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## NOTIFICATION

No.B.11013/1/88-TRP, Whereas draft of the Rules further to amend the Mizoram Motor Vehicles Rules, 1976 was published as required by sub-section (1) of section 212 of the Motor Vehicles Act, 1988 in Vol.XVIII Issue No.55 dt.14.6.89 of the Mizoram Gazette (Extra Ordinary) vide Notification No.B.11013/1/88-TRP dt.14.6.89 thereby inviting objections and suggestions from all persons likely to be affected on or before the expiry of 15 (fifteen) days from the date of publication in the Mizoram Gazette;

And whereas no objection or suggestion has been received on the said draft Rule;

Now, therefore, in exercise of the powers conferred by Sections 28,65,96, 107,111,138 and 176 of the Motor Vehicles Act, 1988 (No.59 of 1988), the Government of Mizoram hereby makes the following Rules namely :-

1. Short title, (1) These Rules may be called the Mizoram Motor Vehicles extent and commencement. (Amendment) Rules, 1989 (Third amendment of 1989).
- (2) They shall come into force from the date of publication in the official Gazette.
- (3) These shall extend to the whole State of Mizoram.

## 2. Definitions.

In these rules unless the context otherwise requires -

(1) 'Act' means the Motor Vehicles Act, 1988 (59 of 1988).

(2) 'Principal Rules' means the Mizoram Motor Vehicles Rules, 1976 as amended from time to time.

3. Amend-  
ment of  
rule 6.

For the sub-rule (1) of rule 6 of the Mizoram Motor Vehicles Rules, 1976 (hereinafter referred to as the Principal Rules), the following shall be substituted -

"(1) Every application for issue of a learner's licence or a driving licence or for making addition of another class or description of Motor Vehicle to a driving licence, or for renewal of a learner's licence or a driving licence shall be made in accordance with Sections 8, 9, 10, 11 and 15 as the case may be, of the Act and relevant rules made thereunder by the Central Government".

4. Amend-  
ment of  
rule 7.

For the Rule 7 of the principal rules, the following words shall be substituted - "7 Forms and contents of licence and Registers :

(1) Every learner's licence and driving licence shall be issued under provisions of Section 8 and Section 9 respectively of the Act. The licencing Authority shall maintain registers of all driving licenses issued by such authority in such form as the Central Government may prescribe for the State Register of Driving Licences to be maintained by the State Governments."

(2) The State Register of Driving Licences to be maintained by the State Government under sub-section (1) read with sub-section (3) of Section 26 of the Act shall be maintained by the Director of Transport of the Government.

(3) All licencing authorities of the State shall supply to the Director of Transport copy of the register referred to sub-rule (1) so as to reach the Director of Transport on or before the 4th day of every month covering the details for the preceding one month.

5. Amend-  
ment of  
rule 8.

In sub-rule (1) of rule 8 of the principal rules, for the words "Form 'D'" as set forth in the first schedule of the Act the words "Forms as prescribed by the Central Government" shall be substituted.

6. Amend-  
ment of  
rule 10.

For the rule 10 of the principal, the following rules shall be substituted namely :

“Grant of Licence 10. The Licensing Authority may grant a driving licence to any person residing within his jurisdiction at the time of application, who satisfies the requirements as provided under Section 9 of the Act read with rules made thereunder by the Central Government’.

7. Deletion In rule 12 of the principal rules, the provisions of Sub-rule (3) of sub-rule (3) of rule (12) shall stand deleted.
8. Deletion Rule 13 of the principal rules shall stand deleted.
9. Deletion in rule 14 of the principal rules, the provisions of Sub-rule (2) of Sub-rule and Sub-rules (3) and (4) shall be re-enumerated as sub-rule (2) of rule 14. (2) and (3) respectively.
10. Amend- In sub-rule (1) of rule 15 of the principal rules, for the words dment of “rupees two” the words “rupees twenty” shall be substituted. rule 15.
11. Deletion Rule 16 of the principal rules shall stand deleted. of rule 15.
12. Deletion In rule 17 of the principal rules, the provisions of Sub-rules (1) Sub-rule and (2) shall stand deleted and sub-rules (3), (4), (5), (6) (1) and and (7) shall be re-enumerated as sub-rules (1), (2) (3) (4) and (5) (2) of rule 17. respectively.
13. Amend- In sub-rule (2) of rule of the principal rules, for “the words” in ment of Form L.L.r(S.F No. 7)” the words “in such Form as may be pres- rule 22. cribed by the Central Government ” shall be substituted.
14. Amend- In rule 22 of the principal rules, sub-rule (4) and (5) shall stand ment of deleted and sub-rule (6) shall be re-enumerated as sub-rule (4). rule 22.
15. Deletion In rule 25 of the principal rules, Sub-rules shall stand deleted. of sub-rule (3) of rule 25.
16. Deletion Rules 26, 27 and 28 of the principal rules shall stand deleted. of rules 26, 27, and 28.
17. Insertion After rule 42 of the principal rules, the following new sub-rules of new shall be inserted, namely :- rules 42-A  
 “42-A (1) : If the owner of a motor vehicle fails to make an appli-  
 cation for registration under sub-section (1) of Section 41 of Act

within the period prescribed by the Central Government, the registering authority shall, in lieu of any action that may be taken against him under Section 177 of the Act require him to pay an amount of Rupees twenty for the first seven days of default and rupees ten for each subsequent seven days of default, provided that the total amount so required to be paid shall not exceed one hundred rupees.

