

RULES AND REGULATIONS GOVERNING THE CITY PERMITS FOR CYCLE RICKSHAW PULLERS IN LUCKNOW

State: Uttar Pradesh

Details of city permit procedures are as follows:

As per the section 2(a) of the Bye law formed by the municipal board of Lucknow for the regulation and control of rickshaw kept for plying on hire or for private use within the limits of Lucknow municipality, no person is allowed to ply a rickshaw within the municipal limit of Lucknow except under rickshaw license granted by the executive officer, for the current financial year.

Procedure:

As per the section 2 (a) of the by law, an application for a rickshaw license shall be made to the executive officer in the prescribed form. It shall contain the statement regarding the purpose, whether it is meant for public or private use. It shall be signed or thump marked by the owner of the rickshaw and shall also contain a signed consent of the driver/ coolie who will ply the rickshaw.

By applying (filling the form) in Nagar Nigam Office, we can get the license that is from April 1st to 31st March (by paying Rs.75). Only Nagar Nigam/ Cantonment Board is involved. Tax Superintendent (License Officer) is only person concerned for that.

An application for fresh license can be made at any time during a financial year. The applicant must produce rickshaw for the inspection at the municipal office and the rickshaw shall be inspected by the executive officer before granting of license. Rickshaw license may be granted by the executive officer on the prescribed form. The license so granted shall not be transferable. Here the license is provided on same day.

License Fees:

As per the byelaw, the fees are levied on two categories. Owner and Puller. A fees of Rs.15/- for the financial year 1st of April to 31st March in respect of each Rickshaw license shall be charged for each rickshaw license by the executive officer and shall be credited by him, to the board, provided if an application for the license is made on or after the 1st of October in any financial year. Additional fees is as per following

I Category:

1. Owner – Rs.75
2. Rs.10 is charged for application fee
3. Rs.10 is charged for health fitness
4. For Driver- Rs.20 is charged for application
5. Rs.10 is charged for Health fitness certificate

II Category:

1. Rs.75/Rs. 10 for (Owner)
2. Rs.20/Rs. 10 for (Puller)

License Renewal:

An application for a rickshaw license in respect of a rickshaw licensed for the previous financial year or part of it shall be made between the 1st of April and 31st of May. If it is made after the period, then it shall be rejected unless the executive officer is satisfied about the failure to supply with the prescribed period due to cause beyond the control of the applicant. The fess is same as of new one. If all the condition is fulfilled then it is renewed on same day.

Terms and Conditions:

No Rickshaw License shall be granted, unless:

1. It is in good and neat condition.
2. Strong and fit for the use on the road.
3. Equipped with the back reflectors of red colour of suitable size, one on either side of it.
4. Equipped with one light in front
5. Fitted with good brakes.
6. Fitted with warning bell or kirkire.
7. Facilities for exhibiting the rates.
8. The rickshaw tax must have properly paid.

General Provisions Regarding License:

1. All licenses under the by-laws shall be granted only for the period ending March 31 next. The licensees shall be bound to apply for a new license every year. Prescribed fees shall be payable every year, before a new license is issued
2. The executive officer shall fix and may change the tariff rates from time to time with the approval of the board and when they are so changed, new tariff plates shall be made available for being fixed to rickshaws in accordance with by- law
3. If the license is lost, the executive officer may issue a duplicate license, while applying in the prescribed form. Half of the original fees will be payable, if an application for a new license is made on the date on which the application for duplicate is made
4. The executive officer may at any time suspend or cancel a license for the breach of any one of the provisions in byelaws. The executive officer will state the grounds of suspension or cancellation in his order and a written intimation shall be send to the licensee and there is further scope for the recalling of the order

General Provisions Regarding the Issue of License:

1. As per the byelaw, the municipal board has the power to impose restrictions from time to time on the number of rickshaws to be licensed for (1) plying for hire and for private use respectively.
2. As per the byelaw, the municipal board has the power to impose restrictions from time to time on the number of rickshaw licenses to be issued to any one individual rickshaw owner.
3. Any person aggrieved by any order of the board under by-law may represent it to review and reconsider the order and the order of the board passed on such representation shall be final.

General Provisions applicable to the licensed Rickshaws:

1. Any police officer or executive officer may at any time demand the inspection of a licensed rickshaw, a driver's / coolie license, or a rickshaw license and the driver or coolie / any body in charge shall be bound to comply with the demand.
2. A six monthly general inspection of rickshaw and licenses shall be carried out by the executive officer during October and November each year.
3. If the rickshaw is found on the road with an unlicensed driver or coolie or rickshaw itself and the police officer or executive officer is not satisfied about the corrections of the name and address given by person in charge on the same, the officer concerned may order the rickshaw to be taken to the municipal office till the name and address becomes satisfactory.
4. The rickshaw shall not be returned unless the full detection fees are paid up.
5. The police officer / executive officer can order the licensee or driver or coolie to take / send his vehicle on the breaching of bye- laws other than the provision dealing with the name and address of licensee.
6. When a rickshaw license is suspended by the executive officer for the breach of byelaw, then the person in charge may be order to deliver the rickshaw in the municipal office.
7. If the person in charge is not taking back from the executive officer is not turning up till the end of the expiry period of license after the due payment to the board, the rickshaw may be retained beyond the period, till the person concerned does turn up and make the payment.
8. A fee of Rs.1 per day as the detention fee shall be charged by the executive officer for the detained period of rickshaw under the custody of the executive officer. If a rickshaw is detained and released on the same day, the minimum fees of Rs.1 shall be charged. In other cases, the day of detention shall be counted as the one day but the day of release shall be exceeded.
9. No detention fees shall be charged for holidays observed in the Municipal Board, if the holiday occurs on the day following the day which rickshaw is detained.
10. In no case, the total detention fees in respect of one continuous period of detention shall exceed a total of Rs.15/-
11. If a detained rickshaw is not claimed and paid for within 30 days from the date of detention including the letter day, the dues of the board shall be released as per chapter VI of the municipalities Act.

