

CHAPTER IV

CONTROL OF TRANSPORT VEHICLES

Tourist permits

82. Tourist permits.—(1) An application for the grant of permit in respect of a tourist vehicle (hereinafter referred to in these rules as a tourist permit) shall be made in Form 45 to the State Transport Authority.

(2) ⁶[***]

⁷[(a) A tourist permit shall be deemed to be invalid from the date on which the motor vehicle covered by the permit completes 9 years in the case of a motor cab and 8 years where the motor vehicle is other than a motor cab, unless the motor vehicle is replaced;]

⁸[(b)] Where a vehicle covered by a tourist permit is proposed to be replaced by another, the latter vehicle shall not be more than two years old on the date of such replacement.

Explanation.—For the purposes of this sub-rule, the period of ⁹[9 years or 8 years] shall be computed from the date of initial registration of the motor vehicle.

83. Authorization fee.—(1) An application for the grant of authorisation for a tourist permit shall be made in Form 46 and shall be accompanied by a fee of Rs.500 per annum in the form of a bank draft.

¹⁰[(2) Every authorization shall be granted in Form 23-A, in case the certificate of registration is issued on Smart Card or shall be granted in Form 47, in case the authorization is in paper document mode subject to the payment of taxes or fees, if any, levied by the concerned State. The authority which grants the authorization shall issue to the permit holder separate receipts for such taxes or fees in respect of each bank draft and such receipts shall be security printed watermark paper carrying such hologram as may be specified by the concerned State/Union Territory:

Provided that the bank drafts received in respect of taxes or fees shall invariably be forwarded by the authority which grants the authorisation to the respective States:

Provided also that the use of such security printed watermark paper carrying such hologram shall come into force on or before six months from the date of commencement of the Central Motor Vehicles (Third Amendment) Rules, 2002.]

6. CI. (a) of sub-R. (2) omitted by G.S.R. 338(E), dated 26-3-1993 (w.e.f 26-3-1993).

7. CI. (b) of sub-R. (2) renumbered as CI. (a) and CI. (n) as so renumbered substituted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

8. CI. (c) of sub-R. (2) renumbered as CI. (b) by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

9. Substituted by G.S.R. 338(E), dated 26-3-1993, for "2 years, 5 years or 7 years" (w.e.f 26-3-1993).

10. Sub-R. (2) substituted by G.S.R. 400(E), dated 31-5-2002 (w.e.f. 31-5-2002).

¹¹[(2-A) The authority which grants the authorisation shall inform the State Transport Authorities concerned the registration number of the motor vehicle, the name and address of the permit holder and the period for which the said authorisation is valid:]

¹²[Provided that where the permit holder undertakes to pay the tax direct to the concerned State Transport Authority at the time of entry in his jurisdiction, the authorisation shall expressly state that it has been issued subject to payment of taxes to the concerned State Transport Authority.]

(2) The period of validity of an authorisation shall not exceed one year at a time ¹³[***].

84. Right of operation.—No tourist permit shall be deemed to confer the right of operation in any State not included in the authorisation referred to in rule 83 nor shall it exempt the owner of a vehicle from the payment of tax or fee, if any, leviable in any State.

85. Additional conditions of tourist permit.—The following shall be the additional conditions of every tourist permit granted to a tourist vehicle other than a motor cab under sub-section (9) of section 88, namely:—

(1) The permit holder shall cause to be prepared in respect of each trip a list in triplicate of tourist passengers to be carried in the vehicle, ¹⁴[***] giving full particulars as under:—

- (a) name of the passengers,
- (b) address of the passengers,
- (c) age of the passengers,
- (d) starting point and the point of destination.

¹⁵[(2) One copy of the list referred to in sub-rule (1) shall be carried in the tourist vehicle and shall be produced on demand by the officers authorised to demand production of documents by or under the provisions of the Act and the Rules, and the second copy shall be preserved by the permit holder.]

(3) The tourist vehicle shall either commence its journey, or end its journey, circular or otherwise, in the home State, subject to the condition that the vehicle shall not remain outside the home State for a period of more than ¹⁵[three months]. The permit holder shall see that every return of the tourist vehicle to the home State is reported to the authority which issued the permit:

Provided that where the contracted journey ends outside the home State, the vehicle shall not be offered for hire within that State or from that State to any other State except for the return journey to any point in the home State.

11. Inserted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

12. Inserted by G.S.R. 76(E), dated 31-1-2000 (w.e.f. 31-1-2000). Earlier Proviso was omitted by G.S.R. 684(E), dated 5-10-1999 (w.e.f. 22-10-1999).

13. The words "and shall expire on the 31st day of March of the year" omitted by G.S.R. 933(E), dated 28-10-1989 (w.e.f. 28-10-1989).

