



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 342 Dispur, Friday, 9th August, 2024, 18th Sravana, 1946 (S. E.)

GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR  
TRANSPORT DEPARTMENT

## NOTIFICATION

The 5th August, 2024

**No. TMV/E-506311/35.-** In exercise of the powers conferred by sub-section (3) of section 67 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988), the Governor of Assam is hereby pleased to make the following Scheme for transportation of merchandise goods in stage carriage and contract carriage buses, namely:-

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| Short title and commencement | 1. (1) This Scheme may be called the Assam Transportation of Merchandise Goods in Stage Carriage and Contract Carriage Buses Scheme, 2024.   |
|                              | (2) They shall come into force on the date of their publication in the Official Gazette.   |
| Definitions                  | 2. (1) In this Scheme, unless the context otherwise requires,<br>(i) "Act" means the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988);<br>(ii) "Rules" means the Assam Motor Vehicles Rules, 2003;<br>(iii) "Form" means the form appended to this Scheme;<br>(iv) "License" means the license granted under this Scheme for transportation of merchandise goods in stage carriage or contract carriage bus, as the case may be;<br>(v) "Licensing Authority" in respect of this scheme means the Secretary, State Transport Authority, Assam;<br>(vi) "Tax receipt or token" means tax receipt or token issued under the Assam Motor Vehicles Taxation Act, 1936 (Assam Act No. XV of 1963). |
|                              | (2) Words and expression used in this Scheme but not defined herein but defined in the Act shall have the same meaning as assigned to them in the Act.   |

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| Licensing of transportation of merchandise goods           | 3. | No stage carriage and contract carriage bus shall transport merchandise goods without a license, duly granted by the State Transport Authority (STA), Assam.   |
| Grant and renewal of license                               | 4. | <p>(1) License under this Scheme may be granted in respect of stage carriage and contract carriage buses,</p> <p style="margin-left: 40px;">(i) registered in the State of Assam ;</p> <p style="margin-left: 40px;">(ii) having a valid certificate of fitness ;</p> <p style="margin-left: 40px;">(iii) having a valid stage carriage or contract carriage permit and in case of tourist vehicles a valid authorization ;and</p> <p style="margin-left: 40px;">(iv) whose all tax and surcharge payable under the Assam Motor Vehicles Taxation Act, 1936 and prescribed license fees has been duly paid.</p> <p>(2) An application for grant of license shall be made to the Secretary, State Transport Authority, Assam in online mode.</p> <p>(3) The application shall be accompanied by proof of payment of fee as specified under clause 5 along with photocopies of registration certificate, fitness certificate, permit, insurance certificate, pollution control certificate and tax receipt or token.</p>   |
| Fees   | 5. | The fees for grant of license for a period of 1(one) year shall be for an amount of 1,00,000 (one lakh) rupees.  |
| Licensing Authority  | 6. | The Licensing Authority of the State may, on receipt of an application under clause 4 and after satisfying himself that the applicant has complied with the requirements of the Scheme, grant the license in Form-A. The license shall be valid for a period of maximum 1 (one) year.  |
| General conditions to be observed by the holder of license | 7. | <p>Stage carriage and Contract carriage buses shall transport merchandise goods under the following conditions, namely,</p> <p style="margin-left: 40px;">(i) No hazardous goods or goods which may foul the interior of the vehicle or to render it insanitary shall be carried at any time.</p> <p style="margin-left: 40px;">(ii) The weight of the merchandise goods loaded in the vehicle shall not in any case exceed 10 (ten) percent of the registered laden weight of the vehicle.</p> <p style="margin-left: 40px;">(iii) The weight of the vehicle, including all the loads loaded in it and the passengers, driver and conductor, shall not exceed the registered gross weight of the vehicle. On detection of its violation, excess goods shall be immediately removed at vehicle owner's own cost and liability.</p> <p style="margin-left: 40px;">(iv) Under no circumstances shall more than 20 percent of the total seating capacity be used for loading goods in place of seating (seat) in the vehicle.</p> <p style="margin-left: 40px;">(v) No luggage shall be carried in such a way so as to block any entrance or exit.</p> <p style="margin-left: 40px;">(vi) The luggage shall be of such nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger and the goods shall be safely packed in such a manner that it does not get displaced during transit.</p> <p style="margin-left: 40px;">(vii) Transportation of merchandise goods shall be under E-way bill or such other relevant document.</p> <p style="margin-left: 40px;">(viii) No luggage shall be carried on the roof or top of the buses.</p> <p style="margin-left: 40px;">(ix) While transporting the goods, the stage and contract carriage shall conform to the permit conditions and other applicable conditions as per Motor Vehicles Act, 1988 (Act No. 59 of 1988) and the rules made there under, failing which, penalty shall be imposed for violation of permit conditions.</p> |

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| Suspension or termination of license | 8.  | The Secretary, State Transport Authority, Assam on being satisfied may, after giving the holder of the License an opportunity of being heard, finds that the holder of the license obtained the license by producing false documents or facts and has failed to comply with the conditions repeatedly as specified in the Scheme, shall suspend the license for a specified period or terminate the license. |
| Production of license                | 9.  | The Driver or Owner or in-charge of the vehicle shall on demand by any police officer or officers of the Transport department in uniform or officers of taxation department, produce the license.  |
| Power to remove difficulty           | 10. | The Commissioner of Transport, Assam and Secretary, State Transport Authority shall interpret any provision of the Scheme and may also issue necessary guidelines from time to time, if required, for its effective implementation with due approval from the State Government.  |
| Appeal                               | 11. | Any aggrieved vehicle owner may appeal to the Secretary to the Government of Assam, Transport Department within a period of 30 (thirty) days against their suspension or cancellation order.   |

**ADIL KHAN,**  
Secretary to the Government of Assam,  
Transport Department.