- (2) If the owner of a Motor vehicle, other than a Transport vehicle, fails to make an application for the renewal of a certificate of registration under sub-section (8) of Section 41 of the Act within the period prescribed by the Central Government, the registering authority shall, in lieu of any action against him under section 177 of the Act, require him to pay an amount of rupees ten for the first seven days of default and rupees five for each subsequent seven days of default, provided that the total amount so required to be paid shall not exceed one hundred.

18. Amend-  
ment of rule  
43. For the rule 43 of the principal rules, the following shall be substituted :-

Register for  
records of  
Registration. 43. The registering authority shall maintain records of all registered vehicles in such form as may be prescribed by the Central Government.

19. Amend-  
ment of  
rule 46. In rule 46 of the principal rules, sub-rule (3) shall be substituted by as follows:- “(3) The registration mark shall be in English and in such manners as prescribed by the Central Government ”

20. Deletion  
of sub-rules  
(4),(5),(6) and  
(7) of rule 46. Sub-rules (4),(5),(6) and (7) of rule 46 of the principal rules shall be deleted.

21. Deletion  
of rule 47. Rule 47 of the principal rules shall be deleted.

22. Amend-  
ment of rule  
51. Sub-rule (8) of rule 51 of the principal rules shall be deleted and sub rules (9) and (10) shall be re-enumerated as sub-rules (8) and (9) after sub-rule (1) of the said rule, following new sub-rules shall be inserted :

- (1) A : The prescribed authority with reference to sub-section (1) of Section 56 of the Act shall be any Motor Vehicle Inspector duly appointed as such by the Government. The territorial jurisdiction of such Motor Vehicle Inspector shall be such as the registering authority under whose administrative control the Motor Vehicle Inspector functions, decides.

23. Amend- For the sub-rule (1) of rule 54 of the principal rules, the following  
ment of rule sub-rule (1) shall be substituted and after the said sub-rule, a new  
54. sub-rule shall be inserted as follows :

(1) When the original certificate of registration is lost or destroyed, the owner of the motor vehicle shall forthwith report the matter to the registering authority by whom the certificate was issued and shall apply for a duplicate certificate, in such form and with such fee as may be prescribed by the Central Government.

(1)-A: When the original certificate of fitness is lost or destroyed, the owner of the motor vehicle shall forthwith report the matter to the authority by whom the certificate was issued and shall apply with a fee of rupees five in Form C.F.A. (S.F.No. 20).

24. Amend- For the sub-rule 2 (1) of rule 55 of the principal rules, the follo-  
ment of rule 55. wing shall be substituted :

(1) The fee for registration shall be as may be prescribed by the Central Government.

Provided that Government may for special reasons by notification wholly or partly remit the fee in respect of any motor vehicle.

25. Amend- For the rule 56 of the principal rules, the following shall be  
ment of rule 56. substituted -

56 (1) Fees for delay in applying for new registration mark : If the owner of a motor vehicle or the person in possession of the motor vehicle fails to apply for the assignment of a new registration mark under sub-section (1) of Section 47 of the Act within such period and in such form containing such particulars as may be prescribed by the Central Government, the registering authority shall require the owner to pay, in lieu of any action that may be taken against him under Section 177 of the Act, an amount of rupees fifty for the default for the first month and rupees twenty five each for each subsequent month of default, provided that the total amount payable under this rule shall not exceeded one hundred rupees.

2) A registering authority :

a) making an entry in the certificate of registration regarding:

i) hire-purchase, lease or hypothecation of a motor vehicle, or

ii) the cancellation of an entry under sub-section (3) of Section 51 of the Act, or

- (iii) recording transfer of ownership of motor vehicle, or
  - (iv) any alternation in a motor vehicle, or
  - (v) suspension or cancellation of registration of a motor vehicle, or
  - (vi) change of address :
- (b) issuing duplicate certificate of registration, shall communicate to the financier that such entry/issue has been made.
26. Deletion of rule 57. Rule 57 of the principal rules shall be deleted.
27. Amendment of rule 58. For the rule 58 of the principal rules, the following shall be substituted -
58. Fees for delay in reporting transfer of ownership :- Amounts payable under sub-section (5) read with sub-section (3) of Section 50 of the Act for delay in reporting or applying for transfer of ownership of motor vehicles shall be rupees twenty for the first month of default and rupees ten for each subsequent month of default, provided that the total amount payable under this rule shall not exceed one hundred rupees.
28. Insertion of new rules 65-A, and 65-B. After rule 65 of the principal rules, the following new rules, shall be inserted :
- “65-A : Intimation Regarding Stolen or Recovered Vehicles:-
- (1) The Director General of Police shall compile a monthly statement of such cases of stolen vehicle and of vehicles recovered after being stolen which have been reported to the Police authorities within the state and submit a return to the Secretary, State Transport Authority by the 10th day of every month in respect of the preceeding month and such return shall be in Form M.V.S.R. (1) appended to these rules. A copy of the return shall also be endorsed to the Director of Transport and the Registering authorities with whom the vehicles were registered.
  - (2) The Director of Transport shall maintain a register of stolen/recovered vehicles in Form M.V.S.R. (2) appended to these rules, on the basis of intimation received from the Director General of Police.

