

The Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006

UNION OF INDIA

India

The Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006

Rule

THE-CENTRAL-MOTOR-VEHICLES-REGULATION-OF-BUS-SERVICE-BETWEEN-AMRITSAR-AND-LAHORE-RULES-2006

- Published on 16 February 2006
- Commenced on 16 February 2006
- [This is the version of this document from 16 February 2006.]
- [Note: The original publication document is not available and this content could not be verified.]

The Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006 Published vide G.S.R. 68(E), dated 16.2.2006, published in the Gazette of India, Pt.II, Section 3(i), dated 16.2.2006.

201.

Whereas , the Government of the Republic of India and the Government of the Islamic Republic of Pakistan have entered into an Agreement on 21st day of December, 2005 for operating passenger bus service between Amritsar and Lahore on the basis of mutual advantage and reciprocity; And whereas , the Central Government is empowered under sub-section (2) of section 139 of the Motor Vehicles Act, 1988 (59 of 1988) to frame rules to give effect to such reciprocal arrangements which inter alia authorises the Government to exempt such motor vehicles and their drivers and conductors from the operation of all or any of the provisions of the said Act; And whereas , to give effect to the said Agreement which came into force, on 21st December, 2005, the Central Government considers it necessary to dispense with the requirement of pre-publication contained in sub-section (1) of section 212 of the said Act; Now, therefore , in exercise of the powers conferred by sub-section (2) of section 139 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement

(1) These rules may be called The Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006. (2) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires, - (a) Agreement means the Agreement between the Government of the Republic of India and the Islamic Republic of Pakistan for the regulation of bus service between Amritsar and Lahore signed on 21st December, 2005; (b) authorisation fee means the fee to be paid by the permit holder of one country to the other country for obtaining authorisation; (c) bus crew means driver, conductor and the liaison officer; (d) competent authority means, in relation to - (i) permits, an authority competent to issue such a permit authorised under the law of the country concerned; (ii) driving license, an authority competent to issue such a driving license authorised under the law of the country concerned; (iii) conductors license, an authority competent to issue such a conductors license authorised under the law of the country concerned; (e) country means India or Pakistan, as the case may be; (f) form means any of the form specified in the Schedule annexed to these rules; (g) Liaison Officer means official included in the crew authorised to carry out operational supervision of transport vehicle and to keep liaison between passengers and customs and immigration authorities and between passengers and prescribed food outlets or restaurants; (h) passenger means a person in possession of a valid ticket for travel from Amritsar to Lahore or vice versa and a valid passport, visa and any other travel document which may be mutually agreed to between the Parties to the Agreement; (i) PUC certificate means Pollution Under Control Certificate issued by appropriate authorities in Pakistan or India; (j) scheduled service routes mean the routes along with the time schedule and other related operational aspects specified in the Protocol to the Agreement for the regulation of bus service between Amritsar and Lahore; (k) transport vehicle means a motor vehicle (coach or bus) for the carriage of passengers for hire or reward, between India and Pakistan, subject to such restrictions on the gross laden weight, wheel base or seating capacity of vehicles as may be imposed under the law in either country from time to time. .

3. Forms, contents and duration, etc., of the permit

(1) A regular permit for transport vehicle shall be in the form set out in Schedule I and shall be non-transferable. (2) A regular permit for transport vehicle shall be valid for one year and renewable upto a maximum period of five years on a yearly basis.

4. Eligibility conditions of a vehicle

(1) A transport vehicle shall be so constructed and maintained as to be at all times under the effective control of the person driving it. (2) Driver of a transport vehicle referred to in sub-rule (1) shall have, - (a) a valid registration certificate issued under the law of the country concerned; (b) a valid

certificate of fitness issued under the law of the country concerned; (c) a valid insurance policy issued under the law of the country concerned; (d) a valid permit under the law of the country concerned; (e) a passenger list with details of their nationality; and (f) a valid PUC certificate under the law of the country concerned, in respect of such vehicle and shall make all the said documents available for inspection by any authority competent to inspect such vehicle.

5. Conditions for the driver and conductor

(1) The person driving a transport vehicle shall be in possession of a valid driving license issued by a competent authority to drive such a vehicle and the driver's badge. (2) The conductor of a transport vehicle shall be in possession of a valid conductor's license issued by a competent authority. (3) For any reason, a driver referred to in sub-rule (1) or a conductor referred to in sub-rule (2), of a country is unable to perform his duties in the other country, a driver or a conductor in possession of a valid license issued by the competent authority of such other country, may drive or act as a conductor of the vehicle, as the case may be.

6. Distinguishing particulars to be exhibited on the transport vehicle

.In addition to the registration number assigned to a transport vehicle operating under the Agreement by the competent authority, the following particulars shall be painted in English and in official language of the respective country each letter being not less than two inches (five centimetres) high and two inches (five centimetres) wide, legibly painted on a plain surface or a plate or plates affixed to the vehicles, namely:-(i) Amritsar Lahore Amritsar (on front side and backside of such transport vehicle in a conspicuous place). (ii) Name of the operator of the bus service (on both the sides of such transport vehicle).

7. Personal effects of bus crew

.The bus crew of a transport vehicle operating under the Agreement may carry such personal effects, as may be necessary, having regard to the period of their stay in the host country subject to conditions specified in the customs laws of both countries.

8. Insurance of the vehicle

.No transport vehicle which does not have a policy of insurance which covers comprehensive or third party risks, arising out of the use of transport vehicle and which complies with the requirements of the law of the country concerned shall operate under these rules.

9. Conditions for transport of passengers

.No transport vehicle registered in Pakistan shall be engaged in the transport of passengers from any point of India to any other point in India, and similarly no transport vehicle registered in India shall be engaged in the transport of passengers from any point in Pakistan to any other point in Pakistan.

Schedule

FORM OF PERMIT TO PLY TRANSPORT VEHICLES ON INDIA(AMRITSAR)-PAKISTAN (LAHORE)REGULAR PERMIT*(Strike out whichever is not applicable)Government of India /Government of PakistanPermit to ply transport vehicles between India (Amritsar)-Pakistan (Lahore).(a)Name, address and nationality of the operator of motor vehicle.(b)Registration Number of the vehicle.(c)Nature of transport operators: Point to point Amritsar-Lahore-Amritsar.(d)Capacity of the vehicle:(i)Seating capacity(ii)Laden Weight(e)Particulars of insurance policy.(f)Particulars of Certificate of fitness.(g)The starting and terminal points in each country.(h)The route or routes to be followed by the scheduled passenger service vehicle.This permit is valid fromto.....and is not transferable.

.....Signature, Designation and Seal of the competent authority of the Government of IndiaSignature, Designation and Seal of the competent authority of the Government of Pakistan.
--	--

This permit is hereby renewed upto the day
of.....

.....Signature, Designation and Seal of the competent authority of the Government of IndiaSignature, Designation and Seal of the competent authority of the Government of Pakistan.
--	--

*means a permit issued by competent authority of one country and countersigned by the competent authority of the other country, authorising the transport vehicle to ply on the scheduled service route, as specified in such permit, and includes regular permit for passenger transport.Note.-Registration papers and other documents such as insurance certificate, fitness certificate, etc., shall be carried on the vehicle(s) and made available for inspection on demand by the competent authority or any officer duly authorised by the authority.