14. Certain words omitted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

15. Substituted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

(4) The tourist vehicle may operate circular tours of places lying exclusively in the home State or in the home State and outside the State if such circular tours are in the list approved by the tourist department of the home State to visit places of tourist, historical or religious importance and the tour is duly advertised before hand:

¹⁶[Provided that where such tourist vehicle is registered in the National Capital Region, it shall not operate circular tours of place lying exclusively in the National Capital Region unless it conforms to the mass emission standards ^{16a}[(Bharat Stage-IV) specified in sub-rule(15) of rule 115].

(5) The permit holder or his authorised agent shall issue a receipt to the hirer and the counterfoil of the same shall be kept available with him and produced on demand to the officers empowered to demand documents by or under the Act.

(6) The tourist vehicle shall not be parked on any bus stand used by stage carriage and shall not operate from such bus stand.

(7) The tourist vehicle shall be painted in white colour with a blue ribbon of five centimetres width at the centre of the exterior of the body and the word "Tourist" shall be inserted on two sides of the vehicle within a circle of sixty centimetres diameter.

(8) The permit holder shall display in the front of the tourist vehicle a board in yellow with letters in black with the inscription "Tourist permit valid in the State(s) of....." in English and Hindi and also, if he so prefers, in regional language of the home State.

(9) The permit holder shall not operate the tourist vehicle as a stage carriage.

(10) The permit holder shall maintain a day-to-day logbook indicating the name and address of the permit holder and the registration mark of the vehicle, name and address of the driver with the particulars of his driving licence and the starting and destination points of the journey with the time of departure and arrival and the name and address of the hirer.

(11) The permit holder shall furnish once in every 3 months the information contained in condition (10) to the State Transport Authority which granted the permit and the logbook shall be preserved for a period of 3 years and shall be made available to the said authority on demand along with the records referred to in conditions (2) and (4).

Explanation.—In this rule, "home State" means the State which has granted the permit under sub-section (9) of section 88.

85-A. The following shall be the additional conditions of every tourist permit in respect of motor cabs.—(1) The words "Tourist vehicle" shall be painted on both the sides of the vehicle within a circle of twenty-five centimetres diameter.

(2) A board with the inscription "Tourist permit valid in the State(s) of" in black letters in yellow background shall be displayed in the front of the vehicle above the registration number plates:

¹⁷[Provided that this rule shall not apply to motor cabs covered under the 'Rent a Cab' Scheme, 1989.]

16. Inserted by G.S.R. 37(E), Dated 20-1-2009 (w.e.f. 20-1-2009).

16a. Substituted by G.S.R 103(E), dated 23-2-2012 (w.e.f 23-2-2012).

17. Added by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

National permits

86. Application for national permit.—An application for the grant of a national permit shall be made in Form 48 to the authority referred to in section 69.

87. Form, contents and duration of authorisation.—(1) An application for the grant of an authorisation for a national permit shall be made in Form 46 and shall be accompanied by a fee of ¹⁸[Rs.1,000] per annum in the form of a bank draft.

¹⁸(2) Every authorisation shall be granted in Form 23-A, in case the certificate of registration is issued on Smart Card or shall be granted in Form 47, in case the authorisation is in paper document subject to the payment of consolidated fees of ¹⁹[rupees sixteen thousand five hundred] per annum to be deposited in the national permit account for the permit granted to operate throughout the territory of India.

(2-A) The consolidated fee deposited in the national permit account shall be distributed by the Central Government among the States and Union territories on *pro rata* basis as per the following specification, namely: -

Percentage share of nth = total consolidated fee received by nth State/Union territory

State/Union territory in the base year x 100 total consolidated fee received by all the States/Union territories in the base year where national permit is in operation.

Note.- The base year shall be the average of the latest three financial years and the share of the States and Union territories shall be notified by the Central Government from time to time.

Explanation.- For the purpose of sub-rule (2) and sub-rule (2-A) the “National permit account” means an account established by the Central Government and notified in the Official Gazette.]

(2) The period of validity of an authorisation shall not exceed one year at a time ²⁰[***]

²¹**88. Age of motor vehicle for the purpose of national permit.**—(1) No national permit shall be granted in respect of a goods carriage, other than multi-axle vehicle, which is more than ²²[twelve years] old at any point of time.

(2) No national permit shall be granted for a multi-axle goods carriage which is more than fifteen years old at any point of time.

²²(2-A) No national permit shall be granted for a puller tractor which is more than fifteen years old at any point of time:

Provided that the national permit may be extended for another period of five years subject to certificate of fitness granted by the manufacturer or a chartered engineer, in case the manufacturer ceases to operate in India.]

18. Substituted by G.S.R. 386(E), dated 7-5-2010 (w.e.f. 7-5-2010).

19. Substituted by G.S.R. 514(E), dated 29-6-2012 (w.e.f. 29-6-2012).

20. The words "and shall expire on the 31st day of March of the year" omitted by G.S.R. 933(E), dated 28-10-1989 (w.e.f. 28-10-1989).

