

OFFICE OF THE DEPUTY COMMISSIONER OF POLICE: TRAFFIC (HQ) DELHI

CIRCULAR

It has been observed that many dangerous/fatal accidents take place because of vehicles carrying loads of protruding rods and other protruding materials. The Government of India, Ministry of Road Transport & Highways, vide Notification G.S.R. 152 (E) dated 5th March 2014 (copy enclosed) has deleted the proviso to Rule 93 (8) of Central Motor Vehicle Rules, 1989, with the result that no goods carrier is permitted to carry any load, which is protruding outside the vehicle. The law now effectively bans trucks from carrying protruding rods and other dangerous, protruding material, while moving or in a stationary position. Contravention of the said rule is a punishable offence under the Motor Vehicles Act, 1988. The violators should, therefore, be prosecuted under Section 190 (2) of the Motor Vehicle Act, 1988.

In view of the above notification G.S.R. 152 (E) dated 5th March 2014 issued by Ministry of Road Transport & Highways, Govt. of India, all officers of the rank of ASI and above of Delhi Traffic Police shall now prosecute the goods carrier/trucks to carrying any load, which is protruding outside the vehicle and carrying protruding rods and other dangerous, protruding material, while moving or in a stationary position under Rule 93 Central Motor Vehicles Rules, 1993 punishable u/s 190 (2) M.V. Act, 1988 and compound Rs. 900/- for first offence and Rs. 1800/- for 2nd or subsequent offence vide notification dated 11.11.2008 issued by Transport Department, GNCT of Delhi.

All DCsP/T-Ranges, ACsP/Traffic-Districts and TIs/Circle are hereby directed to brief their prosecuting officers accordingly and take immediate necessary action to implement the above directions in true letter and spirit.

This circular supersedes the earlier circular issued vide No. 2092-2172/TE (D-I)/Traffic, dated 14.03.2015.

Encls:- As above


(R.K. JHA)
DEPUTY COMMISSIONER OF POLICE:
TRAFFIC (HQ), DELHI.

All DCsP/T-Ranges
All AcsP/T-District & PRG
All TIs/Circles

No. 2841-2910 /TE (D-I)(F-39/TE)/Traffic dated, New Delhi the 15/04/2015.

Copy forwarded for information to:-

1. SOs to Spl. CP/Traffic and Joint CP/Traffic for information of the officers.
2. SOs to Addl. CsP/Traffic, HQ and Ops. for information of the officers.
3. 1 Insprs – PIU, Computer, Legal, Control Room & PRG





भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
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सं. 108]

नई दिल्ली, बुधवार, मार्च 5, 2014/फाल्गुन 14, 1935

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NEW DELHI WEDNESDAY, MARCH 5, 2014/PHALGUNA 14, 1935

सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, 5 मार्च, 2014

सा.का.नि. 152(अ)—केंद्रीय मोटर यान नियम, 1989 का संशोधन करने के लिए प्रारूप नियम भारत सरकार के सड़क परिवहन और राजमार्ग मंत्रालय की अधिसूचना सं. सा.का.नि. संख्याक 693 (अ), तारीख 17 अक्टूबर, 2013 द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 110 के अधीन अपेक्षानुसार प्रकाशित किए गए थे जिनमें उन सभी व्यक्तियों से, जिनके उनसे प्रभावित होने की संभावना थी, उस तारीख से जिसकी उक्त अधिसूचना से युक्त राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं तीस दिन की अवधि के अवसान से पूर्व आक्षेप और सुझाव आमंत्रित किए गए थे ;

और उक्त राजपत्र की प्रतियां जनता को 17 अक्टूबर, 2013 को उपलब्ध करा दी गई थीं ;

और केंद्रीय सरकार द्वारा उक्त प्रारूप नियमों पर जनता से कोई आक्षेप और सुझाव प्राप्त नहीं हुए है ;

अतः अब केंद्रीय सरकार मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 110 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम केंद्रीय मोटर यान (द्वितीय संशोधन) 2014 है ।

(2) इन नियमों में जैसा अन्यथा उपर्युक्त है, उसके सिवाय ये राजपत्र में उनके अंतिम प्रकाशन की तारीख की श्रृंखला में होंगे ।

2. केंद्रीय मोटर यान नियम, 1989 के नियम 93 के परंतुक में, उपनियम (8) को लोप किया जाएगा ।

[सं. आर. टी-110361/46/2013-एम.वी.एल.]

संजय बदीपाध्याय, संयुक्त सचिव

पाठ टिप्पण :- मूल नियम संख्याक सा.का.नि. 590(अ), तारीख 2 जून, 1989 द्वारा प्रकाशित किए गए और सा.का.नि. 99(अ), तारीख 19-2-2014 द्वारा अंतिम बार संशोधित किए गए थे ।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 5th March, 2014

G.S.R. 152(E).—Whereas the draft rules further to amend the Central Motor Vehicles Rules, 1989, were published, as required under section 110 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. 693(E) dated 17th October, 2013, in the Gazette of India, Extraordinary, Part II, Section 3 Sub-section (i) inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And, whereas, copies of the said Gazette notification were made available to the public on 17th October, 2013;

And, whereas, no objections and suggestions have been received from the public on the said draft rules by the Central Government;

Now, therefore, in exercise of the powers conferred by section 110 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:

1. (1) These rules may be called the Central Motor Vehicles (2nd Amendment) Rules, 2014.
- (2) Save as otherwise provided in these rules, they shall come into force on the date of their final publication in the Official Gazette.
2. In the Central Motor Vehicles Rules, 1989, in sub-rule (8) of rule 93, the proviso shall be omitted.

[E.No. RT-11036/46/2013-MVL]

SANJAY BANDOPADHYAYA, Jr Secy

Note : The principal rules were published vide number G.S.R. 590 (E) dated the 2nd June, 1989 and last amended vide number G.S.R. 99(E) dated the 19th February, 2014.