- (3) The registering authorities shall maintain a register in respect of such stolen/recovered vehicles as were registered with them, in Form M.V.S.R. (2) appended to these rules, on the basis of intimation received from the Director General of Police.

65-B: (1) The State Register of Motor Vehicle to be maintained by the State Government under section 63 of the Act shall be maintained by the Director of Transport who shall submit to the Central Government printed copies of such registers and other information as were submitted under the said section.

(2) The State Register of Motor vehicles referred to in sub-rule (1) shall be maintained in such form as may be prescribed by the Central Government.

(3) Every registering authority in the State shall supply to the Director of Transport a return in the form referred to in sub-rule (2) so as to reach the Director of Transport on or before the 4th day of every month covering details of vehicles registered during the preceding month.

29. Insertion of new rules. After sub-rule (3) of rule 115 of the principal rules, the following new rules shall be inserted:—“(4) A stage carriage permit shall be authorised to use the vehicle as a contract carriage only with the following conditions:—

- (a) The authorisation shall be made by the Secretary, State Transport Authority or any other officer authorised by him in his behalf.
- (b) The authorisation shall be for a specific period not exceeding ten days at a time and without causing inconvenience to general public.
- (c) The fact that the vehicle is issued as a contract carriage shall be boldly displayed in a suitable place in front of the body of the vehicle to draw attraction of public.
- (d) The vehicle shall not be used as a stage carriage during such period of authorisation unless the owner of the vehicle has got the authorisation cancelled by the authority making the authorisation.
- (5): A stage carriage permit shall be authorised to use the permit as a goods carriage either when carrying passengers or not, only with the following conditions.

- a) The authorisation shall be made by the Secretary, State Transport Authority or any Officer authorised by him in this behalf.
- b) The authorisation shall be for a specific period not exceeding thirty days at a time and without causing inconvenience to general public.
- c) When used as goods carriage while carrying passengers at the same time, the following conditions shall be fulfilled :
- (i) If goods are to be carried inside the vehicle, a separate compartment with not more than fifty percent of the total inside space of the vehicle shall be constructed by the owner of the vehicle for carriage of goods.
- (ii) If goods are to be carried on the top of the body of the vehicle, the weight or volume of the goods so carried shall not be as much as to endanger the life and property of the passengers or to endanger the safety of the vehicle.
- (6) : While granting permit for carriage of goods under Section 79 of the Act, the permit granting authority shall, in addition to any one or more of conditions prescribed under Section 79 of the Act and under rules made by the Central Government attach following conditions to the permit :-
- (a) When a goods carriage carries goods which are of dangerous and hazardous nature to human life if eaten, drunk or inhaled by human being or if contacted by human body, the owner shall ensure packaging of such goods in such a manner as not to allow any spilling or leakage of the goods while loading, unloading or during the journey.
- (b) When a goods carriage carries oil and natural gas in any liquid or gas form, the owner shall ensure that no leakage takes place so that possibilities of inflammation are ruled out.
30. Insertion of new sub-rule. After sub-rule (1) of rule 78 of the principal rules, the following new sub-rules shall be inserted :-
- “(1)-A : Every application for a permit in respect of a stage carriage shall be accompanied by certificates from the competent authority to the effect that the applicant has paid house tax or income tax, and professional tax up to date.”
31. Inserting of new rules After rule 126 of the principal rules, the following new rules shall be inserted :-



**126-A : LICENSING OF REGULATION OF CONDUCT OF AGENTS FOR SALE OF TICKETS FOR TRAVEL BY PUBLIC SERVICE VEHICLES :-**

(1) Every owner of public service vehicle to be let or plied for hire shall, intimate to the State Transport Authority concerned, the name and address of the person appointed on his behalf as the agent who has been engaged in the sale of tickets to passengers for travel by such vehicles.

(2) No person shall act as an agent of the owner and no owner shall so employ any person unless he has obtained an agent's licence in Form L.Ag. to these rules from the State Transport Authority concerned.

**EXPLANATION :** For the purposes of this sub-rule, persuading any person, soliciting or attempting to persuade any person, to travel in a vehicle shall be deemed to be acting as an agent for the sale of tickets for travel thereby.

(3) An Agent's licence shall be valid for a period of twelve months from the date of issue or renewal and shall be effective only in the state wherein it is issued or renewed.

(4) No person under the age of 18 years shall hold an agent's licence.

(5) Application for an agent's licence shall be made in writing to the State Transport Authority in Form L.Ag.A. to these rules and shall be accompanied by two clear copies of a recent photograph of the applicant and by the prescribed fee.

(6) The fee for an agent's licence shall be rupees one hundred and the fee for its renewal or for the issue of a duplicate shall be rupees fifty.