21. R. 88 substituted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

22. Substituted by G.S.R. 799(E), dated 30-12-1993, for "nine years" (w.e.f. 30-12-1993).

(3) A national permit shall be deemed to be invalid from the date on which a goods carriage covered by the permit completes fifteen years in case of a multi-axle goods carriage and ²²[twelve years] where the vehicle is other than a multi-axle goods carriage, unless such goods carriage is replaced.

Explanation.—For the purpose of this rule, the period of ²²[twelve years] or fifteen years, as the case may be, shall be computed from the date of initial registration of the motor vehicle covered under its permit or the prime mover in case of an articulated vehicle.]

²³[(4) No national permit shall be granted in respect of a multi-axle trailer approved to carry a gross vehicle weight of more than 50 tonnes, which is more than 25 years old at any point of time, the period of 25 years being computed from the date of initial registration of the said trailer.

Explanation.—For the purpose of this rule, "multi-axle trailer" means a trailer having more than two axles.]

^{22a}[(4-A) No national shall be granted in respect of a modular hydraulic trailer, which is more than twenty five years old at any point of time, the period of twenty-five years being computed from the date of initial registration of the said modular hydraulic trailer:

Provided that the national permit may be extended for another period of five years subject to certificate of fitness granted by the manufacture or a chartered engineer or approving authority, in case the manufacturer ceases to operate in India:

Provided further that be national permit shall be valid irrespective of the combination of modular hydraulic trailers subject to the condition that each individual modular hydraulic trailer is having valid national permit.

Explanation.- For the purpose of this section, "national permit" means a permit issued to ply the motor vehicle under this section, throughout the territory of India.]

²⁴[(5) A national permit shall be in such security printed watermark paper and shall carry such hologram as the State Government or the State Transport Authority, as the case may be, issuing such permit, may specify:

Provided that the use of such security printed watermark paper carrying such hologram shall come into force on or before six months from the date of commencement of the Central Motor Vehicles (Third Amendment) Rules, 2002.]

²⁵[* * *]

90. Additional conditions for national permit.—The national permit issued under sub-section (12) of section 88 shall be subject to the following additional conditions, namely:—

(1) ^{25a}[All motor vehicles other than a trailer or modular hydraulic trailer] plying under a national permit shall be painted in dry leaf brown colour with thirty centimetres broad white borders and the words "National permit" shall be inscribed on both sides of the vehicle in bold letters within a circle of sixty centimetres diameter:

22a. Inserted by G.S.R. 212(E), dated 20-3-2015 (w.e.f. 20-3-2015).

23. Inserted by G.S.R. 221(E), dated 28-3-2001 (w.e.f. 28-3-2001).

24. Inserted by G.S.R. 400(E), dated 31-5-2002 (w.e.f. 31-5-2002).

25. R. 89 omitted by G.S.R. 221(E), dated 28-3-2001 (w.e.f. 28-3-2001).

25a. Substituted by G.S.R. 221(E), dated 20-3-2015 (w.e.f. 1-4-2015).

Provided that the body of a tanker carrying dangerous or hazardous goods shall be painted in white colour with a dry leaf brown ribbon of 5 centimetres width around in the middle at the exterior and that of the driver's cabin in orange colour.

(2) A board with the inscription "National permit" valid in the State(s) of with blue letters on white background shall be carried in front top of ²⁶[such vehicle other than a trailer or modular hydraulic trailer for which the same shall appear on both sides of the vehicle.]

(3) No such vehicle shall carry any goods without a bill of lading in Form 50.

(4) The vehicle shall have a minimum of two drivers and shall be provided with a seat across its full width behind the driver's seat providing facility for the spare driver to stretch himself and sleep:

^{26a}[Provided that this sub-rule shall apply to light motor vehicle and medium goods vehicles only from a date to be notified by the Central Government.]

(5) The vehicle shall at all times carry the following documents and shall be produced on demand by an officer empowered to demand documents by or under the Act, namely:—

- (i) Certificate of fitness,
- (ii) Certificate of insurance,
- (iii) Certificate of registration,
- (iv) National permit,
- (v) Taxation certificate
- (vi) Authorisation.

(6) The vehicle shall be subject to all local rules or restrictions imposed by a State Government.

(7) The vehicle shall not pick up or set down goods between two points situated in the same State ²⁷[other than the home State].

^{27a}[Provided that where such vehicle is registered in the National Capital Region, it shall not pick up or set down goods between two points situated in the National Capital Region unless it conforms to the mass emission standards ^{27b}[(Bharat Stage-IV) Specified in sub-rule (15) of rule 115.]

26 Substituted by G.S.R. 212(E), dated 20-3-2015 (w.e.f. 20-3-2015).

26a. Inserted by G.S.R. 338(E), dated 26-3-1993 (w.e.f. 26-3-1993).

27. Inserted by G.S.R. 933(E), dated 28-10-1989 (w.e.f. 28-10-1989).

27a. Inserted by G.S.R. 37(E), dated 20-1-2009 (w.e.f. 20-1-2009).

27b. Substituted by G.S.R. 103(E), dated 23-2-2012 (w.e.f. 23-2-2012).
