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भारत सरकार

Government of India

सड़क परिवहन और राजमार्ग मंत्रालय
Ministry of Road Transport & Highways
(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi- 10001

Date: 23rd September, 2019

To,

1. The Principal Secretaries/Secretaries, Department of Transport of all the States/UTs
2. The Transport Commissioners of all the States/UT Administrations

Subject: All India Tourist Vehicles Authorisation and Permit Rules, 2019.

1. The issue of rationalization of fees and procedures for granting of All India Tourist Vehicles Authorization and Permit was contemplated by publishing a draft notification on 18th May, 2016 to substitute the Motor Vehicles (All India Permit for Tourist Operators) Rules, 1993 and uploaded on MoRTH's website for comments of stakeholders. This matter was also deliberated upon in the meeting of Group of Transport Ministers of States headed by Minister of Transport, Rajasthan on 19.04.2018 at Guwahati.
2. Thereafter, a revised draft notification on Motor vehicles (All India Authorisation for Tourist Vehicles Permit) Rules, 2018 was published on 12th September, 2018 for comments of stakeholders. The comments/ suggestions received from various stakeholders on the above mentioned notification have been incorporated and a further revised draft notification has been prepared.
3. In view of further consultation on this subject, it is desired to take all States/Union Territories' views on the revised draft notification. All States are requested to furnish their comments/suggestions on priority.

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Revised draft
gundhu
08/07/19

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3,
SUB-SECTION (i)]

Government of India
Ministry of Road Transport and Highways

New Delhi, the July, 2019

Notification

G.S.R.....(E).— Whereas the draft of the Motor Vehicles (All India Tourist Vehicle Authorisation and Permit) Rules, 2018 were published, as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 873(E), dated 12th September, 2018 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) inviting objections and suggestions from affected persons before the expiry of the period of forty-five days from the date on which copies of the Gazette containing the said notification were made available to public;

And whereas, copies of the said Gazette notification were made available to the public on 12th September, 2018;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (14) read with sub-section (9) of section 88 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules by superseding the Motor Vehicles (All India Permit for Tourist Transport Operators) Rules, 1993, except as respects things done or omitted to be done before such supersession, namely:-

1. **Short title, commencement and exemption.**— (1) These rules may be called the All India Tourist Vehicles Authorisation and Permit Rules, 2019.

(2) They shall come into force on the date of its publication in the Official Gazette.

(3) The conditions prescribed in rules 82 to 85A of the Central Motor Vehicles Rules, 1989 shall not apply to the permits granted under these rules.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Motor Vehicles Act, 1988 (59 of 1988);

(b) "authorisation" means an authority granted by the Transport Authority to enable a tourist vehicle operator to ply tourist vehicle throughout the territory of India subject to payment

of taxes or fees, if any, levied by the State or Union territory through which it ply;

- (c) "Form" means a Form appended to these rules;
- (d) "permit" means a permit issued by the Transport Authority to enable a tourist vehicle operator to ply tourist vehicle throughout the territory of India without payment of taxes or fee levied by any State or Union territory through which it ply;
- (e) "Transport Authority" means the State Transport Authority constituted under sub-section (1) of section 68 of the Act.

(2) The words and expressions used herein but not defined herein and defined in the Act shall have the meanings respectively assigned to them in that Act.

3. Application for authorisation or permit. — (1) The authorisation or permit, as the case may be, shall be granted only to a tourist vehicle operator.

(2) An application for authorisation or permit or renewal of authorisation or permit, as the case may be, shall be made to the Transport Authority with whom the vehicle is registered in Form 1 and shall be accompanied by the following documents, namely,—

- (a) Registration Certificate of the Vehicle;
- (b) valid fitness certificate;
- (c) valid pollution under control certificate;
- (d) valid insurance certificate;
- (e) proof of residence;
- (f) copy of PAN card.

(3) The application made under sub-rule (1) shall be accompanied by fee as specified in rule 5 of these rules.

(4) The application along with the specified fee shall be made in electronic form on the website of the Ministry of Road Transport and Highways or Transport Authority.

(5) The Transport Authority shall issue the authorisation or permit, as the case may be, within a period of thirty days from the receipt of application.

4. Procedure for grant of authorisation or permit. — (1) On receipt of an application under sub-rule (1) of rule 3, the concerned Transport Authority may fix a date for inspection of the vehicle to ensure that the vehicle is compliant with these rules and is road worthy.

