

RULES AND REGULATIONS GOVERNING THE CITY PERMITS FOR AUTO RICKSHAW IN CHENNAI

State: Tamil Nadu

Details of licensing are as follows:

The Motor Vehicles Act, 1988, is the principal Central legislation governing the transport system in the country, and as such, is also the source of most of the laws applicable to all Transport systems in India. The MV Act in section 2(7) defines "contract carriage" as a motor vehicle which carries a passenger or passengers for hire or reward and is engaged under a contract, whether expressed or implied, for the use of such vehicle as a whole for the carriage of passengers mentioned therein and entered into by a person with a holder of a permit in relation to such vehicle or any person authorized by him in this behalf on a fixed or an agreed rate on a time basis, whether or not with reference to any route or distance or from one point to another. It also includes maxi cabs. So an auto rickshaw also comes under contract carriages.

Necessity for permits:

As per section 66(1), No owner of a motor vehicle shall use or permit the use of the vehicle as a transport vehicle in any public place without a permit granted or countersigned by a Regional or State Transport Authority or any prescribed authority authorizing him the use of the vehicle in that place

Relevant Motor Vehicles Acts Directions:

Though Chennai Transport authority is not issuing any city permit at present, The Motor Vehicles Act is applicable in the city too. So the procedures can be summarized as:

Application Procedure:

As per the section (73), an application for a permit in respect of a contract carriage shall contain the following particulars namely: -

1. The type and seating capacity of the vehicle;
2. The area for which the permit is required;
3. Any other particulars which may be prescribed

According to the section (74,) the grant of permit is as follows:

A Regional Transport Authority may, on an application made to it under section 73, grant a contract carriage permit in accordance with the application or with such modifications as it deems fit or refuse to grant such a permit: Provided that no such permit shall be granted in respect of any area not specified in the application. The Regional Transport Authority, if it

decides to grant a contract carriage permit, may, subject to any rules that may be made under Motor Vehicles Act.

Transfer of permits:

As per section (82) a permit shall not be transferable from one person to another except with the permission of the transport authority which granted the permit and shall not without such permission, operate to confer on any person to whom a vehicle covered by the permit is transferred without any right to use that vehicle in the manner authorized by the permit.

Duration and renewal of permits:

A permit other than a temporary permit issued under section 87 or a special permit issued under sub-section (8) of section 88 shall be effective from the date of issuance or renewal thereof for a period of five years. The permit has to be renewed on an application made not less than fifteen days before the date of its expiry.

Permit Procedure in Chennai:

In Chennai, anyone licensed to drive an auto rickshaw is eligible to apply for a permit. The procedure for obtaining a permit is fairly simple. A form is available with the RTO (Regional Transport Officer) for Rs.500 and one may obtain a permit by submitting this filled in application. The fees are as decided by the RTO (Regional Transport Officer) and there are no other requirements except for a license and the application form. It is however observed that it is simple to obtain this permit through agents.

At present the applications are not available as no permits are being issued as per government directives however no the intern found such order, nor did the RTO official know the details of the order.

At present however the Chennai RTO (Regional Transport Officer) is not issuing any permits for auto rickshaws in compliance with the Government of Tamil Nadu directives.