

THE MOTOR VEHICLES (ALL INDIA PERMIT FOR TOURIST
TRANSPORT OPERATORS) RULES, 1993¹

1. Short title, extent, commencement and exemption.—(1) These rules may be called the Motor Vehicles (All India Permit for Tourist Transport Operators) Rules, 1993.

(2) They shall extend to the whole of India.

(3) They shall come into force with effect from the date of publication.

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

1. *Vide* G.S.R. 541(E), dated 10th October, 1993, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 10th August, 1993.

2. Definitions.—In these Rules, unless the context otherwise requires,—

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

(b) “Authorisation certificate” means a certificate issued by an appropriate authority to a recognised Tourist Transport Operator authorising him to operate throughout the territory of India or in such continuous States, not being less than three in number including the State in which the permit is issued, on recognised tourist circuits, as are specified in the All India Permit for a tourist vehicle granted to him;

(c) “Appropriate Authority” means the authority which is authorised under the Act to grant a permit in respect of a tourist vehicle;

(d) “Rule” means the rule of the Central Motor Vehicles Rules, 1989;

(e) “Section” means section of the Act;

(f) “Schedule” means a Schedule appended to these Rules;

(g) “Tourist Transport Operator” means—

(a) A company or an individual engaged in a business of promotion of tourism by providing tourist transport vehicles on tourist circuits; or

(b) any travel agency (who possesses his own vehicle or have taken a vehicle on lease for this purpose for a period of at least one year) run by a company or an individual provides all tickets for travel by air, rail, ship, passport, visa and also arrange accommodation, tours, entertainment and other tourism related services; or

(c) the tour operator (Company or individual who provides for transport, accommodation, sight-seeing, entertainment and other tourist related, services for tourist, and who possesses his own vehicle or has taken a vehicle on lease for this purpose for a period of at least one year and is recognised by the Department of Tourist of the Government of India;]

2[(h) “Tourist Circuit” means all places of tourist interest situated in a state for which package tours are prepared and sold by the recognised tourist transport operator.

Explanation.—For the purpose of removal of doubts, it is clarified that the permit covering such tourist circuits shall be valid throughout the State.]

1. Subs. by G.S.R. 286 (E), dated 22nd March, 1995 (w.e.f. 22-3-1995).

2. Ins. by G.S.R. 286 (E), dated 22nd March, 1995 (w.e.f. 22-3-1995).

3. Authorisation Certificate shall be issued only to a Tourist Transport Operator recognised by the Department of Tourism of the Central Government.

4. Form, Contents and Duration etc., of the Authorisation Certificate.—

(1) Every application for the issue of an Authorisation Certificate shall be made to the concerned State Transport Authority, in the Form as set forth in the First Schedule.

(2) Every Authorisation Certificate shall be in the Form as set forth in the Second Schedule.

(3) The period of validity of an Authorisation Certificate shall not exceed one year at a time.

(4) The Authorisation Certificate may be renewed on an application made not less than fifteen days before the date of its expiry.

5. Procedure of applying for issue of Authorisation Certificate.—(1) An application for an Authorisation Certificate may be made on any working day to the State Transport Authority concerned.

(2) A State Transport Authority shall not ordinarily refuse to issue an Authorisation Certificate applied for under these rules.

(3) Transport Authority may reject the application made under sub-rule (1) for good and sufficient reasons to be recorded in writing, or where the Authority is of the opinion that this would have the effect of increasing the number of Authorisation Certificates limited in terms of section 74(3):

Provided that the Authorisation Certificate applied for shall be issued or refused within a period of thirty days from the date of receipt of application by the State Transport Authority.

6. Transfer of Permit.—(1) Save as otherwise provided in sub-rule (2), an Authorisation Certificate shall not be transferable from one person to another except with the permission of the State Transport Authority which issued the Authorisation Certificate and shall not, without such permission, confer on any person to whom a vehicle covered by the Authorisation Certificate is transferred, any right to use that vehicle in the manner authorised by the Authorisation Certificate.

(2) Where the holder of an Authorisation Certificate dies, the person succeeding to the possession of the vehicles covered by the Authorisation Certificate may, for a period of three months use the Authorisation Certificate from the date of death of the holder and on his own intention to use the Authorisation Certificate:

Provided further that no Authorisation Certificate shall be so used, except after its renewal, after the date on which it would have ceased to be effective in the hands of the deceased holder.