(2) If the application made under sub-rule (1) of rule 3 is incomplete and not accompanied by fee

specified in sub-rule (2) of rule 3, the Transport Authority may reject the application for reasons to be recorded in writing:

Provided that before rejecting an application, an opportunity shall be given to the applicant to cure the defects in the application.

(3) If no decision is taken by the Transport Authority within 30 days of receipt of the application, the permit shall be deemed to have been granted and generated through electronic system.

(4) The authorisation or permit, as the case may be shall be granted in Form 2 or Form 3, as the case may be, and shall be valid for a period of three months or its multiples thereof not exceeding three years at a time.

(5) The authorisation or permit, as the case may be shall not granted to vehicle after the completion of twelve years from the date of initial registration of the vehicle.

5. Fee for issuance of authorisation or permit.— (1) An application for the grant of authorisation or permit, as the case may be, shall be accompanied by fee as specified in the Table below.

Table

Passenger capacity of tourist vehicle excluding driver.	Authorisation. (Fee in rupees)	AC permit. (Fee in rupees)	Non-AC permit. (Fee in rupees)
(1)	(2)	(3)	(4)
Less than 9	1000	25,000	15,000
Ten or more but less than 23	1500	75,000	50,000
23 or more	2500	3,00,000	2,00,000

(2) The rates for quarterly permit shall be 30 per cent. of the fee specified in sub-rule (1).

(3) If a tourist vehicle operator who has applied for issuance of a permit does not have an authorisation, fee for authorisation shall be payable under these rules.

6. Distribution of consolidated authorisation or permit fee among States and Union territories. — (1) The fee paid towards authorisation or permit, as the case may be, shall be remitted on a monthly basis to the jurisdictional State.

(2) The permit fee collected under rule 5 shall be distributed among the States and Union territories as per the formula given below:

$$\begin{aligned} SR_n &= SS_n \times (\text{Actual revenue for the month for the country}) \\ SR_n &= \text{Actual State Revenue for the month for } n\text{th State} \\ SS_n &= \text{State share of } n\text{th State} \\ &= \frac{\text{Total revenue for each State for preceding three financial years}}{\text{Total revenue of the all States/ Union territories for preceding three}} \end{aligned}$$

Explanation.— For the purposes of this sub-rule, the expression Total revenue means the revenue collected by the State or Union territory from levy of inter-State permit charges.

7. Scope and validity of authorisation or permit. —The authorisation or permit, as the case may be, shall be valid throughout the India.

(2) The authorisation or permit, as the case may be, shall be used for the transport of passengers individually or in a group, along with their personal luggage.

(3) No individual or a group of individuals, shall use the vehicle for the transport of passengers individually or in a group, unless they have a valid authorisation or permit, as the case may be, in electronic form or otherwise in their physical possession.

8. Transfer of authorisation or permit. — (1) Save as otherwise provided in sub-rule (2), authorisation or permit, as the case may be, shall not be transferable from one person to another except with the permission of the jurisdictional Transport Authority.

(2) Where the ownership of the vehicle granted authorisation or permit, as the case may be, may be transferred due to death of the owner, the prospective owner or successor, as the case may be, shall use the authorisation or permit, as the case may be, after getting necessary changes of ownership by the jurisdictional Transport Authority within a month from death.

Provided that the Transport Authority may entertain an application after the expiry of one month, if it is satisfied that the applicant was prevented from making an application within the specified time.

9. Replacement of vehicle. — The holder of authorisation or permit, as the case may be, may, with the permission of the jurisdictional Transport Authority, replace any vehicle covered by the authorisation or permit, as the case may be, by any other vehicle of the same nature.

Explanation. — For the purpose of this rule, the expression “the vehicle of same nature” means a vehicle having the same seating capacity for which the authorisation or permit has been granted and fee paid and such replacement vehicle may be of any other make or model.

10. Age of the vehicle.— (1) The authorisation or permit, as the case may be, shall be granted till the vehicle covered by authorisation or permit, as the case may be, complete twelve years.

(2) The period of twelve years under sub-rule (1) shall be computed from the date of initial registration of the vehicle.

11. Distinguishing mark. — The vehicles which have been granted authorisation or permit, as the case may be, under these rules shall prominently display the words ‘All India Tourist Authorisation’ or ‘All India Tourist Permit’, as the case may be, on rear left side of the vehicle in white letters in blue background along with the validity of the authorisation or permit, as the case may be.