(7) An application for the renewal of an agent's licence shall be made by letter enclosing licence accompanied by the prescribed fee, addressed to the State Transport Authority, by which the agent's licence was issued. If the application, for renewal accompanied by the appropriate fee prescribed under sub-rule (6) is not received on or before the date of expiry of the license, the fee payable for the renewal of the licence shall be rupees fifty.

8. The State Transport Authority may, for reasons to be recorded in writing, decline to issue or renew an agent's licence or grant licence on such conditions as the State Transport Authority may consider it fit to impose.

9. (a) The State Transport Authority may, for reasons to be recorded in writing, suspend or cancel an agent's licence.
- (b) On an agent's licence being suspended, cancelled or not renewed, it shall be surrendered forthwith to the State Transport Authority which issued the licence.
10. An agent shall, on demand by any Motor Vehicle Officer not below the rank of Inspector of Motor Vehicles produce his agent's licence for inspection.
11. No person shall hold more than one agent's licence effective in the same region.
12. The State Transport Authority may specify that the agent shall wear a uniform of the type approved by it in that behalf.
13. The agent shall, when on duty, wear in a conspicuous place on his left breast a metal badge issued by the State Transport Authority on payment of fee of Rs. 10/- along with his name placed in block letters on white background in bold letters in English. No agent shall lend or transfer the badge to any other person and he shall surrender it to the State Transport Authority in the event of his licence being suspended, cancelled or not renewed. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority which issued it on payment of rupees twenty.
14. The provisions of this rule shall apply to such districts, areas or routes and from such dates as the State Government may, by notification in the official Gazette specify in this behalf.

126—B : Definitions : In these rules, unless the context otherwise requires—

- (1) "agent" means any person who engages himself directly or indirectly in the business of—
  - (a) Collecting;
  - (b) forwarding and distributing;
  - (c) collecting, forwarding and distributing goods carried by any public carrier;
- (2) "agent's licence" means a licence granted under R. 126—D
- (3) "Collecting agent" means a person licensed to do the business of collecting goods carried by any public carrier;

- (4) "collecting and forwarding agent" means a person licensed to do the business of collecting, forwarding and distributing goods carried by any public carriers;
- (5) "forwarding agent" means a person licensed to do the business of forwarding and distributing goods carried by any public carrier; and
- (6) "licensing authority" means the State Transport Authority.

126—C : LICENSING OF AGENTS : No person shall act as an agent unless he holds a valid licence in Form III granted by the licensing authority for the purposes of such business.

126—D : APPLICATION :

- (1) Any person desiring to obtain a licence for carrying on any business referred to in Cl. (1) of R. 126—B or for renewing such licence may make an application to the licensing authority in Form-I or Form-II as the case may be.
- (2) The application shall be accompanied by a fee of Rs. 200/-.
- (3) On receipt of an application, the licensing authority shall, having regard, among other things, to the following matters, namely :
  - (a) the number of goods vehicles either owned by the applicant or under his control;
  - (b) the suitability of accommodation possessed by the applicant for the storage of goods;
  - (c) the facilities, if any, provided by the applicant for parking the goods vehicles for the purpose of loading and unloading goods; and
  - (d) the financial resources of the applicant and his ability to manage the business efficiently; either grant or refuse to grant or renew the licence.
- (4) The State Transport Authority shall cause copies of any licence granted or renewed by it, under this rule should be sent to each of the District Transport Officers of the Districts in which such licence is to be operative.

126 -E: Security for compliance with conditions :

Where it appears necessary so to do for ensuring proper compliance with the conditions referred to in R. 126-H the licensing authority may, at the time of granting or

renewing a licence or at any time during the validity of a licence, order for reasons to be recorded in writing. the licence to furnish a reasonable security on such scale as may be notified by the state Government in the official Gazette, and where the licence has furnished earlier any security in pursuance of an order passed under the provisions of this rule, such additional security as may be reasonable.

**126-F: Forwarding and collecting agents:**

- (1) An agent's licence shall, where the holder thereof is licensed to act only as a forwarding agent or as a collecting agent, specify that fact clearly.
- (2) An agent's licence shall be non-transferrable.
- (3) No agent's licence shall authorise a person to act as such agent unless he has adequate facilities to load and unload goods at the premises approved by the State Transport Authority under these rules.

**126-G: Period of validity and renewal of licence:**

- (1) An agent's licence shall be valid for a period of five years from the date of its grant or renewal.
- (2) It may be renewed on an application made to the licensing authority not less than thirty days before the date of its expiry.
- (3) The renewal of licence shall be by endorsement of the renewal thereof by the licensing authority on the original licence.

