

Management of
undertaking by
Transport Manager.

342. (1) Subject to the superintendence of the Transport Committee and of the Corporation, the Transport Manager shall manage the Transport Undertaking and perform all acts necessary for the economical and efficient maintenance, operation, administration and development of the Undertaking.

(2) Without prejudice to the generality of the foregoing provision, the Transport Manager may, with the sanction of the Transport Committee and subject to the restrictions or conditions imposed by this Act, either within or without the City—

(a) construct or acquire transport undertakings, including mechanically propelled transport facilities for the conveyance of the public, subject to the provisions of the Motor Vehicles Act, 1939, or of any other enactment for the time being in force and the conditions of any licence, permit or sanction in favour of the Corporation granted thereunder;

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(b) construct buildings and works of every description necessary or desirable for the operation or development of the Transport Undertaking;

(c) purchase or take on lease or hire or otherwise acquire any moveable or immovable property or rights;

(d) exercise any of the powers of a licensee holding a stage permit under the Motor Vehicles Act, 1939, which the Corporation is for the time being authorised to exercise and any other powers exercisable by the Corporation under the said Act in relation to the provision of mechanically propelled transport facilities for the conveyance of the public.

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Fares and charges

Levy of fares and
charges for transport
services.

343. (1) Fares and charges shall be leviable for the conveyance of passengers or for the carriage of goods by any means of transport provided by the Transport Undertaking at such rates as may from time to time be fixed, subject to the provisions of any enactment for the time being in force and any license granted to the Corporation thereunder, by the Transport Committee with the approval of the Corporation.

¹[(2) If any person travelling or having travelled in any vehicle of the Transport Undertaking avoids or attempts to avoid payment of his fare or any person having paid his fare for a certain distance proceeds in any such vehicle beyond such distance and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof or any person refuses or neglects on arrival at the point up to which he has paid his fare to quit such vehicle, he shall be liable to pay, on demand by any officer or other servant of the Transport Undertaking duly authorised in this behalf by the Transport Manager, in addition to the ordinary single fare for the distance which he has travelled or where there is any doubt as to the stop from which he started, the ordinary single fare from the stop from which the vehicle originally started or in addition to any difference between any fare paid by him and the fare payable for the additional distance ²[such excess charge—

(a) not exceeding on hundred rupees as the Transport Manager, with the approval of the Transport Committee, may determine in this behalf, or

(b) equivalent to twenty times the ordinary single fare, whichever is less.]

(2A) If a passenger liable to pay the excess charge determined under sub-section (2) fails or refuses to pay the same on demand being made therefor, he shall be liable without prejudice to his liability to pay the excess charge as so determined, to be punished for such offence with fine which may extend to fifty rupees.

(2B) The Transport Manager or any officer or other servant duly authorised under sub-section (2) may apply to the Magistrate having jurisdiction, for the recovery of the excess charge as determined under sub-section (2) as if it were a fine and the Magistrate, if satisfied that the same is payable, shall order it to be so recovered and on recovery to be paid to the Transport Manager.]

1. Sub-sections (2), (2A) and (2B) were substituted for sub-section (2) by Guj. 1 of 1979, s. 17 (i).

2. This portion was substituted for the portion beginning with the words “such excess charge” and ending with the words “may determine in this behalf” by Guj. 15 of 2000, s. 6.