Duties of the Rickshaw owner:

It shall be the duty of every owner of a rickshaw and of every one holding or occupying the position of an owner not to allow his rickshaw to be plied on the road for any purpose without obtaining a rickshaw license under by-law No.2. It shall be the duty of every holder of rickshaw licensee: -

1. To keep his licensed rickshaw always in a good condition fit for the use of the road duly equipped with two back reflections of red colour of suitable size, one on either side of the rickshaw and fitted with good warning bell or kirkiras.
2. To equip his licensed rickshaw with a light in front if it is allowed to be or is likely to be on the road after dusk.
3. In case of a rickshaw licensed for plying for hire to exhibit prominently the tariff-plate on the rickshaw and to maintain it in good readable condition.
4. On a reasonable notice from police officer or the Executive Officer, to produce the rickshaw, and the rickshaw license and if possible the license of the driver or of the coolie whose name and license number is noted in the register under by-laws 3(c) and (e)
5. Not to allow his rickshaw to be plied on the road by any person not holding a driver's license or coolie's license under by-law No.3
6. Not to ply his rickshaw himself on the road without taking out a driver's or Coolie's license under by-law no.3
7. Provided that if the owner of a rickshaw is also the driver or coolie, he will be bound to observe the duties of both the (1) driver or coolie and (11) the rickshaw owner as provided under these by-laws.
8. Not to allow even a licensed driver or coolie to ply his rickshaw on the road without getting the driver's or coolies name and license number noted in the registered under by-law no.3 (C) and (e)
9. In case of detention under by-law No.2 or 14 to pay up all dues of the Board arising under by-law No.15
10. To notify the Executive Officer in accordance with by-law 2 (C) any transfer of a rickshaw from his ownership to that of any other person and to get necessary entries made in the Municipal records and to get his license cancelled.
11. To see that no deed body, fish, meat carcass or person suffering from contagious diseases is carried on his rickshaw and if the same is carried without his knowledge or consent, to intimate the act to the Medical Officer or Health or the Executive Officer as soon as the fact comes to his knowledge.
12. Not to use or allow any rickshaw to the Municipal Office when asked to do so and,
13. To carry out any other order of the Executive Officer passed by him under these by-laws.

Duties of the driver/ coolie:

It shall be the duty of the driver of or coolies: -

1. Not to drive, propel or pull a rickshaw unless the same is licensed and he himself holds a driver's or coolie's license in respect of that rickshaw.
2. To keep his license always with him while driving, propelling or pulling such rickshaw or keeping it on the road, and to preserve the entries in his license and the photo affixed there to in good recognizable condition.
3. To produce for inspection his own license immediately on demand by a police officer or the Executive Officer.

4. To be civil and polite to public.
5. To deposit at the nearest police station any unclaimed property found in the rickshaw in his charge within two hours of finding the same.
6. To take the Municipal office the rickshaw in his charge or possession, when asked to do so by any police officer or the Executive Officer on the ground of his having contravened any of the provisions of these by-laws and to abide by any order passed by the Executive Officer in accordance with these by-laws.
7. To deliver the rickshaw to the Executive Officer whenever a rickshaw license is suspended, by notice or otherwise in accordance with these by-laws or when required doing so under byelaw Nos. 12 and 14.
8. To carry out any order of Executive Officer passed by him under these byelaws.
9. Not to carry more than
 - 1) Two adult person or
 - 2) One adult person and two children
 - 3) One adult person and the quantity of luggage specified by the corporation on any rickshaw
10. Not to ply for hire or otherwise, any rickshaw unless it is equipped with two back receptors of red colour of suitable size, one on either side of the rickshaw and one light in front and is fitted with good brakes and a warning bell or kirkira provide that no front light will be necessary after day break and before dusk.
11. Not to interfere with the peaceful and legitimate works of other drivers or coolie.
12. Not to use in descent or abusive language.
13. Not to use in descent gestures.
14. Not to ply for hire any rickshaw unless it is in good condition and is fit for use on the road and has prominently exhibited on it tariff rate in good reasonable condition
15. Not to charge or attempt to charge any fare at a rate higher than that provided in the latest tariff rates in force the time being and not to refuse to accept the fare offered at the rate provided in such tariff rates.
16. Not to ply any rickshaw for hire which he has been licensed for private use.
17. Not to carry a dead body, fish meat, carcass or a person suffered from contagious disease on the rickshaw driven or pulled by him.

Penalties:

Any breach of the provisions in the byelaw shall be punishable with fine which may extend to Rs.500/- and when the breach is continuing then a further fine which may extend to Rs.5/- every day after the date of the first conviction during which the offender is proved to have persisted in the offence.

Additional Penalties:

1. If during the checking, if the puller is not having the vehicle pass then he paid Rs.25 for punishment
2. During the checking, if the puller is not having the driving license then Rs.10 is charged as a punishment

3. If the puller not paid Rs.25 /Rs.10 on same day then the Nagar Nigam Inspector charged Rs.10 for each day and after 90 days the rickshaw is already in custody of the Nagar Nigam
4. If the renewal is made after the prescribed period, then it shall be rejected unless the person is getting clearance from the executive officer