**126-H: Conditions for agent's licence :** An agent's licence shall be subject to the following conditions, namely:

- (a) that the licensee shall, subject to the provisions of R.126-K provide places for loading and unloading of goods;
- (b) that the licensee shall be responsible for proper arrangements for storage of goods collected for despatch and delivery;
- (c) that, where he is authorised to forward and distribute goods, the licensee-
  - (i) shall be responsible for proper delivery of the goods to the consignee

- (ii) shall be liable to indemnify the consignee for any loss or damage to goods while in his control or possession;
  - (iii) shall not issue a goods transport receipt without having actually received the goods;
  - (iv) shall not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt or, if the receipt is lost or misplaced, an indemnity bond covering the value of goods.
- (d) that the licensee shall insure the goods against any loss or damage while in his control or possession ;
- (e) that the licensee shall maintain a proper record of the vehicles under his control and of the collection, despatch and delivery of goods which shall be opened to inspection by the State Transport Authority or by any person duly authorised in this behalf by any such authority and shall furnish to the State Transport Authority by 31st March every year return in respect of the previous calendar year in Form-IV;
- (f) that the licensee shall not charge any commission exceeding that prescribed by the State Transport Authority under R. 126-J;
- (g) that the licensee shall furnish the operators with correct figures of the freight receivable by them from the consignors or the consignees ;
- (h) that the licensee shall maintain proper accounts of the commission charged by him and have the same audited by qualified auditors annually;
- (i) that the licensee shall ensure that the goods vehicles under his control have valid permits for routes on which the vehicles have to ply;
- (j) that the licensee shall maintain in good condition a weighting device capable of weighting at a time not less than 226 Kg. (500 lbs);
- (k) that the licensee shall attend to his customers in the order in which they approach him ;

Provided that customers in respect of such perishable goods as may be notified by the State Government in the Official Gazette shall be given priority over other customers and shall be attended to in the order in which they approach the licensee;

- (l) that the licensee shall assign the available traffic amongst the operators in the order in which they have approached him and shall maintain a register chronologically recording particulars of the available traffic and the waiting operators;
- (m) that the licensee shall comply with the provisions of these rules and shall observe such other conditions as the licensing authority may specify in the licence;
- (n) that the licensing authority may at his discretion, order for seizure, in whole or in part, of the security or the additional security furnished by the licensee under R. 126-E for contravention of any of these rules or for breach of the aforesaid conditions by the licensee;
- (o) that the licensing authority may, after giving notice of not less than one month in writing, either vary the conditions of the licence or attach further conditions to the licence.

126-I : **PARTICULARS TO BE MENTIONED IN CONTRACT AGENCY :** All contract entered into by the licensee for the purpose of collecting, forwarding and distributing goods, or collecting goods; or forwarding and distributing goods, as the case may be, shall be in writing and shall contain the following particulars.

- (i) names and addresses of the consignor and the consignee;
- (ii) description and weight of the consignment;
- (iii) destination and its distance in kilometres/miles from the starting station ;
- (iv) freight for tonne/mile and for the whole consignments;
- (v) delivery instructions (eg., the date by which and the exact place where the goods are to be delivered to the consignee);
- (vi) terms of payment agreement;
- (vii) name of the owner, driver, the registration number of the vehicle and its authorised load; and the rate and amount of the commission.

126-J : **RATE OF COMMISSION :** The State Government may, by notification in the official Gazette, prescribe the maximum rates at which commission may be charged by licensee under these rules and the State Transport Authority may prescribe such rates of commission not exceeding the rates prescribed by the State Government in regard to licensees transacting business in its region.

## 126-K : PREMISES TO BE USED :

- (i) The State Transport Authority may, in consultation with the local authority or the police authority having jurisdiction over the area concerned, approve any premises owned by or in the possession of a licensee or an applicant for an agent's licence to be used for loading or unloading of goods or for parking goods vehicles or for the storage of goods in the custody of the agent, having regard to the suitability of the site, sanitary conditions and storage facilities provided at such premises.
- (2) Any approval under sub-rule (1) shall be subject to the following conditions, namely :
  - (i) that the premises shall at all times be kept in a clean condition and good states of repairs;
  - (ii) that the premises shall be administered in a seemly and orderly manner;
  - (iii) that the licensee shall take all possible precautions to ensure that no breach of any of the provisions of the Act or of these rules is committed in respect of any vehicle entering or leaving or parking at such premises and shall report in writing any breach to the nearest police station.
- (3) Where the State Transport Authority refuses to approve any premises under sub-rule (1), he shall record in writing his reasons for such refusal.

## 126-L : SUSPENSION OR CANCELLATION OF LICENCES :

- (1) Without prejudice to any other action which may be taken against a licensee, the licensing authority may, by order in writing, cancel the agent's licence or suspend it for such period as it thinks fit, if in his opinion any of the conditions under which the licence has been granted or has been contravened.
- (2) Before making any order of Suspension or cancellation under this rule, the licensing authority shall give the licensees an opportunity of being heard and shall record reasons in writing for such cancellation or suspension.
- (3) Whenever the agent's licence is liable to be cancelled or suspended under sub-rule (1) above, the licensing authority granting the licence may allow the licensee the option of retaining it on payment of a certain sum of money as the authority may think fit to fix.

126-M: **ISSUE OF DUPLICATE LICENCE:** If any day time an agent's licence is lost, destroyed or torn or otherwise defaced so as to be illegible, the agent shall forthwith apply to the licensing authority for the grant of a duplicate licence. The application shall be accompanied by a fee of Rs.20/-. Upon receipt of such an application the authority shall issue a duplicate agent's licence clearly being stamped "Duplicate". If a duplicate agent's licence is granted on a representation that the licence originally granted has been lost or destroyed and the original licence is subsequently found, the original licence shall be surrendered to the licensing authority.

