

EXTRACT FROM MOTOR VEHICLES ACT, 1939

⁵⁸[³⁶Special provisions in regard to transport vehicles — (1) Having regard to the number, nature and size of the tyres attached to the wheels of a transport vehicle, other than a motor cab, and its make and model and other relevant considerations, ^{58a}[the Central Government, may] by notification in the Official Gazette, specify in relation to each make and model of a transport vehicle the maximum safe laden weight of such vehicle and the maximum safe axle weight of each axle of such vehicle.

(2) A registering authority, when registering a transport vehicle other than a motor cab, shall enter in the record of registration and shall also enter in the certificate of registration of the vehicle the following particulars, namely :—

- (a) the unladen weight of the vehicle;
- (b) the number, nature and size of the tyres attached to each wheel;
- (c) the registered laden weight of the vehicle and the registered axle weights pertaining to the several axles thereof; and
- (d) if the vehicle is used or adapted to be used for the carriage of passengers solely or in addition to goods, the number of passengers for whom accommodation is provided;

and the owner of the vehicle shall have the same particulars exhibited in the prescribed manner on the vehicle.

(3) There shall not be entered in the certificate of registration of any such vehicle any laden weight of the vehicle or a registered axle weight of any of its axles ⁵⁹[different from that] specified in the notification under sub-section (1) in relation to the make and model of the vehicle and to the number, nature and size of the tyres attached to its wheels :

Provided that where it appears to ^{59a}[the Central Government] that heavier weights than those specified in the notification under sub-section (1) may be permitted in a particular locality for vehicles of a particular type, ^{59a}[the Central Government] may, by order in the Official Gazette, direct that the provisions of this sub-section shall apply with such modifications as may be specified in the order.

(4) When by reason of any alteration in such vehicle, including an alteration in the number, nature or size of its tyres, the registered laden weight of the vehicle or the registered axle weight of any of its axles no longer accords with the provisions of subsection (3), the provisions of Section 32 shall apply and the registering authority shall enter in the certificate of registration of the vehicle revised registered weights which accord with the said sub-section.

(5) In order that the registered weight entered in the certificate of registration of a vehicle may be revised in accordance with the provisions of sub-section (3), the registering authority may require the owners of transport vehicles in accordance with such procedure as may be prescribed to produce the certificates of registration within such time as may be specified by the registering authority.]

CHAPTER IV

CONTROL OF TRANSPORT VEHICLES

42. *Necessity for permits.* — (1) No owner of a transport vehicle shall use or permit the use of the vehicle in any public place ⁸⁰[(whether or not such vehicle is actually carrying any passenger or goods)] save in accordance with the conditions of a permit granted or countersigned by a Regional or State Transport Authority ⁸¹[or the Commission] authorising the use of the vehicle in that place in the manner in which the vehicle is being used :

Provided that a stage carriage permit shall, subject to any conditions that may be specified in the permit, authorise the use of the vehicle as a contract carriage :

Provided further that a stage carrier's permit may, subject to any conditions that may be specified in the permit, authorise the use of the vehicle as a goods vehicle either when carrying passengers or not :

58. Subs. by S. 32, *ibid.*, for the former Ss. 36 and 37 (w.e.f. 15-1-1959).

58a. Subs. by Act 47 of 1982 (w.e.f. 1-10-1982).

59. Subs. by Act 56 of 1969, S. 14, for "in excess of that" (w.e.f. 2-3-1970).

59a. Subs. by Act 47 of 1982 (w.e.f. 1-10-1982).

75. Ins. by Act 47 of 1978, S. 19 (w.e.f. 16-1-1979).

76. Old cl. (i) omitted by Act 100 of 1956, S. 35 (w.e.f. 16-2-1957).

77. Ins. by Act 20 of 1942, S. 12.

78. Subs. by Act 100 of 1956, S. 35 for "Delivery vans" (w.e.f. 16-2-1957).

79. Ins. by Act 47 of 1978 of 1978, S. 19 (w.e.f. 16-1-1979).

80. Ins. by Act 56 of 1969, S. 17 (w.e.f. 2-3-1970).

81. Ins. by Act 100 of 1956, S. 36 (w.e.f. 16-2-1957).

Provided further that a public carriage permit shall, subject to any conditions that may be specified in the permit, authorise the holder to use the vehicle for the carriage of goods for or in connection with a trade or business carried on by him.

(2) In determining, for the purposes of this Chapter, whether a transport vehicle is or is not used for the carriage of goods for hire or reward :—

- (a) the delivery or collection by or on behalf of the owner of goods sold, used or let on hire or hire-purchase in the course of any trade or business carried on by him other than the trade or business of providing transport,
- (b) the delivery or collection by or on behalf of the owner of goods which have been or which are to be subjected to a process or treatment in the course of a trade or business carried on by him, or
- (c) the carriage of goods in a transport vehicle by a manufacturer of or agent or dealer in such goods whilst the vehicle is being used for demonstration purposes,

shall not be deemed to constitute a carrying of the goods for hire or reward; but the carriage in a transport vehicle of goods by a person not being a dealer in such goods who has acquired temporary ownership of the goods for the purpose of transporting them to another place and there relinquishing ownership shall be deemed to constitute a carrying of the goods for hire or reward.

