

RULES AND REGULATIONS GOVERNING THE CITY PERMITS FOR CYCLE RICKSHAW IN BHOPAL

State: Madhya Pradesh

Details of city permit procedures are as follows:

Cycle Rickshaws are regulated as per the directions of Madhya Pradesh Cycle Rickshaw Adhiniyam 1984.

As per the provisions of the Madhya Pradesh Cycle Rickshaw Adhiniyam 1984, cycle rickshaw means a three wheeled cycle rickshaw driven by manual labour and includes all its components and accessories and vehicles of similar construction or design plying for hire within the limits of municipal area but does not includes a rickshaw designed and used only for carrying goods.

Licensing Procedure:

Notwithstanding any provisions of the Madhya Pradesh Municipal Corporation Act 1956 or any rule or bye law made there under, no owner of a cycle rickshaw shall be granted any license nor his license shall be renewed by any municipal authority after the commencement of the Madhya Pradesh Cycle Rickshaw Adhiniyam 1984 unless the rickshaw is to be plied or propelled by the owner himself. Provided that two licenses may be granted to the owner of a cycle rickshaw for the purpose of plying or propelling the cycle rickshaw where he engages another person as an attendant subject to the conditions and the restrictions as may be prescribed. A license granted or renewed prior to the commencement of the Act shall be revoked after six months of coming into force of the Act if it does not conform the provisions of the Act.

The application shall be addressed to the commissioner of the municipal corporation. The license shall carry a photograph of the owner of the cycle rickshaw or the person engaged by him as an attendant as the case may be, duly attested by the authority issuing the license. The license issued shall also mention the word "owner" or "attendant" as the case may be in the license immediately below the photograph, in Capital Letters in red ink.

A copy of the photograph of the owner or attendant or the driver to whom a license for plying a cycle-rickshaw is to be issued shall be kept in the office record of the Municipal Authority issuing the license along with the application for the issue of license. The license issued to the person engaged by the owner of the cycle rickshaw, as an attendant shall also mention the name and the license number of the owner plier of the Cycle rickshaw.

Exemptions:

Notwithstanding anything contained in this Act a license of a cycle- rickshaw may be granted or renewed by the municipal authority to a widow or to a disabled person to be plied or propelled by another person if this is the only source of livelihood of such person and the authorities can grant two driving licenses. But they must get the details of owner and driver being engaged along with a photograph of the driver.

A license may also be granted or renewed by a municipal authority to an educational institution recognized by the Educational Department and an institution of social welfare activities to ply through another person for the requirements of the institution. The body of rickshaw shall be painted yellow.

Forfeiture of Cycle Rickshaw:

If any person is convicted of an offence in respect of a cycle rickshaw the court shall declare such Cycle rickshaw to be forfeited to the State Government. If the owner of the cycle rickshaw cannot be traced, the court before which the cycle rickshaw is produced shall declare it to be forfeited to the State Government. The state Government may hand over any cycle rickshaw forfeited under sub-section (1) or sub-section (2) to the municipal authority within whose area the offence was committed, which authority may settle it with the plier or a propeller.

In the event of forfeiture, the municipal authority in whose jurisdiction offence was committed shall be competent to take possession for and on behalf of the State Government of the forfeited Cycle Rickshaw and shall settle it with the plier or the state government from time to time may issue a propeller subject to such direction as may be issued by the state government from time to time.

Penalty:

Any person who plies or propels the cycle rickshaw, without a license conforming to the provisions of this Act or causes it to be propelled by a person without a valid license issued under any law for the time being in force or plies or propels or causes to be plied or propelled a cycle rickshaw not meant to be plied or propelled for hire under subsection (2) of section (5) or without painting the body thereof in yellow as required by subsection (3) of section 5 shall be punishable with imprisonment which may extend to three months or a fine which may extend to Rs.250.