

# The M.P. Highway Rules, 1939

MADHYA PRADESH

India

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### Act 4 of 1939

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The M.P. Highway Rules, 1939Published vide Police Department Notification No. 303-1739-4 of 1939, dated 24-2-1940, by Central Provinces and Berar Gazette, Part 3, dated 1-3-1940 at page 432Notification No. 303-1739-IV of 1939. - In exercise of the powers conferred by Section 3 of the Central Provinces Highway Act, 1936 (Central Provinces Act No. XXXIV of 1936), and of the same Act as applied to Berar, the Provincial Government is pleased to make the following rules :-

#### 1.

(1)These rules may be called the Madhya Pradesh Highway Rules.(2)In these rules unless there is anything repugnant in the subject or context, the word "cattle" has the same meaning as in the Cattle Trespass Act, 1871.

#### 2.

No person, without the written permission of the Executive Engineer in charge of a Government road or place or other officer appointed by the Provincial Government in this behalf, hereinafter referred to as the competent authority, shall on any such road or place, by means of any building, fence, pit, embankment or ditch, or any other obstruction, or by means of cut, drain, or watercourse intended for the purpose of drainage or irrigation or by keeping thereon any substance or material,-(a)obstruct traffic; or(b)cause any inconvenience to passengers; or(c)hinder or impede the flow of water; or(d)hold a mela (fair) or jatra.

#### 3.

(1)Any person being in the possession of, or having control over, any plants, trees or hedges which obstruct, overhang or overshadow any Government road or place, shall if so required by notice in writing, signed by the competent authority or any other officer authorised by it, cut down, prune or trim such plants, trees or hedges within the period, and in the manner, prescribed in such

notice.(2)Any person owning or possessing a tree, a house, wall or other erection which has fallen or part of which has fallen, or which threatens to fall, on a Government road or place, shall (a) immediately remove such tree, house, wall or other erection or part thereof, or (b) if so required by notice in writing signed by the competent authority remove the same within the period specified in such notice. In case of failure to comply with the notice issued under clause (a) or clause (b) such tree, house, wall or other erection may be removed and disposed of by sale or otherwise by the said authority.

#### **4.**

(1)No person shall erect any fence or other object on, or close to the opening or bend of, a Government road, bridge, culvert or causeway, for any purpose, so as to impede the free flow of water through it, or to intercept a view of approaching traffic on such road, or on any side road or other approach thereto.(2)No person shall cast nets for fishing purposes from any parapet of any such bridge or culvert.

#### **5.**

No person shall,-(a)destroy or damage, or remove or cause to be destroyed or damaged, or removed, any fence, tree, post, notice-board, danger light, boundary pillars and other landmarks erected on any Government road or place, or(b)throw dust or rubbish on, or collect sweepings or manure on, such road or place.

#### **6.**

No person shall obstruct any water-way adjoining a Government road or place, so as to injure or tend to injure such road or place or otherwise to render it impassable.

#### **7.**

(1)No person shall blast or remove any stone either buried or loose, in or adjacent to a Government road or place so as to endanger the safety of the users of the road.(2)The owner or occupier of any tank, well or other excavation on or near the site of any Government road or place shall fence it or duly protect such tank, well or other excavation in such manner as to prevent any obstruction or damage to such road or place or danger or inconvenience to persons using it.

#### **8.**

No person shall drive or cause to be driven any animal or vehicle over any Government road, bridge, culvert, canal or causeway in contravention of an order, direction or notice of the competent authority regulating or prohibiting the use of such road, bridge, culvert, canal or causeway.

**9.**

(1)No person shall cause the water of any privy or any matter offensive or deleterious to health, to flow or to be kept on any Government road or place.(2)No latrine shall be constructed on the side of any Government road or place without a proper screen and no night-soil shall be deposited on the side of such road or place.

**10.**

(1)No person shall cure hides or shall slaughter any animal or clean any carcasses or collect bones on or near any Government road or place.(2)No person shall place or burn any corpse or the carcass of any animal on or near any such road or place.(3)No person shall steep any jute, hemps, bamboos, hides or other offensive matter in any drain, burrow-pit or excavation situate on the side of, or near, any such road or place.

**11.**

(1)Every person driving a vehicle along a Government road, and meeting another vehicle, shall keep to his left or near side of such road so as to allow sufficient room for the other vehicle to pass.(2)Every person driving a vehicle along such road and overtaking another vehicle shall pass the latter vehicle on the right or off side of such road.(3)No person shall overtake and pass another vehicle on any Government road in such a manner as to obstruct vehicles approaching from the opposite direction or at the bends in such road which prevent his seeing such approaching traffic.(4)No person shall prevent any other person from passing along such road or shall otherwise interrupt the free use of it.(5)No person in charge of or having control over any vehicle shall overtake another vehicle the driver of which has given the appropriate signal of turning to the right.