126-N: **DISPLAY OF AGENT'S LICENCE:**

- (1) A collecting agent shall carry with his agent's licence while on duty and shall produce it on demand to any Inspecting Officer of the Transport Department or any Police Officer in uniform not below the rank of a head constable.
- (2) A forwarding agent shall exhibit his agent's licence at a prominent place in the premises approved under R. 126-K and the licence shall be made available for inspection by inspecting Officer of the Transport Department or any Police Officer in uniform not below the rank of a head constable.
- (3) A collecting and forwarding agent shall carry with him his agent's licence while on duty and shall produce it on demand to any inspecting Officer of the Transport Department or any Police Officer in uniform not below the rank of a head constable, and shall also cause a true copy of his agent's licence to be exhibited at a prominent place in the premises approved under Rule, 126-K.

126-O: **APPEAL :** (1) Any person aggrieved by an order made under sub-rule (3) of Rule 126-D, Rule 126-E, clause (m), (n) or (o) of Rules 126-H Rule 126-J, sub-rule (1) of Rule 126-K, sub-rule (1) or (2) of Rule 126-L, Rule 126-M or Rule 126-P may appeal to the State Transport Appellate Tribunal constituted under S.89 of the act within thirty days from the date of receipt of such order.

(2) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of abjection and shall be accompanied by a certified copy of that order and a prescribed fee of Rs. 60 (Rupees sixty) which shall be paid through Treasury Challan.

(3) Upon receipt of and appeal in accordance with sub-rules (1) and (2), the authority referred to in sub-rule (1) shall appoint date, time and place for hearing appeal and an applicant shall appear accordingly and conduct his or



her case either in person or by any person duly authorised by him or her in writing in this behalf.

- 126-P : The authority which passed an order to be appealed against shall on an application by a party give a certified copy of the order or of any other relevant document on payment of a fee of Rs.40/-
32. Deletion of certain rules. Rules 128, 129, 130, 131, 132, 133, 135, 136, 138, 139, 140, 141, 143, 144, 145, 146, 148, 149, 160, 178, 179, 180 and 181 of the principal rules shall be deleted.
33. Following new rules shall be inserted in the principal rules :
- 126 RESTRICTION ON PLACEMENT OF AUDIOVISUAL TYPE OF DEVICE IN VEHICLES :  
No television or Video shall be placed on or near the dash-board of any vehicle or shall be kept within the view of the driver.
34. Deletion of Rule 209 Rule 209 of the principal rules shall be deleted.
35. Insertion of new rules After rule 214 of the principal rules, following new rules shall be inserted :
- 214-A: WEARING OF PROTECTIVE HEAD GEAR :
- (1) Every person while driving or riding a motor cycle of any type i.e. Motor Cycles, Scooters and mopeds shall wear protective head gear of such quality which will reduce head injuries to riders of two Wheelers resulting from head impacts.
- (2) A protective head gear referred to in sub-rule (1) should be one which has been approved by the Indian Standard Institute; Standard No IS.4151-1976.
- (3) Each protective head gear shall be permanently and legibly labelled in a manner such that the label or labels can be easily read without removing padding or any other permanent part with the following :
- (a) Manufacturer's name or identification.
- (b) Size.
- (c) Month and year of manufacture.
- (d) The mark of Indian Standard Institute.
- (4) The head gear shall have minimum three adhesive type retroreflective red stripes on the back of the head gear which will illuminate during night. The stripes shall be of the size 2 cm x 15cm and affixed horizontally to the head gear.

36. Insertion of new Chapter and Rules. After Chapter VI of the principal rules, the following new chapters and rules shall be inserted :

“ CHAPTER - VII ”

Offences, Penalties and Procedure.

221. PENALTY FOR CAUSING OBSTRUCTION TO FREE FLOW OF TRAFFIC : Any officer of the Transport Department not below the rank of Assistant Commissioner of Transport and District Transport Officer shall be competent to recover penalty imposed under Section 201 of the Act.

222. Where a motor vehicle has been seized and detained under sub-section (1) of Section 207 of the Act, the owner of person in charge of the vehicle may apply to the District Transport Officer of the District where the vehicle has been seized or detained, together with necessary document, for release of the vehicle and such District Transport Officer may, after verification of such document, by order release the vehicle subject to such conditions as he may deem fit to impose.

FORM NO. L AG

Agent's Licence (See rule 126-A (2))

Licence No. \_\_\_\_\_  
FULL NAME \_\_\_\_\_  
Name of father or husband (in the case of an individual) \_\_\_\_\_  
\_\_\_\_\_ Address \_\_\_\_\_

Put \_\_\_\_\_ whose particulars are shown above is licensed to engage as Agent for sale of tickets for travel by public service vehicles at \*1 \_\_\_\_\_ and maintain sub-agencies/offices at \*2 \_\_\_\_\_ subject to following conditions \*3 \_\_\_\_\_

The licence is valid from \_\_\_\_\_ to \_\_\_\_\_ Date \_\_\_\_\_

So long as this Agent's Licence is valid and renewed from time to time, the holder is authorised to use the premises the particulars of which are given below, in connection with his business, subject to the provisions of rule 126-A.