(3) Sub-section (1) shall not apply —

- ⁸²(a) to any transport vehicle owned by the Central Government or a State Government and used for Government purposes unconnected with any commercial enterprise;]
- (b) to any transport vehicle owned by a local authority or by a person acting under contract with a local authority and used solely for road cleansing, road watering or conservancy purposes;
- (c) to any transport vehicle used solely for police, fire brigade or ambulance purposes;
- (d) to any transport vehicle used solely for the conveyance of crops;
- (e) to any transport vehicle used for towing a disabled vehicle or for removing goods from a disabled vehicle to a place of safety;
- ⁸³(ee) to any transport vehicle owned by a manufacturer of automobiles and used solely for such purpose as may be approved by the Central Government;]
- (f) to any transport vehicle used for any other public purpose prescribed in this behalf;
- ⁸⁴(ff) to any transport vehicle used by a person who manufactures or deals in motor vehicles or builds bodies for attachment to chassis, solely for such purposes and in accordance with such conditions as the Central Government may, by notification in the Official Gazette, specify in this behalf;]
- (g) to any transport vehicle owned by, and used solely for the purposes of, any educational institution which is recognised by the State Government or whose managing committee is a society registered under the Societies Registration Act, 1860 (21 of 1960);
- ⁸⁵* * * * *
- (i) ⁸⁷[except as may otherwise be prescribed], to any goods vehicle which is a light motor vehicle and does not ply for hire or reward, or to any two-wheeled trailer with a registered laden weight not exceeding ⁸⁸[800 kilograms] drawn by a motor car;]
- ⁸⁹(j) subject to such conditions as the Central Government may, by notification in the Official Gazette, specify, to any transport vehicle purchased in one State and proceeding to a place, situated in any other State, without carrying any passenger or goods;
- (k) to any transport vehicle which has been temporarily registered under Section 25, while proceeding empty to any place for the purpose of registration of the vehicle under Section 24;
- (l) to any transport vehicle used for such purposes (other than plying for hire or reward) as the Central Government may, by notification in the Official Gazette, specify;
- (m) to any transport vehicle which, owing to flood, earthquake or any other natural calamity, is required to be diverted through any other route, whether within or outside the State, with a view to enabling it to reach its destination; or
- (n) to any transport vehicle while proceeding empty to any place for purpose of repair.

Subject to the provisions of sub-section (3), sub-section (1) shall, if the State Government by rule made under Section 68 so prescribes, apply to any motor vehicle adapted to carry more than nine ⁹⁰[persons] excluding the driver.

43. *Power of State Government to control road transport* — (1) A State Government, having regard to —

- (a) the advantages offered to the public, trade and industry by the development of motor transport, and

82. Subs. by Act 100 of 1956, S. 36, for the former clause (a) (w.e.f. 16-2-1957).

83. Ins. by S. 36, *ibid.* (w.e.f. 16-2-1957) and shall stand omitted by Act 56 of 1969, S. 17 (from a date to be notified).

84. Ins. by Act 56 of 1969, S. 17. (w.e.f. a date to be notified).

85. Omitted by Act 25 of 1968, S. 2 and Sch. (w.e.f. 15-9-1968).

86. Subs. by Act 100 of 1956 by S. 36, for the former clause (w.e.f. 16-2-1957).

87. Shall stand omitted by Act 56 of 1969, S. 17 (w.e.f. a date to be notified).

88. Subs. by Act 51 of 1960, S. 3, for "1,700 pounds avoirdupois" (w.e.f. 1-1-1961).

89. Clauses (j) to (n) ins. by Act 56 of 1969, S. 17 (w.e.f. a date to be notified).

90. Subs. by Act 100 of 1956, S. 36, for "passengers" (w.e.f. 16-2-1957).

- (b) the desirability of co-ordinating road and rail transport, and
- (c) the desirability of preventing the deterioration of the road system, and
- (d) the desirability of preventing uneconomic competition among motor vehicles,

⁹¹[may, from time to time, by notification in the Official Gazette, issue directions to the State Transport Authority —

