

## **RULES AND REGULATIONS GOVERNING THE CITY PERMITS OF AUTO RICKSHAWS IN MYSORE**

**State: Karnataka**

### **Details of city permits are as follows:**

As per Section 66 of Motor Vehicles Act 1988, permit is necessary. Motor Vehicles Act 1988 is the legislative directions towards the issue of permit. License relates to driver whereas permit relates to the control of operation of Motor Vehicle. Permits are issued to ply on certain routes Authorized by the Transport Authorities. The Transport Department Officials is the regulatory authorities for the implementation of Motor Vehicles Act. Permits are issued by Regional Transport Authority or the secretary of Regional Transport Authority for a transport Vehicle to ply on a public Road where as the licenses to drive vehicles are issued by the Licensing Authority / assistant Licensing Authority in the Transport department. Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle

Auto Rickshaws are regulated by the RTO (Regional Transport Office) on the basis of motor Vehicles Act 1988 and Karnataka Motor Vehicle Rules 1989. The Regional Transport office issues the permits and number plates will be given in yellow plate with black letters.

Temporary Permits and Special Permits will be issued for a limited period for the conveyance of passengers on special occasion such as Fairs, Religious Gatherings, Seasonal Business, Temporary need or pending decision of renewal of permit. Operating a vehicle without permit attracts hefty fine including conviction.

### **Permit Procedure:-**

Every application for permit shall be in the prescribed form. As per the act and rules, every permit shall be signed and sealed by the transport authority by which permit is issued.

As per the motor vehicle rules, no permit shall be issued until the registration mark is not entered in the vehicle. If an applicant fails to produce the registration certificate within the stipulated time, the Regional Transport Authority may withdraw the sanction of permit.

### **Authority issuing City Permit:**

Regional Transport Authority/ Secretary of the Regional Transport Authority is the authority to grant Permits.

### **Fees: -**

Rs.750/- will be charged as permit fees.

### **Documents Required:-**

For city permit (PCOP) necessary document are

1. Filled form.
2. Ration Card- copy

3. Driving license copy.
4. Address proof.
5. Insurance Certificate
6. Tax Card
7. Fitness certificate

### **Renewal Of permits:**

As per Section 81 of The Motor vehicles Act 1988 which deals with the 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. Provided that where the permit is countersigned under sub-section (1) of section 88, such counter-signature shall remain effective without renewal for such period so as to synchronise with the validity of the primary permit.

The Act also says that the permit may be renewed on an application made not less than fifteen days before the date of its expiry. Notwithstanding anything contained in sub-section (2), the Regional Transport Authority or the State Transport Authority as the case may be, entertain an application for the renewal of a permit after the last date specified in that sub-section if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified.

As per the section (4) Of the section 81 of the Motor Vehicles Act 1988, The Regional Transport Authority or the State Transport Authority, as the case may be, may reject an application for the renewal of a permit on one or more of the following grounds, namely:-

1. The financial condition of the applicant as evidenced by insolvency, or decrees for payment of debts remaining unsatisfied for a period of thirty days, prior to the date of consideration of the application;
2. The applicant had been punished twice or more for any of the following offences within twelve months reckoned from fifteen days prior to the date of consideration of the application committed as a result of the operation of a stage carriage service by the applicant, namely Plying any vehicle without payment of tax due on such vehicle, Without payment of tax during the grace period allowed for payment of such tax and then stop the plying of such vehicle on any unauthorized route and Making unauthorized trips:

Provided that in computing the number of punishments for the purpose of clause (b), any punishment stayed by the order of an appellate authority shall not be taken into account: Provided further that no application under this sub-section shall be rejected unless an opportunity of being heard is given to the applicant.

In the case of the permits which has been renewed after the expiry of the period thereof, such renewal shall have effect from the date of such expiry irrespective of whether or not a temporary permit has been granted under clause (d) of section 87, and where a temporary permit has been granted, the fee paid in respect of such temporary permit shall be refused.

**Terms and conditions:**

One is supposed to follow the section 74 of Motor Vehicles Act 1988. Some special instructions includes:

1. Auto Rickshaw can travel with passengers within 15 kilometres only in city limit.
2. Auto Rickshaw can pick up 3 persons only by travelling
3. Uniform is necessary (Khaki)
4. Auto rickshaw must bear the token number and Badge issued by the Transport department and Local Auto Committees
5. Black shoes is necessary

**Penalty:**

An amount of Rs.300/- will be collected for vehicles without Permit.

As per Section 192A of The Motor Vehicles Act 1988, using vehicle without permit is punishable. The act says that Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of sub-section (1) of section 66 or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees and for any subsequent offence with imprisonment which may extend to one year but shall not be less than three months or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both. Provided that the court may for reasons to be recorded, impose a lesser punishment. Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injury or for the transport of materials for repair or for the transport of food or materials to relieve distress or of medical supplies for a like purpose: Provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.

As per Section 200 any offence whether committed before or after the commencement of this Act punishable section 192, may either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Official Gazette, specify in this behalf. As per subsection (2) of section 200, an offence which has been compounded under sub-section (1) the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.