(3) The State Transport Authority may, on an application made to it within three months of the death of the holder of the Authorisation Certificate, transfer that said certificate to the person succeeding to the possession of the vehicle covered by the Authorisation Certificate:

Provided that the State Transport Authority may entertain an application made after the expiry of the said period of three months if it is satisfied that the applicant was prevented from making an application within the specified time.

7. Replacement of vehicle.—The holder of an Authorisation Certificate may, with the permission of the State Transport Authority by which the Authorisation Certificate was issued, replace any vehicle covered by the Authorisation Certificate by any other vehicle of the same nature.

Explanation.—The vehicle of same nature would mean having the same seating capacity for which permit has been granted and composite fee paid and such a replacement vehicle could be of any other make or model.

8. Appeals.—Any person aggrieved by:—

(a) the refusal of the State Transport Authority to issue an Authorisation Certificate or by condition attached to, an Authorisation Certificate issued by him; or

(b) the order of revocation or suspension of the Authorisation Certificate or by any variation of the condition thereof, or

(c) the order of refusal to transfer the Authorisation Certificate under rule 6 of these rules or section 12; or

(d) the order of refusal to renew an Authorisation Certificate: or

(e) any other order which may be made,

may within a period of thirty days from the date on which the said order is communicated to the applicant, appeal to the State Transport Appellate Tribunal constituted under sub-section (2) of section 89 of the Motor Vehicles Act, 1988, who shall after giving such person and the State Transport Authority an opportunity of being heard, give a decision thereon, which shall be final.

9. Authorisation Fee.—The fee for the issue of an Authorisation Certificate shall be Rs. 500/- per annum and every application for the issue or renewal of the same shall be accompanied by a bank draft for the said amount in favour of the appropriate authority.

10. Seating capacity.—An All India Permit for Tourist Transport Operators shall be issued only in respect of vehicles with a seating capacity of not more than 1[39] seats, excluding the driver and the conductor. Besides, provision of rule 128 of the Central Motor Vehicles Rules, 1989, except for sub-rule (11) of the said rules, shall also apply to the tourist vehicles.

1. Subs. by G.S.R. 286 (E), dated 22nd March, 1995, for “35” (w.e.f. 22-3-1995).

11. Age of the Tourist Coaches.—An All India Permit for Tourist Transport Operators shall be deemed to be invalid from the date on which the vehicle covered by the said permit completes nine years, in the case of a motor cab and eight years in the case of a vehicle other than a motor cab.

Explanation.—For the purpose of this rule, the period of nine or eight years shall be computed from the date of initial registration of the tourist vehicle concerned.

¹[12. Every motor vehicle or motor cab under the Authorisation Certificate issued under these rules shall exhibit the words 'All India Tourist Permit' on the back of the motor vehicle in contrasting colours, so as to be clearly visible.]

1. Subs. by G.S.R. 444(E), dated 26th June, 2007, for 'rule 12' (w.e.f. 26-6-2007). Rule 12, before substitution, stood as under:

“12. Distinguishing Particulars to be exhibited on Motor Vehicle. —A motor vehicle or motor cab covered under the Authorisation Certificate issued under these rules shall be painted in white colour with a blue ribbon of 10 centimetres width at the centre of the exterior of the body on both sides of the vehicle, and the word “Tourist” shall be painted inside a circle of 60 centimetres diameter. The permit holder shall also display on the front top of the tourist vehicle, other than a motor cab a board in yellow colour with letters in black colour with the inscription “Approved Tourist Transport Operator No....” in English and Hindi, and also if the permit holder so prefers, in the regional language of the Home State, with the logo Peacock', as specified in Annexure No. 1.”

13. List of Tourists.—A tourist vehicle, other than motor cab, plying under an All India Permit for a Tourist Transport Operator shall at all times carry a list of tourist-passengers in respect of each trip, and 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 thereunder.

14. Quarterly Returns to be filed by an All India Tourist Permit Holder.—An All India Tourist Permit holder shall file a quarterly return, in respect of the motor vehicle covered by these rules, in the Form set forth in the Third Schedule to the appropriate authority of the State by which the All India Permit is granted and the said authority, in turn shall forward copies thereof to the appropriate authorities of other States concerned.

15. Certificate of Recognition.—(1) The eligibility conditions for a Certificate of Recognition shall be as set forth in Fourth Schedule.

(2) Every application for a Certificate of Recognition by the Department of Tourism, Government of India, shall be submitted in the Form prescribed in the Fifth Schedule to the Director General of Tourism, Department of Tourism, Government of India, New Delhi-110001.

(3) The Certificate of Recognition shall be granted in the Form prescribed in the Sixth Schedule.