- (i) regarding the fixing of fares and freights ⁹²[including the maximum and minimum in respect thereof] for stage carriages, contract carriages and public carriers;
- (ii) regarding the prohibition or restriction, subject to such conditions as may be specified in the directions, of the conveying of long distance goods traffic generally, or of specified classes of goods, by private or public carriers;
- (iii) regarding the grant of permits for alternative routes or areas, to persons in whose cases the existing permits ⁹²are not renewed in pursuance of the provisions of sub-section (1-D) of Section 68-F, or] are cancelled or the terms thereof are modified in exercise of the powers conferred by clause (b) or clause (c) of sub-section (2) of Section 68-F;
- (iv) regarding any other matter which may appear to the State Government necessary or expedient for giving effect to any agreement entered into with the Central Government or any other State Government or the Government of any other country relating to the regulation of motor transport generally, and in particular to its co-ordination with other means of transport and the conveying of long distance goods traffic :

Provided that no such notification shall be issued unless a draft of the proposed directions is published in the Official Gazette specifying therein a date being not less than one month after such publication, on or after which the draft will be taken into consideration and any objection or suggestion which may be received has, in consultation with the State Transport Authority, been considered after giving the representatives of the interests affected an opportunity of being heard.]

CHAPTER V

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

69. *General provision regarding construction and maintenance.* — Every motor vehicle shall be so constructed and so maintained as to be at all times under the effective control of the person driving the vehicle.

³⁴[96-A. *Vehicles to have right hand control.* — Every motor vehicle shall be so constructed as to have right hand steering control unless it is equipped with a mechanical or electrical signalling device of a prescribed nature]

^{34a}[69-B. *Power of Central Government to make rules.* — (1) The Central Government may make rules regulating the construction, equipment and maintenance of motor vehicles and trailers with respect to any of the following matters, namely :—

- (a) the width, height, length and overhang of vehicles and of the loads carried;
- (b) the size, nature and condition of tyres.

(2) Rules may be made under sub-section (1) governing the matters mentioned therein either generally in respect of motor vehicles or trailers or in respect of motor vehicles or trailers of a particular class or in particular circumstances.]

70. *Power to make rules.* — (1) A State Government may make rules regulating the construction, equipment and maintenance of motor vehicles and trailers ^{34b}[with respect to all matters other than the matters referred to in clause (a) or clause (b) of sub-section (1) of Section 69-B].

(2) Without prejudice to the generality of the foregoing power, rules may be made under this section governing any of the following matters, either generally in respect of motor vehicles or trailers or in respect of motor vehicles or trailers of a particular class or in particular circumstances namely—

- (a) ^{34c}[* * * * *]
- (b) seating arrangements in public service vehicles and the protection of passengers against the weather;
- (c) ^{34c}[* * * * *]
- (d) brakes and steering gear;
- (e) the use of safety glass;
- (f) signalling appliances, lamps and reflectors;
- (g) speed governors;

91. Subs. by S. 37, *ibid.*, for certain original words (w.e.f. 16-2-1957).

92. Ins. by Act 56 of 1969, S. 18. (w.e.f. 2-3-1970).

34. Ins. by Act 56 of 1969, S. 47 (w.e.f. 2-3-1970).

34a. Ins. by Act 47 of 1982, S. 45 (w.e.f. 10-12-1982).

34b. Ins. by Act 47 of 1982, (w.e.f. 10-12-1982).

34c. Omitted by Act 47 of 1982, (w.e.f. 10-12-1982).

- (h) the emission of smoke, visible vapour, sparks, ashes, grit or oil;
- (i) the reduction of noise emitted by or caused by vehicles;
- (j) prohibiting or restricting the use of audible signals at certain times or in certain places;
- (k) prohibiting the carrying of appliances likely to cause annoyance or danger;
- (l) the periodical testing and inspection of vehicles by prescribed authorities;
- (m) the particulars other than registration marks to be exhibited by vehicles and the manner in which they shall be exhibited; and
- (n) the use of trailers with motor vehicles.

CHAPTER VI

CONTROL OF TRAFFIC

71. *Limits of speed.* — (1) No person shall drive a motor vehicle or cause or allow a motor vehicle to be driven in any public place at a speed exceeding the maximum speed fixed for the vehicle by or under this Act or by or under any law for the time being in force :

Provided that such maximum speed shall in no case exceed the maximum fixed for the vehicle in the Eighth Schedule.

- (2) The State Government or any authority authorised in this behalf by the State Government may, if satisfied that it is necessary to restrict the speed of motor vehicles in the interests of public safety or convenience or because of the nature of any road or bridge, by notification in the Official Gazette, ³⁵[and by causing appropriate traffic signs to be placed or erected under Section 75 at suitable places,] fix such maximum speed limits as it thinks fit for motor vehicles or any specified class of motor vehicles or for motor vehicles to which a trailer is attached, either generally or in a particular area or on a particular road or roads :

³⁵[Provided that where any restriction under this section is to remain in force for not more than one month, notification thereof in the Official Gazette shall not be necessary.]

³⁵[(3) Nothing in this section shall apply to any vehicle registered under Section 39 while it is being used in the execution of military manoeuvres within the area and during the period specified in the notification under sub-section (1) of Section 2 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (5 of 1938).]

