

Central Motor Vehicles (Regulation of Bus Service Between Calcutta and Dhaka) Rules, 2000

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Central Motor Vehicles (Regulation of Bus Service Between Calcutta and Dhaka) Rules, 2000

G.S.R. 128(E). Whereas the draft of the Central Motor Vehicles (Regulation of Bus Service Between Calcutta and Dhaka) Rules was published as required by Sub-section (1) of section 212 of the Motor Vehicles Act, 1988(59 of 1988) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(i) dated 22nd November, 1999 with the notification of Government of India in the Ministry of Surface Transport (Transport Wing) No. G.S.R. 784(E) dated the 22nd November, 1999 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date on which copies of the Gazette of India containing the notification are made available to the public; And whereas copies of the said Gazette were made available to the public on 24th November, 1999; And whereas no objections and suggestions were received from the public during the said period of thirty days; Now, therefore, in exercise of the powers conferred by sub-section (2) of section 139 of the Motor Vehicles Act, 1988(59 of 1988), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

"These rules may be called the Central Motor Vehicles (Regulation of Bus Service Between Calcutta and Dhaka) Rules, 2000.

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 People's Republic of Bangladesh for the regulation of motor vehicle passenger traffic between the two countries;

(b) "bus crew" means driver and conductor ;

(c) "competent authority" means:-

(i) in relation to a regular permit for transport vehicle , an authority competent to issue such a permit under the law of the country concerned;

(ii) in relation to a driving licence, an authority competent to issue the driving licence under the law of the country concerned;

(iii) in relation to a conductor's licence , an authority competent to issue the conductor's licence under the law of the country concerned.

(d) "Conductor's Certificate'" means a certificate issued under clause (5) of Article III of the Agreement.

(e) "Driving Licence" means the document issued by a competent authority as the case may be, authorising the person specified therein to drive a motor vehicle or a motor vehicle of any specified class or description.

(f) "Identity Cards/ Documents" mean the Cards/ documents issued by the competent authority as referred to in clause (4) or(5) of Article III of the Agreement.

(g) "Passenger vehicle" means motor vehicle for the carriage of passengers for hire or reward between Bangladesh and India subject to such restrictions on the gross laden weight, wheel base, seating capacity and overall height of vehicle as may be operating in either country from time to time.

(h) "Schedule" means a Schedule annexed to these rules.

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

(1) A route permit for passenger vehicle shall be in the form set out in the Schedule I annexed to these rules and shall be non-transferable.

(2) A route permit for passenger vehicle shall be valid for one year at a time.

4. Eligibility conditions of a vehicle :-

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

(2) The driver of a passenger vehicle 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;

(d) a valid route permit issued under the law of the country; in respect of such vehicle and shall make the said documents available for inspection by any authority competent to inspect such vehicle.

5. Conditions for the driver/conductor :-

(1) The person driving a passenger vehicle shall be in possession of a valid driving licence to drive such a vehicle and driver's identity card/document issued by the respective competent authority in the form set out in Schedule II.

(2) The conductor of a passenger vehicle shall be in possession of a valid conductor's certificate and a conductor's identity card/document issued by the respective competent authority.

(3) If, 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 driving license/certificate and identity card issued by a competent authority, may drive or control the vehicle,

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

In addition to the registration number assigned to a passenger vehicle, operating under the agreement, by the competent

authority of the respective Government, the following particulars shall be painted in English and in the official language of the respective country in red colour on white surface on both the sides of the passenger vehicle each letter being not less than one inch (2.5 c.m.) high and one inch (2.5 c.m.) wide legibly painted on a plain surface or a plate or plates affixed to the passenger vehicle, namely:-

(i) Name of the country, and

(ii) Starting and terminal points in each country.

7. Personal effects of bus crew :-

The bus crew of a passenger vehicle may carry such personal effects including wearing apparel, bedding and cooked food as permissible under the passenger baggage rules of the respective country.

8. Insurance of the vehicle :-

No passenger vehicle which does not have a policy of insurance which covers comprehensive or third party risks, arising out of the use of the passenger 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 Bangladesh shall be engaged in the transport of passengers from any point in 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 Bangladesh to any other point in Bangladesh.

SCHEDULE 1

SCHEDULE I

FORM OF ROUTE PERMIT (As per Article 11(2) of the Passenger Motor Vehicle Agreement between India and Bangladesh) Government of - - Route Permit No. _____ Valid upto Name of the Country, Route Permit to ply passenger motor vehicle between India and Bangladesh (a) Particulars of the registered owner of the vehicle : (i) Name _____ (ii) Father's/Husband's Name (iii) Address Present Address Permanent Address (iv) Nationality ____ (b) Particulars of the vehicle (i) Registration number ____ (ii) Type of the vehicle ____ (iii) Maker's name ____ (iv) Year of manufacturing (v) Engine No. _ (vi) Chassis No. _ (c) Seating capacity (including driver) of passenger vehicle (d) Particulars of insurance policy against third party risk: (i) Policy number _____ (ii) Name of insurer _____ (iii) Date of expiry _____ (e) Particulars of certificate of fitness of the passenger vehicle. (i) Certificate

number _____ (ii) Validity date : from _____ to _____ (f) The starting and terminal points in each country (i) Place of starting _____ (ii) Place of Termination _____ (iii) Stoppages _____ (g) The routes to be followed by the vehicle (h) Number of trips allowed _____
Signature , designation and seal of the competent authority Signature, designation and seal of the counter signing authority document required under Article II of the Agreement issued by the competent authority of one country and countersigned by the competent authority of the other country.
Note: Registration papers and other documents such as registration certificate, insurance certificates, fitness certificate etc., shall be carried on the vehicle(s) and made available for inspection on demand by the competent authority or any officer duly authorised by the authority in each country.

SCHEDULE 2

SCHEDULE II

Driver's/Conductor's Identity Card/Document Government of _____ 6. Issuing Authority Name of driver/conductor Father's Name Date of Birth Address Permanent Address Present Address Nationality Sl. No. Date of Issue Photo Signature of driver/conductor 7. Detail's of driving/conductor's licence:- Licence No. Issued by. Vehicle class Valid till 8. Name and address of owner of passenger vehicle. Name Address 9 Permanent Address 9. Identity card/documents valid from ____:_____ to Signature and Seal of Competent Authority "