


MANIPUR GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 115

Imphal, Monday, July 29, 2013

(Sravana 7, 1935)

**GOVERNMENT OF MANIPUR
SECRETARIAT: TRANSPORT DEPARTMENT**

ORDERS

Imphal, the 15th July, 2013

No. 4/7/2013-T(MV) Pt.: To regulate transport services provided by private operators for school going children in the State, the following directives are hereby issued for general information and necessary compliance by all concerned.

2. The Supreme Court of India had issued guidelines for operation of school buses to curb road accidents “fatalities” of school going children in several parts of the country. The objective of the guidelines was to incorporate norms for welfare and safety of school children apart from instilling sense of responsibility and adherence to the rule of law.

3. Under Section 2(31) of Motor Vehicle Act, 1988, permit authorizing use of motor vehicle as transport vehicle is mandatory. Under Section 2(47) of Motor Vehicle Act, 1988 an educational institution bus is a transport vehicle and therefore requires permit to ply on the road.

4. Under Section 66 of Motor Vehicle Act, 1988, for control of transport vehicles, it is provided that no owner of motor vehicle shall use or permit the use of vehicle as a transport vehicle in any public place whether or not such vehicle is actually carrying any passengers in accordance with the conditions of a permit granted by Regional or State Transport Authority.

5. It is therefore notified for general information of all concerned and particularly private transport operators carrying school children that the requirement to apply for permits under the Motor Vehicle Act, 1988 and Central Motor Vehicle Rules, 1989 should be complied.

6. Under section 3(1), First Schedule, Part-B of the Manipur Motor Vehicles Taxation (Amendment) Act, 2011, regarding vehicles plying for hire or reward under Group- A; III, Maruti vans carrying school children and staff on contract basis are required to pay Annual Tax and Annual Permit Tax.

7. Under Section 56 of Motor Vehicle Act, 1988, it is provided that subject to the provisions of Section 59 & 60, all transport vehicles shall not be deemed to be validly registered unless it carries

certificate of fitness inter-alia. Under Rule 62 of Central Motor Vehicle Rules, 1989, validity of certificate of fitness for new transport vehicle is two years. Thereafter, renewal of certificate of fitness of vehicle is mandatory for every successive year. This provision is applicable to all commercial vehicles carrying goods or passengers, educational institution bus, transport vehicles or public service vehicle as defined under the Motor Vehicle Act & Central Motor Vehicle Rules.

8. Under Rule 115 inter-alia, it is required under sub-rule (7) that after the expiry of one year from the date on which the motor vehicle was first registered, every such vehicle shall carry a valid 'Pollution under Control' certificate which shall always be carried and produced on demand by the officials referred in Rule 116 of Central Motor Vehicle Rules, 1989.

9. All permit holders engaged in transportation of school children by the school management or by the permit holders is required to conform to the passenger seat carrying capacity prescribed under Section 2 of Motor Vehicle Act, 1988. The seating capacity certification of ARAI shall be also applicable. This norm is to be complied in order to curb overcrowding of vehicles carrying school children.

10. All private transport operators carrying school children are required to make provisions for school bags under the seats to ensure all round safety.

11. Insurance cover as required under the provisions of Motor Vehicle Act and Central Motor Vehicle Rules shall be compulsory.

12. This directives shall come into effect from 15th July, 2013.

S.K. DEV VERMAN,
Principal Secretary (Transport),
Government of Manipur.