72. *Limits of weight and limitations on use.* — (1) The State Government may prescribe conditions for the issue of permits for ³⁶[heavy goods vehicles or heavy passenger motor vehicles by the State or Regional Transport Authorities and may prohibit or restrict the use of such vehicles in any area or route within the State.

³⁷ * * * * *

- (2) Except as may be otherwise prescribed, no person shall drive or cause or allow to be driven in any public place any motor vehicle which is not fitted with pneumatic tyres.

- (3) No person shall drive or cause or allow to be driven in any public place any motor vehicle or trailer —

(a) the unladen weight of which exceeds the unladen weight specified in the certificate of registration of the vehicle, or

(b) the laden weight of which exceeds the registered laden weight specified in the certificate of registration,

³⁸ * * *

³⁹ * * * * *

- (4) Where the driver or person in charge of a motor vehicle or trailer driven in contravention of sub-section (2) or clause (a) of sub-section (3) is not the owner, a Court may presume that the offence was committed with the knowledge of or under the orders of the owner of the vehicle or trailer.

73. *Power to have vehicle weighed.* — ⁴⁰[(1)] Any person authorised in this behalf of the State Government may if he has reason to believe that a goods vehicle or trailer is being used in contravention of Section 72, required the driver to convey the vehicle to a weighing device, if any, within a distance of ⁴¹[2 kilometres] from any point on the forward route or within a distance of ⁴²[10 kilometres] from the destina-

³⁵ Ins. by Act 100 of 1956, S. 63 (w.e.f. 16-2-1957).

³⁶ Subs. for "heavy motor vehicles" by Act 47 of 1978, S. 29 (w.e.f. 16-1-1979).

³⁷ Proviso omitted by Act 100 of 1956, S. 64 (w.e.f. 16-2-1957).

³⁸ The word "or" omitted by S. 64 *Ibid.*, (w.e.f. 16-2-1957).

³⁹ Cl. (c) omitted by S. 64 *Ibid.*, (w.e.f. 16-2-1957).

⁴⁰ S. 73 renumbered as sub-section (1) thereof by S. 65, *Ibid.* (w.e.f. 16-2-1957).

⁴¹ Subs. by Act 51 of 1960, S. 4 for "one mile" (w.e.f. 1-1-1961).

⁴² Subs. by S. *Ibid.*, for "five miles" (w.e.f. 1-1-1961).

tion of the vehicle for weighment; and if on such weighment the vehicle is found to contravene in any respect the provisions of Section 72 regarding weight, he may, by order in writing, direct the driver to convey the vehicle or trailer to the nearest place, to be specified in the notice, where facilities exist for the storage of goods, and not to remove the vehicle or trailer from that place until the laden weight⁴³ * * * has been reduced or the vehicle has otherwise been treated so that it complies with Section 72.

⁴⁴[(2) Where any excess goods are removed from any goods vehicle or trailer for storage under sub-section (1) such person as may be authorised in this behalf by the State Government shall cause a notice in writing to be served on the owner of the vehicle or trailer, as the case may be, requiring him to remove the goods within the time to be specified in the notice and if the owner of the vehicle or trailer refuses or fails to remove the goods within the time specified, the authorised person may sell the goods by public auction and the balance of the sale proceeds, after deducting therefrom the charges for the storage of the goods and the costs incidental to the sale, shall be paid to the owner of the vehicle or trailer, as the case may be :

Provided that where the excess goods removed are of a perishable nature, the sale can be held immediately after causing the notice to be served on the driver of the vehicle or trailer.]

74. *Power to restrict the use of vehicles.* — The State Government or any authority authorised in this behalf by the State Government, if satisfied that it is necessary in the interests of public safety or convenience, or because of the nature of any road or bridge, may by notification in the Official Gazette, prohibit or restrict, subject to such exceptions and conditions as may be specified in the notification, the driving of motor vehicle or of any specified class of motor vehicles or the use of trailers either generally in a specified area or on a specified road⁴⁵ [and when any such prohibition or restriction is imposed, shall cause appropriate traffic signs to be placed or erected under Section 75 at suitable places :

Provided that where any prohibition or restriction under this section is to remain in force for not more than one month, notification thereof in the Official Gazette, shall not be necessary, but such local publicity as the circumstances may permit, shall be given of such prohibition or restriction.]

75. *Power to erect traffic signs.* — (1) The State Government or any authority authorised in this behalf by the State Government may cause or permit traffic signs to be placed or erected in any public place for the purpose of⁴⁶ [bringing to public notice any speed limits fixed under sub-section (2) of Section 71 or any prohibitions or restrictions imposed under Section 74, or generally for the purpose of regulating motor vehicle traffic.

