

RULES AND REGULATIONS GOVERNING THE CITY PERMITS FOR AUTO RICKSHAW IN AHMEDABAD

State: Gujarat

Details of city permit procedures are as follows:

Auto Rickshaws are regulated by the RTO (Regional Transport Office). The permits are issued and regulated by the Permit Section of the Regional Transport Office As per the section 66 of Motor Vehicle Act 1988; permit is required for plying a motor vehicle in public places.

Permit Procedure:-

For getting a city permit, One has to apply in the form "PCOPA" under section 73 and 74 of the Motor Vehicles Act 1988 to the Regional Transport Authority along with the fees of Rs.350/-.

Permit Fees:-

The Fees for city permit is Rs. 350 as per Gujarat Motor vehicle rules 1989.

Processing Time:

The City permit for auto rickshaws will be issued within a time period of 3 days. The permit will be issued within 3 days only when all the required documents & Processes are done.

Documents Required:

1. Application in a prescribed format.
2. Documents of the Vehicle. (Driving licence, Fitness certificate, Registration Certificate of the Vehicle, Insurance - vehicle insurance and pollution under control certificate.)
3. Partnership Deed if needed.
4. NOC for other partners. (if any partners for the vehicle)
5. Driving License.

Renewal procedure: -

Renewal procedure is the submission of the filled renewal form (PCSR) to Regional Transport Office (RTO).

As per the motor vehicles act and rules a permit will be valid for five years. The renewal fees are the same. Fifty Rupees before the expiry date and fifty rupees plus three rupees per day after the date of expiry will also be charged as the late fees for renewal.

Conditions:

As per the Gujarat Motor Vehicle Rules 1989, the following are the conditions:

1. The permit cannot be driven in any public place except by a permit holder or a driver approved by the Regional Transport Officer or his assistant. The driver is supposed to carry the permit with him and shall produce it when it is demanded.
2. The number of person/ weight of kilograms carrying in the vehicle cannot exceed the weight specified in the permit
3. No advertisement can be exhibited in the vehicle.
4. The holder of a permit shall maintain a register showing the list of passengers travelling in the vehicle in each and every trip in the particular form and shall produce it as demanded by the checking officers.
5. These conditions cannot be applicable to motor cabs and maxi cabs.
6. In addition to the above conditions the permit shall always kept with the driver or any person taking care of the vehicle and produces it as demanded by any officer of the Motor vehicles Department of and above the rank of assistant Inspector of Motor Vehicles or any police officer not below the rank of a Sub-Inspector of Police.

Variations of conditions:

The permit holder may apply to the Transport Authority to vary the conditions of a permit in the prescribed form along with the fees as prescribed. The transport authority will give one month to vary the conditions or to attach some conditions further in the official Gazette. After the expiry of the period of the date of publication in notice gazette the conditions shall be deemed to have been attached and such permit holders shall produce their permit before Transport Authority by which the permit is issued for inspection of such variations.

Extension of the area of the validity of permits:

The Regional Transport Authority can extend the area of the validity of the permit within the state in accordance with general or special resolution passed and recorded by the Transport Authority. The extended area shall be kept with the area of original Transport Authority. The Transport authority which issues a permit to be operative in any other regions shall intimate the fact and send a copy to the Transport Authority in such regions. The original transport authority shall not extend the area of the validity of the contract carriage permit other than the contract carriage permit in respect of motor cabs and maxi cabs unless it attaches the conditions to the permit that if the vehicle visiting the other regions is discharged or released from the contract by the passengers in such regions. It shall not be affixed for hire or rewarded on its return journey for picking any passengers traffic from any place within the region for the purpose of visiting the place in the state.

Suspension and Cancellation:

The holder of any permit may at any time surrender the permit to the Original Transport Authority and the authority can cancel any permit so surrendered. When a regional Transport Authority suspends a permit, it shall be intimated to the Transport Authority by which the permit has been countersigned and to the authority by which the validity of the permit has been extended. In the case of suspension or cancellation of permit of countersignature the authority cancelling shall intimate the fact to which the permit was granted by Regional Transport Authority shall suspend or cancel any permit.

Upon the cancellation of any permit or a counter signature of a permit, the holder shall surrender the permit or counter signature. Upon suspension the holder shall also surrender the certificate of registration and plates bearing the registration mark.

The holder of the permit shall within the fifteen days of the receipt of the suspension or cancellation order intimate to the Transport authority suspending or cancelling the permit or the countersignature was made and to the authority in the region of the validity has been extended the place where the vehicle in respect of which the order is passed will be kept during the period of suspension or cancellation. Such holder shall not remove the vehicle from the place so intimated without the prior permission of the Regional Transport authority in whose region

Transfer:

As per the section 82 of the Gujarat Motor Vehicle rules, the permit holder along with the person he intends to transfer the permit has to apply in prescribe form under Rule 70 to the Transport Authority which the permit was granted showing the reasons for the transfer and along with the fees Prescribed under Rule 71. The transport authority will call both the parties. If the authority is properly satisfied after the enquiry the authority will ask the holder to surrender the permit within seven days of the receipt of the order. The authority will take the further actions as provided in the Gujarat Motor Vehicle rules.

Replacement of vehicle:

An application shall be made to the Transport Authority by which the permit is issued in the prescribed form accompanied by fees prescribed and produce the details as required by the authority. The holder shall produce the registration and vehicle details as mentioned in the Gujarat Motor Vehicle rules. The transport authority which replaces a vehicle on permit operative in any other region shall intimate the fact to the authority by which the permit has been countersigned.

Change of the address:

Any change in the address of the permit holder has to intimate it within fourteen days in the prescribed form under Rule 70 accompanied by the document as specified by the Transport Authority by which the permit or counter signature was granted. On the receipt of the intimation the authority after the verification may enter the address and shall intimate the changed address to the concerned Transport authority. Nothing in this section shall apply where the change of address recorded in the permit is due to temporary change which is not intended to exceed three months in duration.

Penalty:

Auto Rickshaws plying without valid permit will be charged compounding fees of Rs.200/- under the section 200 of the motor vehicles act 1988. 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.