

## **RULES AND REGULATIONS GOVERNING CITY PERMITS OF CYCLE RICKSHAW IN NANITAL CITY**

**State: Uttaranchal**

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

In Nainital, the Cycle Rickshaws is regulated as per the provisions of the "Bye-laws for the regulation of three wheeled pedal propelling rickshaws plying for hire within the Naini Tal Municipality". No rickshaw shall be hired out for use within municipal limits, except under a license granted in accordance with these bye-laws, and except in accordance with the conditions of such license.

The licensing officer shall refuse to grant a license if the vehicle is not in a good state of repair no minor shall be issued a license nor shall any person be issued more than one Cycle Rickshaw license in his name. Here the license and permit mean the same. There is no difference between the two, here the municipal corporation treats license as permit.

As per the byelaws, no license shall be issued or renewed unless the police authorities have verified the character and antecedents of the person applying for a license. In case of adverse police report, no license will be granted or such license if granted will be cancelled.

### **Licensing Procedure:**

A person desirous of having a driver's license shall submit an application, in duplicate to Licensing Officer giving full and correct particulars as may be asked for by the Licensing Officer, and produce a medical certificate, issued by the Municipal Medical Officer of Health, Naini Tal as to his age, physical fitness and identification marks and three 2½"x3" prints of his photographs with his application or subsequently according to the directions of the Licensing Officer. A license for driving under these bye-laws shall be issued only to the person actually driving the cycle rickshaw on furnishing a security of Rs.10.

No license shall be issued or renewed unless the police authorities have verified the character and antecedents of the person applying for a license. In case of adverse police report, no license will be granted or such license if granted will be cancelled.

### **Authorities:**

As per the bye-laws the "licensing officer" shall be the Executive Officer, Municipal Board.

### **Transfer:**

As per the byelaw, license will be non-transferable. The licensee shall not transfer his license to any other person but a license may be transferred on the joint application of the persons concerned to the licensing officer, who will make the necessary alteration in the license on payment of a fee of Rs.2.50 Paise.

### **License Fees:**

A license for driving under these bye-laws shall be issued only to the person actually driving the cycle rickshaw on furnishing a security of Rs.10. The driving license fee will be Rs.5 per

year or part of a year ending on a March 31, in each year. Byelaw also states that A fee of Rs.25 shall be paid for each license for a year or part of a year.

### **License Renewal:**

The validity of license will be ending on a March 31, in each year and the license will be non-transferable. No license shall be issued or renewed unless the police authorities have verified the character and antecedents of the person applying for a license. In case of adverse police report, no license will be granted or such license if granted will be cancelled. For renewal the applicant has to fill the same form that he has filled for getting a new license and has to follow the same procedure. The license is renewed on the order of the Executive Officer.

### **Suspension:**

The licensing officer may at once suspend the license for the breach of any of the conditions on which it was granted pending the order of the President and the President may at any time for reasons to be recorded, direct that the license be with drawn and cancelled. The cancellation of his license shall be no bar to the holder's prosecution for nay offence punishable under these bye-laws which he may have committed.

An appeal shall lie to the President from any order of the licensing officer under bye-laws 4 and 7 within ten days from the date of the said order. President's order on such appeal shall be final.

### **Terms and Conditions:**

1. No rickshaw shall be allowed to ply on any road within municipal limits except the North Mall from the Lake Bridge up to the Poplars
2. The number of the rickshaw corresponding to the number of the license shall be painted on both sides of the body of the vehicle in 4 inch white figures on a black ground
3. At the time of licensing a printed schedule of rates will be provided to be each rickshaw free of charge
4. The license specified in bye-law 2 shall be granted subject to the conditions of the byelaw
5. The rickshaw must be kept in good repairs
6. The license shall not remain valid after the 31<sup>st</sup> March following the date of issue
7. The lamp of every rickshaw must be provided with the required amount of oil wicks or other illuminant before the rickshaw is let out to hire.
8. The license is responsible that the numbers affixed under bye-law 6 are maintained in good order.
9. If any lost or unclaimed property is found in any licensed rickshaw on its return from here the licensee shall within 24 hours, if it is not sooner claimed by the owner thereof take it, or cause it to be taken, to the Kotwali and deliver it, or cause it to be delivered, to the Police Officer in charge.
10. The licensee shall not Without reasonable excuse refuse to let out of his rickshaw to any person lawfully requiring the same, or refuse to accept the hire laid down by these bye-laws or demand a higher rate;
11. The license shall not fail to produce his license when it is demanded by a magistrate, member of the Board, Police Officer or Employee of the Board especially empowered in this behalf.

12. Upon the expiration or suspension or cancellation of his license the licensee shall within 24 hours deliver up his license to the licensing officer.
13. The licensee shall not transfer his license to any other person but a license may be transferred on the joint application of the persons concerned to the licensing officer, who will make the necessary alteration in the license on payment of a fee of Rs.2.50 Paise
14. The alterations in the license shall be signed and dated by the licensing officer.
15. The licensee shall produce his rickshaw for inspection by the licensing officer at such times and places as the President, Vice-President, or the licensing officer may direct.
16. Every person licensed to propel a rickshaw shall wear while in charge of, or employed with, such licensed rickshaw, a brass badge on his arm bearing the number of his license and shall be cleanly and decently clothed.
17. No person who in the opinion of the licensing officer is too weak and no person under 16 years of age shall be allowed to propel a rickshaw.
18. If the Licensing Officer considers that any driver or puller is not fit to drive a rickshaw or is ill continuously or his character and antecedents are unsatisfactory, or if any of the particulars furnished in the application for driver's license are subsequently found to be incorrect, the said officer may cancel or suspend the driving license.
19. The Licensing Officer may prohibit plying of cycle rickshaws on the Mall Road during such hours as may be specified by him to avoid inconvenience to pedestrian traffic.
20. Rickshaw when not let out on hire shall not be kept or place on any public road except at the municipal rickshaw stands to be fixed by the Board and no rickshaw shall be taken along any public road for the purpose of offering it for hire to passers by.
21. No more than two persons shall be carried in any rickshaw.
22. When passing equestrians and led horses rickshaws must keep to the outside of the roads, as between themselves they shall observe the ordinary rule of the road.
23. No rickshaw shall be left standing on any narrow road so that any other rickshaw, dandy or other traffic cannot pass.
24. Every rickshaw plying for hire shall be produced for disinfection before the sanitary inspector of the circle once a fortnight at dandy shed at the time and day fixed by the Medical Officer of Health. A charge of 0.06 P. will be made for every disinfection.
25. The licensing officer may at once suspend the license for the breach of any of the conditions on which it was granted pending the order of the President and the President may at any time for reasons to be recorded, direct that the license be withdrawn and cancelled. An appeal shall lie to the President from any order of the licensing officer under bye-laws 4 and 7 within ten days from the date of the said order. President's order on such appeal shall be final.
26. The rates of hire for rickshaws shall in no case exceed 12 paise for one passenger and 25 Paise for one passenger and 25 Paise for two passengers.

#### **P E NALTY:**

"In exercise of the powers is conferred by section 299(1) of the Act, the Board hereby directs that any breach of any provisions of the rules and bye-laws shall be punishable with fine which may extend to five hundred rupees, and, when the breach is a continuing

breach, with a further fine which may extend to five rupees for every day after the date of first conviction during which the offender is proved to have persisted in the offense.”