Secretary,  
State Transport Authority,  
Mizoram Aizawl.

## RENEWALS

This Licence is hereby renewed up to \_\_\_\_\_

Secretary,  
State Transport Authority  
Mizoram : Aizawl.

- \*1. Name of the place or the route on which the vehicle is to ply.
- \*2. Name of the location of the office.
- \*3. Mention the conditions laid down by the Government/STA

## FORM NO. L.Ag. A.

( See rule 126-A(5) of the Mizoram Motor Vehicles Act, 1976 )

Form for application for licence to work as agent for sale of tickets for travel by Public Service Vehicles.

To  
THE SECRETARY,  
STATE TRANSPORT AUTHORITY.

1. Full name :
2. Name of father or husband ( in the case of individual ) :  
\_\_\_\_\_
3. Address : . . . . .
4. Educational qualification, or experience in the management of transport business :
5. (a) Place where the applicant proposes to engage as an agent :  
(b) Places where he proposes to establish his office of Sub-agency :
6. Nature and extent of financial resources of the applicant :
7. Particulars of public service vehicles either owned by the applicant or are under his control -
  - (a) Total number of vehicles -
  - (b) Makes -
  - (c) Model or the year of manufacture -

(d) Registered laden weights -

(e) Registration marks -

8. I/We enclose Treasury Challan for Rs. 100 (Rupees one hundred) being the prescribed fee.
9. I am/We are fully conversant with the conditions of public carrier permits and the provisions of the Motor Vehicles Act, 1988, and the rules made thereunder so far as they relate to the restrictions regarding the routes, weights, loading and unloading of goods and the duties and functions of agents.
10. I/We hereby declare that to the best of my/our knowledge and belief the particulars given above are true.

Place :

Signature of applicant.

Date :

## FORM NO. M.V.S.R. (1)

(See Rule 65-A (1))

Form for monthly report on vehicles stolen/recovered for the month of \_\_\_\_\_ 19\_\_\_\_

| Sl. No. | Regn. No. of Veh. | Name of registering authority. | Type of Vehicle. | Name of owner of the Vehicle. | Date on which stolen. | Location from which stolen indicating the P.S. in whose jurisdiction the location falls. | Date on which recovered (if recovered). | R<br>E<br>M<br>A<br>R<br>K |
|---------|-------------------|--------------------------------|------------------|-------------------------------|-----------------------|--|---|----------------------------|
|         |                   |                                |                  |                               |                       |  |   |                            |

Dated \_\_\_\_\_ Signature and designation  
of the reporting authority.



## FORM 1

Application for licence to work as collecting agent/forwarding agent/collecting and forwarding agent (see rule 126 (D) (1))

To

THE SECRETARY,  
STATE TRANSPORT AUTHORITY.

1. Full name \_\_\_\_\_
2. Name of father or husband :  
(in the case of individual) \_\_\_\_\_
3. Address : \_\_\_\_\_
4. Educational qualification, or experience in the management of transport business : — — — — —
5. (a) Place where the applicant proposes to engage as an agent :  
\_\_\_\_\_
- (b) Places where he proposes to establish his office of sub-agency :  
\_\_\_\_\_
6. Nature and extent of financial resources of the applicant : — — — — —
7. Particulars of goods vehicles either owned by the applicant or under his control-
  - (a) Total Number : \_\_\_\_\_
  - (b) Makes : — — — — —
  - (c) Model or year of manufactures : — — — — —
  - (d) Registered laden weights : — — — — —
  - (e) Registration marks : — — — — —
8. Additional particulars to be supplied where the applicant is for a licence as forwarding agent or collecting and forwarding agent -
  - (a) Particulars of the site and its location : — — — — —
  - (b) Description of the premises ( nature of buildings, extent of the site etc.)  
\_\_\_\_\_
  - (c) Facilities, if any, provided by the applicant for parking the goods vehicles : \_\_\_\_\_
  - (d) Facilities provided by him for loading and unloading goods :  
\_\_\_\_\_

(e) Particulars of weighing device provided at the above mentioned places :

-----

- 9. I/We enclose Treasury Challan for Rs. 200. (Rupees two hundred) being the prescribed fee.
- 10 I am/We are fully conversant with the conditions of the public carrier permits and the provisions of the Motor Vehicles Act, 1988, and the rules made thereunder so far as they relate to the restrictions regarding the routes, weights, loading and unloading of goods and the duties and function of agents.
- 11. I/We hereby declare that to the best of my/our knowledge and belief the particular given above are true.

Date :  
Place :

Signature of the applicant.

FORM II

Application for the renewal of Agent's Licence (See rule 126-D(1))

To

The Secretary,  
State Transport Authority.