(2) Traffic signs erected under sub-section (1) for any purpose for which provision is made in the Ninth Schedule shall be of the size, colour and type and shall have the meanings set forth in the Ninth Schedule, but the State Government or any authority empowered in this behalf by the State Government may make or authorise the addition to any sign set forth in the said Schedule, of transcriptions of the words, letters or figures thereon in such script as the State Government may think fit, provided that the transcriptions shall be of similar size and colour to the words, letters or figures set forth in the Ninth Schedule.

(3) Except as provided by sub-section (1) no traffic sign shall, after the commencement of this Act, be placed or erected on or near any road; but all traffic signs erected prior to the commencement of this Act by any competent authority shall for the purposes of this Act be deemed to be traffic signs erected under the provisions of sub-section (1).

(4) A State Government may, by notification in the Official Gazette, empower any District Magistrate or Superintendent of Police⁴⁷ [or, in the Presidency towns, the⁴⁸ [Chief Metropolitan Magistrate] or the Commissioner of Police] to remove or cause to be removed any sign or advertisement which is so placed in his opinion as to obscure any traffic sign from view or any sign or advertisement which is in his opinion so similar in appearance to a traffic sign as to be misleading.

⁴⁹[(5) No person shall wilfully remove, alter, deface, or in any way tamper with traffic signs placed or erected under this section.

(6) If any person accidentally causes damage to a traffic sign as renders it useless for the purpose for which it is placed or erected under this section, he shall report the circumstances of the occurrence to a police officer or at a police station as soon as possible, and in any case within twenty-four hours of the occurrence.

43. The words "or axle weight" omitted by Act 100 of 1956, S. 65 (w.e.f. 16-2-1957).

44. Ins. by Act 100 of 1956, S. 65 (w.e.f. 16-2-1957).

45. Added by Act 100 of 1956, S. 66 (w.e.f. 16-2-1957).

46. Ins. by S. 67 *ibid.* (w.e.f. 16-2-1957).

47. Ins. by Act 20 of 1942, S. 17.

48. Subs. by Act 47 of 1978, S. 30 (w.e.f. 16-1-1979).

49. Ins. by Act 100 of 1956, S. 67 (w.e.f. 16-2-1957).

(7) For the purpose of bringing the signs set forth in the Ninth Schedule in conformity with any International Convention relative to motor traffic to which the Central Government is for the time being a party, the central Govt. may, by notification in the Official Gazette make any addition or alteration to any such sign and on the issue of any such notification, the Ninth Schedule shall be deemed to be amended accordingly.

76. *Parking places and halting stations.* — The State Government or any authority authorised in this behalf by the State Government may, in consultation with the local authority having jurisdiction in the area concerned, determine places at which motor vehicles may stand either indefinitely or for a specified period of time, and may determine the places at which public service vehicles may stop for a longer time than is necessary for the taking up and setting down of passengers.

77. *Main Roads.* — A State Government or any authority authorised in this behalf by the State Government may, by notification in the Official Gazette or by the erection at suitable places of the appropriate traffic sign referred to in Part A of the Ninth Schedule, designate certain roads as main roads for the purposes of the regulations contained in the Tenth Schedule.

78. *Duty to obey traffic signs.* — ⁵⁰[(1) Every driver of a motor vehicle shall drive the vehicle in conformity with any indication given by ⁵¹[a mandatory traffic sign] and in conformity with the driving regulations set forth in the Tenth Schedule, and shall comply with all directions given to him by any police officer for the time being engaged in the regulation of traffic in any public place.

⁵²[(2) In this section "mandatory traffic sign" means a traffic sign included in Part A of the Ninth Schedule, or any traffic sign of similar form (that is to say, consisting of or including a circular displaying a device, word or figure and having a red ground or border) erected for the purpose of regulating motor vehicle traffic under sub-section (1) of Section 75.]

79. *Signals and signalling devices.* — ⁵³(1) The driver of a motor vehicle ⁵⁴[with a right hand steering control] shall on the occasions specified in the Eleventh Schedule make the signals specified therein

Provided that the signal of an intention to turn to the right or left or to stop may be given by a mechanical or an electrical device of a prescribed nature affixed to the vehicle.

⁵⁵[(2) In the case of a motor vehicle with a left hand steering control, the signal of an intention to turn to the right or left or to stop shall be given by a mechanical or an electrical device of a prescribed nature affixed to the vehicle :

Provided that Government may, having regard to the width and condition of the roads in any area or route, by notification in the Official Gazette exempt, subject to such conditions as may be specified therein, any such motor vehicle or class of such motor vehicles from the operation of this sub-section for the purpose of plying in that area or route.

80. *Vehicles with left hand control.* — No person shall drive or cause or allow to be driven in any public place any motor vehicle with a left hand steering control unless it is equipped with a mechanical or electrical signalling device of a prescribed nature and in working order :

[Provided that Government may, having regard to the width and condition of the roads in any area or route, by notification in the Official Gazette exempt, subject to such conditions as may be specified therein, any such motor vehicle or class of such motor vehicles from the operation of this section for the purpose of plying in that area or route.]