12. List of tourists. —A vehicle plying under the authorisation or permit, as the case may be, shall at all times carry a list of passengers in electronic form or in physical form, which shall contain

the details of origin and the destination of each passenger.

(2) The list shall be produced on demand by the officers authorised to demand production of documents by or under the Act or the rules made there under.

13. Insurance coverage.— Every vehicle operating under the authorisation or permit, as the case may be, shall have a valid insurance coverage for passenger liability as well as for the driver.

14. Information to be kept by every permit holder.— Every tourist vehicle operator holding authorisation or permit, as the case may be, shall maintain record of the passengers, including journey details, for a minimum period of one year and these records shall be made available to the jurisdictional Transport Authority on demand.

15. Cancellation and suspension of permits.— (1) The Transport Authority which granted authorisation or permit, as the case may be, may cancel the authorisation or permit, if the holder of the authorisation or permit, as the case may be,—

- (a) uses or causes or allows a vehicle to be used in in contravention to the provisions of these rules or the Act, as the case may be;
- (b) ceases to own the vehicle covered by authorisation or permit, as the case may be;
- (c) obtained the authorisation or permit by fraud or misrepresentation;
- (d) acquires the citizenship of any foreign country.

(2) Before issuing any order under sub-rule (1), Transport Authority shall provide an opportunity to the tourist vehicle operator who holds the authorisation or permit, as the case may be.

16. Appeals.— Any person aggrieved by the order of the jurisdictional Transport Authority against the,—

- (a) refusal to issue authorisation or permit, as the case may be, under sub-rule (3) of rule 4; or
- (b) suspension or cancellation of authorisation or permit, as the case may be, or any variation of the condition thereof; or
- (c) order of refusal to transfer the authorisation or permit, as the case may be, under rule 8 or rule 9 of these rules; or
- (d) order of refusal to renew the authorisation or permit, as the case may be,

may within a period of thirty days from the date on which the said order is received by the applicant, appeal to the State Transport Authority, who shall give a decision thereon after giving such person an opportunity of being heard.

Form 1

[See sub-rule (2) of rule 3]

Application form for grant of authorisation/permit

To

The Transport Authority

.....

Application for (Tick whichever is applicable)

1 **Authorisation**

2 **Permit**

1	Name of the applicant(s)							
2	Complete address							
3	PAN							
4	Ownership details of vehicle – owned/ leased							
5	Particulars of the vehicle(s) for which authorisation/permit is required:							
	Sl. No.	Make of the vehicle	Registration No./ engine No./ chasis No.	Date and validity of fitness certificate	Date and validity of insurance	Road tax paid up to...	Date of first registration	Seating capacity
6	If applying only for permit, then authorisation details:							
7	Permit issuing authority of the Vehicle:							
8	Number of years for which the authorisation and permit is applied for							

3. I have made following payments towards authorisation/ permit fee-

Sl. No.	Vehicle registration No	No of months for which authorisation/ permit applied	Authorisation fee	Permit fee	Payment details

I certify that the above information is true and correct.

Signature or thumb impression of applicant(s) or of the authorised signatory with official rubber stamp.

Date _____

*Strike out whichever is not applicable.

Form 2
[See sub-rule (5) of rule 4]

Authorisation

This authorisation is valid throughout the India
(Separate certificate shall be issued for each vehicle)

1. Name in full of the individual or company
(starting with surname, if any)
2. Complete address
3. Authorisation No.

Sr. No.	Make of the vehicle	Registration No./ engine No/ chasis No	Date and validity of fitness certificate	Date and validity of insurance	Road tax paid up to.....	Date of first registration	Seating capacity

4. Period of validity of the authorisation certificate:

From..... to

(Seal of the appropriate authority)

Signature of the Transport Authority

Form 3
[See sub-rule (5) of rule 4]

Permit

This permit is valid throughout the India
(Separate certificate shall be issued for each vehicle)

1. Name in full of the individual or company
(starting with surname, if any)
2. Complete address
3. Permit No.

Sl. No.	Make of the vehicle	Registration No./engine No./chasis No.	Date and validity of fitness certificate	Date and validity of insurance	Road tax paid up to.....	Date of first registration	Seating capacity

4. Period of validity of the permit:

From..... to

(Seal of the appropriate authority)

Signature of the Transport Authority

[No. RT-16017/2/2018-T]

(Priyank Bharti)
Joint Secretary to the Government of India.