

## **RULES AND REGULATIONS GOVERNING CITY PERMITS FOR AUTORICKSHAW IN PONDICHERRY**

### **State/ union territory: Pondicherry**

### **Details of licensing are as follows**

As per Section 66 of Motor Vehicles Act 1988, permit is necessary. Pondicherry Motor Vehicle Rules 1989 and Motor Vehicles Act 1988 is the legislative directions towards the issue of permit. The Transport Officials and Police Officials are the regulatory authorities for the implementation of Motor Vehicles Act. Permits are issued by Regional Transport Authority / State 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

### **Permit Procedure:**

Permits are issued for the vehicle but license is issued to a person to drive a particular type of vehicle. Application shall be submitted in Form P.Co.C with prescribed fees of Rs.500/- and document for correctness of address such as Ration Card/Election I. D. Card etc.

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

Regional Transport Authority/State Transport Authority is the authority to grant Permits.The Transport Department and Police Department are involved in the processing of the permit application.

### **Documents Required:**

Document for correctness of address such as Ration Card/Election I. D. Card etc is required.

### **Issue of Permits:**

The permit will be granted within 10 days after the approval of State Transport Authority. In case of delay, the applicant may contact the concerned officials of this Department.

### **Permit Fees:**

The prescribed Fees is Rs. 500 /- and the fees is to be paid at the Cash Counter of Transport Department, Puducherry/Karaikal/Mahe/Yanam as the case may be, in the form of cash/DD drawn in favour of Secretary, STA, Puducherry.

**Renewal Of permits:**

As per Section 81 of The Motor vehicles Act 1988 that 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 the countersignature where the permit is countersigned under the provision of section 88 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.

**CONDITIONS OF PERMIT IN RESPECT OF CONTRACT CARRIAGES:**

1. The contract carriages should ply in the route or area for which the permit has been issued.
2. Trip-sheet should be maintained in the prescribed form.
3. The vehicle covered by the permit should not be replaced except with the permission of the Transport Authority.
4. It should not carry persons in excess of the number allowed in the permit.
5. The permit is not transferable without the prior permission of the Transport Authority that granted the permit.
6. Tax shall be paid at the scheduled rate under the prevailing taxation rules.
7. Part 'B' permit shall be carried in the vehicle.
8. The fare—table should be exhibited in the vehicle in a conspicuous place.
9. Change of address and stoppages from service should be intimated to the Transport Authority.
10. No advertisement shall be exhibited without the permission of the Transport Authority.
11. The vehicle covered by the permit shall always have current certificate of fitness.
12. The vehicles, covered by permit shall be duly insured under the provisions of the Chapter X1 of the Motor Vehicles Act, 1988.
13. There shall not be present in the vehicle even when it is stationary any class of description of goods, the conveyance of which contravenes any law or any rules, by law or order made there under prohibiting or regulating the import, export or transport of such goods.
14. The permit does not entitle the holder to use the vehicle as a stage carriage or public carrier.
15. The permit is subject to all rules relating to permits under the Motor Vehicles Act, 1988 and in force for the time being.
16. The permit holder of a contract carriage should see that the person in-charge of the vehicle should not refuse to ply for hire at any time when the vehicle is not actually engaged and does not demand fare in excess of the prescribed fare.
17. Drivers who are not duly authorized to drive public service vehicles and drivers who disqualified from driving public service vehicles should not employed to drive the contract carriages by the permit holders.
18. The owner of taxi should communicate to the Secretary, State Transport Authority the name and address of the drivers who are at present working under him. Any change in the name or address of the personnel should also be reported and when they occur within three days of such change to the Secretary, State Transport Authority.
19. The permit holder should on demand by the State Transport Authority or by any officer authorized in this behalf give all particulars regarding the name and address and the license and the badge number held by the driver of the public service vehicles which are in his possession or any reasonable diligence can be ascertained by him.
20. The vehicle to which the permit relates shall not be allowed or caused to be
21. allowed to carry any stolen or contraband property with the knowledge that the same was stolen or contraband

22. It shall be a condition of permit of every contract carriage that the vehicles shall be so maintained as to be available for the service for which the permit was granted for the entire period of currency of the permit. The permit is liable to be suspended or cancelled after due notice to the permit holders, if the vehicle has not been used for the purpose for which the permit was granted for a continuous period of more than 15 days during its validity, unless the holders of the permit had obtained in writing the prior permission of the Transport Authority to suspend the service of the vehicle for specific period exceeding 15 days.
23. The vehicle shall be let on, contract expressed or implied for the use of the vehicle either as a whole or as a part by passengers who may pay separate fares to ply from one point to another without stopping to pick up or let down along the line or the route.
24. The permit holder shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated in conformity with the Act and Rules and shall not use or cause or allow to be used the vehicle in the commission of any offence under any general or special local law or any statutory control under in force in the State of Pondicherry and shall be responsible for the conduct of his driver and his other employees.
25. The permit holder shall ensure that adequate arrangements are made for the comfort, convenience and safety of the passengers carried.
26. In the case of Motor –Cabs the word "Taxi" should be painted on both front and near registration number plates in red.
27. The driver shall use only those cab ranks that are prescribed under section 76 of the Act and no other cab rank.
28. In case of a two- seater auto- rickshaw the permit holder shall fix and maintain a milometer or a fare meter in proper working order and shall not drive the vehicle or cause to be driven in a public place unless such a metre is fixed and maintained.
29. In the case of motor-cabs, a weight of 15 kilograms of passenger luggage per passenger shall be carried free of charge and for every additional 10 kilograms of passenger luggage at rate of 50 paise for 10 kilograms shall be charged.
30. The authority may after giving notice of not less than one month vary the conditions of permit and a attach to the permit further conditions
31. The conditions of permit shall not be departed from save with the approval of the authority
32. Every contract carriage shall have a first-aid box containing the following articles
  - a. Sterilized finger dressings
  - b. Sterilized hand and foot dressings
  - c. Sterilized large or body dressings
  - d. One extra large, two large and three small sterilized burn dressings.
  - e. Two half ounce packets of sterilized cotton wool
  - f. A bottle of 2 percent tincture iodine
  - g. A bottle of salvolathile
  - h. Empty bottle fitted with cork and camel hair brush for eye drops
  - i. Two ounce medicine glass

**Penalty:**

An amount of Rs.2000/- will be collected as Compounding fees 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 the person using the vehicle must report about the same to the Regional Transport Authority within seven days from the date of such use.