81. *Leaving vehicle in dangerous position.* — No person in charge of a motor vehicle shall cause or allow the vehicle or any trailer to remain at rest on any road in such a position or in such a condition or in such circumstances as to cause or be likely to cause danger, obstruction of undue inconvenience to other users of the road.

82. *Riding on running board.* — No person driving or in charge of a motor vehicle shall carry any person or permit any person to be carried on the running board or otherwise than within the body of the vehicle.

⁵⁰. Section 78 renumbered as sub-section (1) thereof by Act 20 of 1942, S. 18.

⁵¹. Subs. by S. 18, *Ibid.* for "a traffic sign included in Part A of the Ninth Schedule".

⁵². Added by Act 20 of 1942, S. 18.

⁵³. Renumbered as sub-section (1) by Act 56 of 1969, S. 48 (w.e.f. 2-3-1970).

⁵⁴. Ins. by Act 56 of 1969, S. 48 (w.e.f. 2-3-1970).

⁵⁵. Ins. by Act 56 of 1969, S. 49 (w.e.f. 2-3-1970).

89. *Duty of driver in case of accident and injury to a person.* — When any person is injured ⁶¹[or any property of a third party is damaged,] as the result of an accident in which a motor vehicle is involved, the driver of the vehicle or other person in charge of the vehicle shall —

- (a) take all reasonable steps to secure medical attention for the injured person, and, if necessary, convey him, to the nearest hospital, unless the injured person or his guardian, in case he is a minor, desires otherwise;
- (b) give on demand by a police officer any information required by him, or, if no police officer is present, report the circumstances of the occurrence at the nearest police station as soon as possible, and in any case within twenty-four hours of the occurrence

90. *Inspection of vehicle involved in accident.* — When any accident occurs in which a motor vehicle is involved, any person authorised in this behalf by the State Government may, on production if so required of his authority, inspect the vehicle and for that purpose may enter at any reasonable time any premises where the vehicle may be, and may remove the vehicle for examination :

Provided that the place to which the vehicle is so removed shall be intimated to the owner of the vehicle and the vehicle shall be returned without unnecessary delay.

91. *Power to make rules.* — (1) The State Government may make rules for the purpose of carrying into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for —

- (a) the nature of the mechanical or electrical signalling devices which may be used on motor vehicles;
- (b) the removal and the safe custody of vehicles including their loads which have broken down or which have been left standing or have been abandoned on roads;
- (c) the installation and use of weighing devices;
- ⁶²[(cc) the maintenance and management of godowns for the storage of goods removed from overloaded vehicles and the fees, if any, to be charged for the use of such godowns];
- (d) the exemption from all or any of the provisions of this Chapter of Fire Brigade vehicles, ambulances and other special classes of vehicle, subject to such conditions as may be prescribed;
- (e) the maintenance and management of parking places and stands and the fees, if any, which may be charged for their use;
- (f) prohibiting the driving down hill of a motor vehicle with the gear disengaged either generally or in a specified place;
- (g) prohibiting the taking hold of or mounting of a motor vehicle in motion;
- (h) prohibiting the use of foot-paths or pavements by motor vehicles :
- (i) generally, the prevention of danger, injury, or annoyance to the public or any person, or of danger or injury, to property or of obstruction to traffic; and
- (j) any other matter which is to be or may be prescribed.

124. *Driving vehicle exceeding permissible weight.* — Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of ⁵⁵[Section 72 or of the conditions prescribed under that section, or in contravention of any prohibition or restriction imposed under Section 72 or Section 74 shall be punishable] for a first offence with fine which may extend to ⁵⁶[two hundred rupees], and for a second or subsequent offence with fine which may extend to ⁵⁷[one thousand rupees].

⁵⁸THE SIXTH SCHEDULE

[See Section 24 (3) and 29 (2)]

REGISTRATION MARKS

⁵⁹[Omitted]

THE SEVENTH SCHEDULE: — [Maximum Axle Weights Permissible for Transport Vehicle] Rep. by the Motor Vehicles (Amendment) Act, 1956 (100 of 1956), Section 101 (w.e.f. 15.1.1959).

61. Ins. by Act 56 of 1969, S. 50 (w.e.f. 2-3-1970).

62. Ins. by Act 100 of 1956, S. 70 (w.e.f. 16-2-1957).

55. Subs. by Act 56 of 1969, S. 80 and Amendment by Act 27 of 1977, S. 12 (w.e.f. 1-9-1977). Gujarat Act 10 of (1977, Mah. Act 10 of 1972, A.P. Act 2 of 1972, Meghalaya Act 16 of 1972; Raj. Act 10 of 1963; Raj. Act 3 of 1969.

