Madhya Pradesh Rajya Sadak Parivahan Seva (Bina Tikat Yatra Ki Rok) Adhiniyam, 1974. (2) It extends to the whole of Madhya Pradesh. (3) It shall come into force on such date as the State Government may, by notification, appoint.

### **2. Definitions.**

- In this Act, unless the context otherwise requires, - (a) "fact" means the total amount of all charges of whatever nature payable by a person or group of persons in respect of his or their carriage; (b) "road transport service" means a service of motor vehicles carrying persons or goods or both by road for hire or reward; (c) "State Transport Undertaking" means any undertaking providing road transport service, where such undertaking is carried on by : (i) the Central Government or the State Government; or (ii) the Madhya Pradesh State Road Transport Corporation established under the Road Transport Corporation Act, 1950 (No. 64 of 1950); (d) "ticket" includes a duty, privilege or courtesy pass issued under the authority of the State Transport Undertaking; (e) the words and expressions used but not defined in this Act shall have the meaning assigned to them in the Motor Vehicles Act, 1939 (No. 4 of 1939).

### **3. Supply of tickets and payment of fares.**

- Every person desirous of travelling on a road transport service carried by the State Transport Undertaking shall, upon payment of his fare, be supplied with a ticket by a servant of the State Transport Undertaking authorised in this behalf or an agent duly appointed by the State Transport Undertaking, for the purpose specifying the motor vehicle for which, the place from and the place to which the fare has been paid, and the amount of the fare.

### **4. Prohibition against travelling without tickets.**

- No person shall enter or remain in any motor vehicle comprised in road transport service carried by the State Transport Undertaking for the purpose of travelling therein unless he has with him a proper ticket.

### **5. Exhibition of tickets.**

- Whoever travels in any motor comprised in road transport service carried by the State Transport Undertaking authorised by the Undertaking in this behalf, present his ticket to such servant for examination at or before the end of the journey for which the ticket was issued.

### **6. Travelling without ticket or with insufficient ticket or beyond authorised distance.**

(1) If a person travels in a motor vehicle comprised in road transport service carried by the State Transport Undertaking without having a proper ticket with him or, having in or having alighted from the motor vehicle, fails or refuses to present for examination his ticket immediately on requisition being made therefor under Section 5, he shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both and shall also be liable to pay the excess charge hereinafter in this section mentioned in addition to the ordinary single fare for the distance which he has travelled, or where there is any doubt as to the stage from which he started, the fare from the stage from which the motor vehicle originally started or the place where the ticket was last examined. (2) The excess charge referred to in sub-section (1) shall be a sum equivalent to the ordinary single fare referred to in that sub-section of five rupees whichever is greater.

### **7. Breach of duty imposed on servant, etc. of State Transport Undertaking under Section 3.**

- If a servant of the State Transport Undertaking or an agent referred in Section 3, whose duty it is to supply a ticket to a person who travels or intends to travel in a motor vehicle comprised in road transport service carried by the State Transport Undertaking on payment of fare by him, negligently or wilfully omits to supply a ticket or supplies an invalid ticket, he shall be punishable with imprisonment which may extend to one month or with fine which may extend to two hundred and

fifty rupees or with both.

## **8. Power to remove persons from motor vehicle.**

- Any person, who travels or attempts to travel in a motor vehicle comprised in road transport service carried by the State Transport Undertaking without having proper ticket with him or beyond the place authorised by his ticket or who being in a motor vehicle fails or refused to present for examination his ticket immediately on requisition being made therefor under Section 5 may be removed from the motor vehicle by any servant of the State Transport Undertaking authorised in writing by the Undertaking in this behalf or by any other person whom such servant may call to his aid unless he then and there pays the fare :Provided that no person shall be so removed from the motor vehicle between the hours 6 p.m. to 6 a.m. except either at the stage at which he first entered the vehicle or at the stage at the headquarters of a district or a Tahsil.

## **9. Obstructing servant of the State Transport Undertaking in his duty.**

- If a person wilfully obstructs or impedes any servant of the State Transport Undertaking in the discharge of his duty, he shall be punishable with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both.

## **10. Magistrate having jurisdiction under the Act.**

- No Magistrate other than a Magistrate of the First Class especially deputed of the purpose shall try an offence punishable under this Act.

## **11. Summary trial.**

- In all trials offences under this Act, the Magistrate shall follow the procedure prescribed in the Code of Criminal Procedure, 1973 (2 of 1974), for the trial of summary cases.

## **12. Excess charge and single fare to be paid to the State Transport Undertaking.**

(1) Out of the amount recovered for an offence under Section 6, the excess charge and single fare referred to in that section shall be paid to the State Transport Undertaking before any portion of that amount is credited as fine to the State Government. (2) Out of the amount received under sub-section (1), the State Transport Undertaking shall be liable to pay the passenger tax levied under the Madhya Pradesh Motor Vehicles (Taxation of Passengers) Act, 1959 (No. 17 of 1959).

## **13. Overriding effect of the Act.**

- The provisions of this Act, shall have effect notwithstanding anything inconsistent therewith contained in any other law.

## **14. Power to make rules.**

(1)The State Government may make rules for carrying out all or any of the purposes of this Act.(2)The rules made under this Act shall be laid on the table of the Legislative Assembly.