

Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006

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SCHEDULE 1 :-

Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006

G.S.R.68 (E), Whereas, the Government of the Republic of India and the Government of the Islamic Republic of Pakistan have entered into an Agreement on 21st day of December, 2005 for operating passenger bus service between Amritsar and Lahore on the basis of mutual advantage and reciprocity; And Whereas, the Central Government is empowered under sub-section (2) of section 139 of the Motor Vehicles Act, 1988 (Act 59 of 1988) to frame rules to give effect to such reciprocal arrangements which inter-alia authorizes the Government to exempt such Motor Vehicles and their drivers and conductors from the operation of all or any of the provisions of the said Act; And Whereas, to give effect to the said Agreement which came into force on 21st December, 2005, the Central Government considers it necessary to dispense with the requirement of pre-publication contained in sub-section (1) of section 212 of the said Act; Now, Therefore, in exercise of the powers conferred by sub-section (2) of section 139 of the Motor Vehicles Act, 1988, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

(1) These rules may be called the Central Motor Vehicles (Regulation of Bus Service between Amritsar and Lahore) Rules, 2006.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,

(a) "Agreement" means the Agreement between the Government of the Republic of India and the Islamic Republic of Pakistan for the regulation of bus service between Amritsar and Lahore signed on 21st December, 2005;

(b) "authorization fee" means the fee to be paid by the permit holder of one country to the other country for obtaining authorization;

(c) "bus crew" means driver, conductor and the liaison officer;

(d) "competent authority" means, in relation to -

(i) "permits", an authority competent to issue such a permit authorized under the law of the country concerned;

(ii) "driving licence", an authority competent to issue such a driving licence authorized under the law of the country concerned;

(iii) "conductor's licence", an authority competent to issue such a conductor's licence authorized under the law of the country concerned;

(e) "country" means India or Pakistan, as the case may be;

(f) "Form" means any of the form specified in the Schedule annexed to these rules:

(g) "Liaison Officer" means official included in the crew authorized to carry out operational supervision of transport vehicle and to keep liaison between passengers and customs and immigration authorities and between passengers and prescribed food outlets or restaurants;

(h) "passenger" means a person in possession of a valid ticket for travel from Amritsar to Lahore or vice-versa and a valid passport, visa and any other travel document which may be mutually agreed to between the Parties to the Agreement;

(i) "PUC certificate" means Pollution Under Control Certificate issued by appropriate authorities in Pakistan or India;

(j) "scheduled service routes" mean the routes along with the time schedule and other related operational aspects specified in the Protocol to the Agreement for the regulation of bus service between Amritsar and Lahore;

(k) "transport vehicle" means a motor vehicle (coach or bus) for the carriage of passengers for hire or reward, between India and Pakistan, subject to such restrictions on the gross laden weight, wheel base or seating capacity of vehicles as may be imposed under the law in either country from time to time.

3. Forms, contents and duration etc., of the permit :-

(1) A regular permit for transport vehicle shall be in the Form set out in Schedule-I and shall be non-transferable.

(2) A regular permit for transport vehicle shall be valid for one year and renewable upto a maximum period of five years on a yearly basis.

4. Eligibility conditions of a vehicle :-

(1) A transport vehicle shall be so constructed and maintained as to be at all times under the effective control of the person driving it.

(2) Driver of a transport vehicle referred to in sub-rule (1) shall have,

(a) a valid registration certificate issued under the law of the country concerned;

(b) a valid certificate of fitness issued under the law of the country concerned;

(c) a valid insurance policy issued under the law of the country concerned;

(d) a valid permit under the law of the country concerned;

(e) a passenger list with details of their nationality; and

(f) a valid PUC certificate under the law of the country concerned; in respect of such vehicle and shall make all the said documents available for inspection by any authority competent to inspect such vehicle.

5. Conditions for the driver and conductor :-

(1) The person driving a transport vehicle shall be in possession of a valid driving licence issued by a competent authority to drive such a vehicle and the driver's badge.

(2) The conductor of a transport vehicle shall be in possession of a valid conductor's licence issued by a competent authority.

(3) For any reason, a driver referred to in sub-rule (1) or a conductor referred to in sub-rule (2) of a country is unable to perform his duties in the other country, a driver or a conductor in possession of a valid licence issued by the competent authority of such other country, may drive or act as a conductor of the vehicle, as the case may be.

6. Distinguishing particulars to be exhibited on the transport vehicle :-

In addition to the registration number assigned to a transport vehicle operating under the Agreement by the competent authority the following particulars shall be painted in English and in official language of the respective country [each letter being not less than two inches (five centimetres) high and two inches (five centimetres) wide, legibly painted on a plain surface or a plate or plates affixed to the vehicles], namely:-

(i) Amritsar - Lahore - Amritsar (on front side and back side of such transport vehicle in a conspicuous place)

(ii) Name of the operator of the bus service (on both the sides of such transport vehicle).

7. Personal effects of bus crew :-

The bus crew of a transport vehicle operating under the Agreement may carry such personal effects, as may be necessary, having regard to the period of their stay in the host country subject to conditions specified in the customs laws of both countries.

8. Insurance of the vehicle :-

No transport vehicle which does not have a policy of insurance which covers comprehensive or third party risks, arising out of the use of transport, vehicle and which complies with the requirements of the law of the country concerned shall operate under these rules.

9. Conditions for transport of passengers :-

No transport vehicle registered in Pakistan shall be engaged in the

transport of passengers from any point of India to any other point in India, and similarly no transport vehicle registered in India shall be engaged in the transport of passengers from any point in Pakistan to any other point in Pakistan.

SCHEDULE 1

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