**12.**

(1)No person under the age of 12 years independently or without an adult person to guide shall drive or have in his charge a vehicle on any Government road or place.(2)No person shall drive or ride any vehicle or animal on any Government road or place in such a way as to endanger the safety of, or cause obstruction or inconvenience to, the public.(3)No person shall drive or have in his charge on any Government road or place more than one vehicle at a time, except in case of broken down motor cars or vehicles which can be towed to the nearest place for repairs.(4)No person in charge of, or having control over, any non-mechanical vehicle or animal shall allow such vehicle or animal to stand or to proceed unattended on any Government road or place or to remain on such road or place in the charge of a person who is incapable of controlling it.(5)No person in charge of a vehicle whether it be occupied or unoccupied shall allow it,-(a)to stand on such road for any longer time than it is necessary for loading or unloading it;(b)to stand on such road in such a way as to cause obstruction or inconvenience to traffic.(6)No person shall drive a vehicle loaded with bricks or other material on any Government road unless the bricks or other material are secured from falling on such road.(7)If any vehicle breaks down on any Government road, the driver shall remove it to the

edge of such road without delay, and shall within a reasonable time, remove from such road all materials (if any), which have fallen from the vehicle and shall place the vehicle in such a position that it will not obstruct traffic.(8)No person shall carry bamboos, poles, timber, brush wood, steel sections or other materials in cart on any Government road, or propel, or drag any article, or any damaged vehicle along such road, in such a manner as to cause injury or annoyance to persons using such road.(9)No person shall drive on any Government road any vehicle laden with bamboos, logs, steel beams, planks or other materials of a similar character which exceed 12 feet in length and project beyond the vehicle, unless the vehicle is accompanied by another person to keep a watch over the length of the materials projecting beyond the vehicles.

### **13.**

No vehicle other than a cart with a load or a total load in excess of the maximum safe load, which may be indicated by a notice or notice-board on the bridge shall enter upon or cross any bridge over any Government road.

### **14.**

(1)Every carriage including a spring chhakra or damni drawn by a horse or horses, every wagon drawn by any other animals, or propelled by motive-power, shall carry two conspicuous lights, one on either side; and every two wheeled cart and springless chhakra or damni and every bicycle, tricycle or multicycle shall carry one conspicuous light when travelling on any Government road after sunset and before sunrise.(2)Every vehicle laden as described in Rule 12 (9) shall carry an additional light at the end of its projection while travelling on a Government road.

### **15.**

Every person, driving a vehicle on any Government road or place, shall carry on it a horn or a bell as shown against each vehicle below for giving audible and sufficient warning of its approach or position on such road or place-(1)A motor car, motor cab, motor omnibus, motor lorry, heavy motor vehicle, motor cycle or any other mechanically propelled vehicle-a horn.(2)A bicycle or tricycle-a cycle bell.(3)A tonga or any carriage pulled by a horse or horses-a bell :Provided that a damni, chhakra or cart pulled by a bullock or bullocks or a similar vehicle shall not be required to carry a horn or a bell.

### **16.**

(1)No person in charge of, or having control over, any animal used for riding or draught shall allow such animal to stand or move on any Government road or place without rider or driver.(2)No person in charge of, or having control over any cattle shall allow such cattle to stray or lie on any such road or place so as to cause inconvenience or danger to any person travelling on it.(3)No person shall tether any cattle on the top or flank of such road, or shall stall cattle on such road.

**17.**

No person shall take any elephant or camel on any Government road or place unless such elephant or camel is provided with a bell, and, if taken on such road or place after sunset and before sunrise, also with a light.

**18.**

The driver or person in charge of every elephant or camel which is taken on any Government road shall, on-being so required by the rider or driver of any other animal, which is also passing through that road, remove such elephant or camel with reasonable promptitude to a sufficient distance from the road, to allow such animal to pass safely along the road.

**19.**

Any person driving any vehicle or animal on any Government road or place shall stop it when required by a Police Officer to do so, for the regulation of traffic, or for any other reasonable purpose.

**20.**

No person having the charge of or control over any animal or vehicle at places other than those notified to the purpose, if such halting is likely to cause obstruction to traffic on any Government road or place or danger to the public using it. Vehicles halted on either side of Government road shall leave room for two lines of traffic to pass between. The responsibility for the observance of this rule shall rest with the driver of a vehicle who draws up on the opposite side of the road to a vehicle already halted.

**21.**

No parent, or other person for the time being in charge of any child under 5 years of age, shall allow such child to stray on any Government road so as to cause obstruction or risk of obstruction to traffic.

**22.**

(1)No person shall light a fire in any unenclosed place within 10 yards of any wooden bridge on a Government road.(2)No person shall light a fire on or near any such road in such a manner as may lead to setting fire to road-side jungle.

## 23.

(1) A breach of any of the rules mentioned in column (1) of the following table shall be punishable with fine which may extend to the sum mentioned opposite thereto in column (2) of the table :-

Rules	Maximum fine
12 (5), 17, 19 and 20	Ten rupees
2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 except sub-rule (5), 13, 14, 15, 16, 18, 21 and 22	Twenty-five rupees

(2) A continuing breach of any of these rules shall be punishable with a further fine which may extend to Re. 1 for every day during which the breach is continued after the offender has been convicted of such breach.