I/we hereby apply for the renewal of my/our licence which is attached, and particulars of which are as follows :

(a) Licence No. -----

(b) Date of issue -----

(c) Nature of the licence, i.e. collecting agent or forwarding agent or collecting and forwarding agent : -----

-----

(d) Name of the licensee (in block letters) -----

-----

(e) Address : -----

If the licence is not attached, reasons why it is not available:-----

If the application for renewal was not made within 30 days before the expiry of the licence, reasons for the days : -----

I/we enclose Treasury Challan for Rs. 200 (Rupees two hundred) being the prescribed fee.



I/we hereby declare that there is no such change in the circumstances in which the licence issued to me/us, as disqualifying me/us from continuing to hold this licence.

Place :

Date :

Signature of the applicant

FORM III

Agents Licence ( see rule 126-C )

Licence No. — — — — —

Full Name : — — — — —

Name of father or husband : — — — — —  
( in the case of an individual )

Address : — — — — — is licensed to engage as forwarding  
Agent/Collecting Agent/Collecting and Forwarding Agent at\* — — — — —  
and maintain sub-agencies/offices for the purpose at\* — — — — —  
subject to— — — — — The licence is valid from — — — — —  
to — — — — —

Date : — — — — —

So long as this Agent's Licence is valid and renewed from time to time the holder is authorised to use the premises the particulars of which are given below, in connection with his business, subject to the provisions of R. 126-K +

Particulars of premises : — — — — —  
— — — — —

Secretary,  
State Transport Authority.

RENEWALS

This licence is hereby renewed up to — — — — —

Secretary,  
State Transport Authority.

Date : — — — — —

This licence is hereby renewed up to — — — — —

Secretary,  
State Transport Authority.

Date : \_\_\_\_\_

\* Specify the place or places where the agent's office or offices are or will be located.

+ Specify the conditions.

FORM IV

Annual return for the period ending 31st March, 19... submitted by .....  
(Name and Address of the agent)  
(See Rule 126 H(c))

To,

The Secretary,  
State Transport Authority.

1. Licence No. \_\_\_\_\_
2. Date of its grant or last renewal : \_\_\_\_\_
3. Total number of goods vehicles own by the agent : \_\_\_\_\_
4. Total number of goods vehicles under the control of the agent : \_\_\_\_\_
5. Number of goods vehicles out of these mentioned in items No. (3) and (4) above, which were actually used during the year : \_\_\_\_\_
6. Tonnage of goods collected and delivered to the forwarding agents :

| Name and address of the forwarding agent. | Tonnes of the goods delivered to the forwarding agent. | Total No. of agents. | Total tonnage. |
|---|--|----------------------|----------------|
|---|--|----------------------|----------------|

In case the space given above under item No. 6 is not sufficient, attach a separate sheet.

7. Total tonnes of the goods collected, forwarded and delivered by the agent himself : \_\_\_\_\_
8. Minimum and maximum distances for which the goods were forwarded from the forwarding point to the delivering point.  
Distance :
  - (a) Distance not exceeding 80 Kilometres.
  - (b) Distance exceeding 80 Kilometres but not exceeding 160 Kilometres.
  - (c) Distance exceeding 160 Kilometres but not exceeding 240 Kilometres.
  - (d) Distance exceeding 240 Kilometres but not exceeding 320 Kilometres.
  - (e) Distance exceeding 320 Kilometres but not exceeding 400 Kilometres.
  - (f) Distance exceeding 400 Kilometres but not exceeding 480 Kilometres.
  - (g) Distance exceeding 480 Kilometres.

9. In respect of the entry made in item No. 8(g) above, specify the nature of the goods (e. g., fruits, glass, household effects, corn, coal, etc.)

10. Total length of journey performed by the goods vehicles mentioned in item No. (3) and (4) above, in Kilometres: \_\_\_\_\_

11. Maximum time taken in delivering a consignment, from the date of its booking, by the forwarding agent.

| Time | Tonnes of the consignment. | Distance from the forwarding point to the delivering point. |
|------|----------------------------|---|
|------|----------------------------|---|

## 12. CLAIMS Received and settled

| No. of claims pending from previous year | No. of claims received during the year | Compensation claimed during the year. | No. of claims settled during the year. | Compensation paid during the year. | No. of claims pending at the end of the year. |
|--|--|---------------------------------------|--|------------------------------------|---|
|--|--|---------------------------------------|--|------------------------------------|---|

## 13. Freight and commission.

| Total freight realised in respect of the vehicles mentioned in item No. (3) above. | Total freight realised in respect of the vehicles mentioned in item No. (4) above. | Total freight realised and paid to other operators. | Total amount of commission realised. |
|--|--|---|--------------------------------------|
|--|--|---|--------------------------------------|

- 14. Total amount of the premium paid to insurance companies for insurance of the goods : — — — — —
- 15. Total amount realised from the insurance companies in respect of claims for loss or damage of goods ; — — — — —
- 16. Maximum time for which a consignment was held by the collecting agent before delivering it to the forwarding agent : — — — — —
- 17. Maximum time for which a consignment was held by the forwarding agent in his godown before despatch : — — — — —
- 18. Maximum time for which a consignment was held by the forwarding agent in his godown at the distributing point before delivery to the consignee : — — — — —

Date : .....

Signature of the Agent.