56. Sch. VI omitted by Act 47 of 1978, S 41 (w.e.f. 22-9-1979, vide Noti. No. 540 (E), dated 22-9-1979).

⁵⁷THE EIGHTH SCHEDULE

(See Section 71)

Limits of Speed for Motor Vehicles

Class of vehicle	Maximum speed per hour in kilometres
(1) If all the wheels of the vehicle are fitted with pneumatic tyres and the vehicle is not drawing a trailer —	
(a) if the vehicle is a light motor vehicle ⁵⁸ [* * *]	No limit
⁵⁹ [(aa) if the vehicle is a motor cycle]	50
Note :— Endeavour shall be made to enforce the speed limit specified in this sub-item by inserting in the motor cycle such device, like a governor or the like, which would ensure that the motor cycle cannot be ridden at a speed faster than the speed specified in this sub-item.	
(b) if the vehicle is a medium or heavy passenger motor vehicle	60
(c) if the vehicle is a medium or heavy goods motor vehicle	60
(2) If the vehicle is an articulated vehicle (all the wheels of which are fitted with pneumatic tyres) which is a ⁶⁰ [heavy goods vehicle or heavy passenger motor vehicle]	50
(3) If the vehicle is drawing not more than one trailer (or in the case of artillery equipment, not more than two trailers) and all the wheels of the vehicle and the trailer are fitted with pneumatic tyres :	
(a) if the vehicle is a light motor vehicle and the trailer being two-wheeled has a laden weight not exceeding 800 kgms.	60
(b) if the vehicle is a light motor vehicle and the trailer has more than two wheels or a laden weight exceeding 800 kgms.	50
(c) if the vehicle is a ⁶⁰ [medium goods vehicle or medium passenger motor vehicle]	50
(d) if the vehicle is a ⁶⁰ [heavy goods vehicle or heavy passenger motor vehicle]	40
(e) if the vehicle is a ⁶⁰ [heavy goods vehicle or heavy passenger motor vehicle] used by the fire brigade	50
(4) Any case not covered by entry (1), (2) or (3)	30]

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

NOTIFICATION

New Delhi, the 3rd June, 1981

G.S.R. 378 (E). — Whereas the International Convention on Road Signs and Signals relative to motor traffic was done at Vienna on the eighth day of November, 1968.

And whereas the Central Government is for the time being party to the said Convention:

And whereas it is necessary to make additions and alterations to the signs set forth in the Ninth Schedule to the Motor Vehicles Act, 1939 (4 of 1939), to bring the said signs in conformity with the said Convention:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 75 of the said Act, the Central Government hereby makes the following amendments to the Ninth Schedule to the said Act, namely :—

In the Ninth Schedule to the said Act.

(a) after the heading "TRAFFIC SIGNS" the following shall be inserted, namely :—

"Explanatory Notes"

Note 1. — In respect of Sign Nos. M 1 to M 35 in Part A, Mandatory Signs, Sign Nos. C 1 to C 37 in Part B, Cautionary Signs, and Sign Nos. E 1 to E 22 in Part C—Informatory Signs, —

(i) Normal Size, wherever specified, is the minimum size of the sign which is intended to be used in rural areas on highways declared to be National highways or State highways under any law for the time being in force in such rural areas;

(ii) the Small Size, wherever specified, is the minimum size of the sign which is intended to be used

(a) on all roads, other than the said National Highways and the State highways, in the rural areas; and

(b) on all roads within the urban areas;

Provided that sign of any appropriate size may be used on bollards or alongside traffic light signals on such roads;

(iii) the colour scheme of these signs shall be as specified therein and the reverse side of all such sign plates shall be painted grey;

⁵⁷. Subs. by Act 56 of 1969, S. 81 (w.e.f. 2-3-1970).

⁵⁸. Omitted by Act 27 of 1977, S. 23 (w.e.f. 1-9-1977).

⁵⁹. Ins. by Act 27 of 1977, S. 13 (w.e.f. 1-9-1977).

⁶⁰. Subs. by Act 47 of 1978, S. 42 (w.e.f. 16-1-1979).

^{60a}. Subs. by Act 47 of 1978, S. 42 (w.e.f. 16-1-1979).

- (iv) the posts of all these signs shall be painted in 25 cms. wide bands alternatively black and white and the lowest band next to the ground shall be black;
- (v) the definition plate, whenever specified with a sign or where required to make the meaning of a sign more explicit shall have white background, black letters and black border 20 mm. wide and shall be of adequate size for legibility but not too large as to be obtrusive.

Note 2. — The numerical figures mentioned in the Sign Nos. M 21, M 22, M 23, M 24, M 25 and M 26 in part A. — Mandatory Signs are merely by way of an example. The actual figures shall be as prescribed in each case.

Note 3. — As far as may be practicable, no two or more signs of different types conveying the same information, guidance or direction shall be placed or erected together at any particular location in any public place.

Note 4. — On and from the first day of June, 1985,—

- (a) the Sign Nos. 1 to 8 in Part A. — Mandatory Signs :
- (b) the sign relating to the General Design and the Sign Nos. 1 to 13 in Part B. — Cautionary Signs; and
- (c) the Sign Nos. 1 to 4 in Part C. — Informatory Signs, shall not be placed or erected in any public place, and on and from such date the provisions of this Schedule shall have effect as if the signs mentioned in this note and the paragraph occurring immediately after the heading "Part B. — Cautionary Signs" had been omitted from this Schedule, except as respects things done or omitted to be done."
- (b) In Part A — Mandatory Signs, after the Mandatory Sign No. 8, the Mandatory Sign Nos. M 1 to M 35 specified in Schedule I to this notification shall be inserted;
- (c) in Part B — Cautionary Signs, after the Cautionary Sign No. 13, the Cautionary Sign Nos. C1 to C37 specified in Schedule II to this notification shall be inserted;
- (d) In Part C. — Informatory Signs, after the informatory Sign No. 4, the Informatory Sign Nos. E1 to E22 specified in Schedule III to this notification shall be inserted.

[File No. 14-T (1)/71-Vol. III]

YASHWANT SINHA, Joint Secy.

For Signs See IRC : 67-1977 Code of Public for Road Signs

THE TENTH SCHEDULE

[See Sections 77 and 78]

Driving Regulations

1. The driver of a motor vehicle shall drive the vehicle as close to the left hand side of the road as may be expedient, and shall allow all traffic which is proceeding in the opposite direction to pass him on his right hand side.
2. Except as provided in Regulation 3, the driver of a motor vehicle shall pass to the right of all traffic proceeding in the same direction as himself.
3. The driver of a motor vehicle may pass to the left of a vehicle the driver of which having indicated an intention to turn to the right has drawn to the centre of the road and may pass a tram-car or other vehicle running on fixed rails, whether travelling in the same direction as himself or otherwise, on either side;

Provided that in no case shall he pass a tram-car at a time or in a manner likely to cause danger or inconvenience to other users of the road or pass on the left hand side a tram-car, which, when in motion, would be travelling in the same direction as himself, while the tram-car is at rest for the purpose of setting down or taking up passengers.

4. The driver of a motor vehicle shall not pass a vehicle travelling in the same direction as himself —
 - (a) if his passing is likely to cause inconvenience or danger to other traffic proceeding in any direction, or
 - (b) where a point or corner or a hill or an obstruction of any kind renders the road ahead not clearly visible.
5. The driver of a motor vehicle shall not, when being overtaken or being passed by another vehicle, increase speed or do anything in any way to prevent the other vehicle from passing him.
6. The driver of a motor vehicle shall slow down when approaching a road intersection, a road junction or a road corner, and shall not enter any such intersection or junction until he has become aware that he may do so without endangering the safety of persons thereon.
7. The driver of a motor vehicle shall, on entering a road intersection, if the road entered is a main road designated as such, give way to the vehicles proceeding along that road, and in any other case give way to all traffic approaching the intersection on his right hand.
8. The driver of a motor vehicle shall, when passing or meeting a procession of a body of troops or police on the march or when passing workmen engaged on road repair, drive at a speed not greater than ^(a)[25 km.] an hour.

9. The driver of a motor vehicle shall —

- (a) when turning to the left, drive as close as may be to the left hand side of the road from which he is making the turn and of the road which he is entering;
- (b) when turning to the right, draw as near as may be to the centre of the road along which he is travelling and cause the vehicle to move in such a manner that —
 - (i) as far as may be practicable it passes beyond, and so as to leave on the driver's right hand, a point formed by the intersection of the centre lines of the intersecting roads; and
 - (ii) it arrives as near as may be at the left hand side of the road which the driver is entering.

THE ELEVENTH SCHEDULE

[See Section 79]

Signals

1. When about to turn to the right or to drive to the right hand side of the road in order to pass another vehicle or for any other purpose, a driver shall extend his right arm in a horizontal position outside of and to the right of his vehicle with the palm of the hand turned to the front.
 2. When about to turn to the left or to drive to the left hand side of the road, a driver shall extend his right arm and rotate in an anticlockwise direction.
 3. When about to slow down, a driver shall extend his right arm with the palm downward and to the right of the vehicle and shall move the arm so extended up and down several times in such a manner that the signal can be seen by the driver of any vehicle which may be behind him.
 4. When about to stop, a driver shall raise his right forearm vertically outside of and to the right of the vehicle, palm to the front.
 5. When a driver wishes to indicate to the driver of a vehicle behind him that he desires that driver to overtake him, he shall extend his right arm and hand horizontally outside of and to the right of the vehicle and shall swing the arm backwards and forwards in a semi-circular motion.
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