

CARRIGE BY ROAD ACT, 2007

Rao-33004/99 REGD.NO D L.-330(W99 Che Gazette of India 1031 1031 EXTRAORDINARY PART (i) PUBLISHED BY AUTHORITY 1, 10, 1932 NEW DELHI, TUESDAY, MARCH 1, 2011/PHALGUNA 10, 1932 fr-*r, 28 2011 FT*T.fr. 2010 505 (30. 15 2010 dt *ft, dTera eft gf&r, aft. 17 2010 ft • 2007 (2007 41) 20 1. — (1) 2011 i (m) 2007 ; 01) ; 766 GV2011 (1) 2 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. (1) fäg 13 1, 2 3 \$1 I 4. fäg - 3 (i) fäg (ii) zn \$1 arée (iii) agt 5. fhT I - (1) 13 3 t ATfQ fâfRf*e agt fâ-fhf& fäg (1) tf*f\$z fig 13 G. 4 (2) (1) VTfQ 31<fâ 4 3 it 9. fäg - 6 13 5 10. t (1) 7 (2) fäg. (4) fäg 3{âVT (5) fäg, 11. fir 1 - (1) zr gvfâ zrß 1989 1301 131, 132, 133, f*ug 134, 135, 136 137 tfhf& fh I 12. I _ (1) 10 usn-ta--aST (5) ait 4 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] fâZ-g fâfâd : q-g a-gt (1) (6) fâf&ö \$1 T<ft t, (8) qrä (9) Ord 1991 (1991 6) ± 13. 1. 2. 3. 4. 5. fiz--h 250/- 250/- 250/- sooo/- 1000/- 1000/- 500/- 11—uOZ 5 aft (iii) (iv) ENT 6. a-ft 5 1 3(1) 6 THE GAZETTE OF : EXTRAORDINARY 8. €5) (u) (VI) ft/tTET 9Q5. (Rafi-a 10. [PART 11—SEC. 30]) L 3(i)] -\$t fr--€n-q (ii) 3.TTä?T ft-Hi-a : Off, f; bqfäftfi *fit (2) Gr.g. 11. (i) 10 (ii) 10 11 20 I 10 qffr 12. fig 5000/-FO (ii) 1000/-+0 (iii) (10 (iv) 250/-V,O 13. : 7 8 THE GAZEITE OF INDIA : EXTRAORDINARY 14. • 15. [PART 11—SEC. 9 5(1) 1. 2. 3. 4. 5. 6. 766 q f)// 1 10 THE GAZETTE OF INDIA : EXTRAORDINARY 3 6(1) [PART IPSEC. 3(01 (i) Rio • (ii) (iii)?ftö (iv) F) fräeq: 90 : 30 g, 6. 11 4 6(2) æio : 2. 3. 4

5. THE GAZEITE OF INDIA : EXTRAORDINARY 11—SFC. 13 a-r•ff-äi 8(2) qra 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 20. #-e-ef q-ré 14 2. 3. 4. 5. 6. 7. 8. 9. 10. 11

12. THE GAZEITE OF INDIA : EXTRAORDINARY etq•tJT 10(1) 31t7 qtr< '(Frey a) 3i-q rSt 10 VT 11 10(2) \$1 10 34Efrq g) [PART II—SEC. 3(i)] 3(i)] 15 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. t) 10 11 10(2) 10(1) 1 1 fhT 16 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] [FT. € E-11023/1/2007-*1 MINISTRY OF ROAD TRANSPORT AND HIGHWAYS NOTIFICATION New Delhi, the 28th February, 2011 GS.R. the draft of the Carriage by Road Rules, 2010 were published "vide G.S.R. (E) dated the 15th June, 2010 for inviting objections or suggestions from all persons likely to be affected thereby before expiry of the period of forty-five days from the date on which copies of the Gazette of India in which, the said notification was published, were made available to the public; And whereas copies of the said Gazette notification was made available to the public on the 17th June, 2010 And whereas. the objections and suggestions received from the public on the said draft rules have been considered by the Central Government: Now, therefore, in exercise of the powers conferred by section 20 of the Carriage by Road Act, 2007 (41 of 2007), the Central Goserment hereby makes the following rules, namely:- 2. Draft Rules Short title.- (1) I hese rules may be called the Carriage by Road Rules. 2011. (2) They shall come into force on the date of their publication in the Official Gazette. Definitions.- In these rules, unless the context otherwise requires.- (a) "Act" mean the Carriage by Road Act, 2007•v (b) "Form" means a förm appended to these rules; (c) "section" means a section of the Act: and (d) words and expression used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act. 17 3

4. Application for grant or renewal of certificate of registration.- (1) An application för grant or renewal of a certificate of registration shall bc made ip Form in triplicate to the registering authority. (2) The application under sub-rule (1) shall be accompanied by the fee as specified against Sl. Nos. 1, 2 and 3 of the "l able to rule 13, by way of Bank Draft or Indian Postal Order. Conditions for grant of registration.- A person applying for registration under rule 3 shall comply with the following conditions, namely:- (i) the applicant shall produce registration certificate of two commercial vehicles registered in his name or in the name of an Organisation or in the name of a partner or proprietor or director, or a contract letter or work order for -carrying out functions as common carrier, from a registered company; (ii) the applicant shall have net worth of minimum rupees tive lakhs of its own or of any of its proprietor or partner or director which must be supported by a certificate from the Chartered Accountant, or Audited Balance Sheet or Income 'tax Return or Bankers Certificate: Provided that in case of applications for certificate of registration for providing service at a higher risk, the net worth of the applicant or of any of its proprietor or partner or director shall he minimum rupees twenty lakhs; Clii) where common carriers are proprietorship firms or partnership firms, the proprietors or partners should not have been blacklisted or

deregistered earlier; 5. Grant or renewal of certificate of registration.- (1) The registering authority shall on receipt of an application accompanied by the fees specified under rule 3 read with rule 13, and after satisfying himself that the applicant has complied with all the conditions specified in rule 4, grant or renew the certificate of registration in Form 2 within a period of thirty days. (2) Where the application is received by the registering authority without the specified fee or where the conditions specified under rule 4 are not fulfilled by the applicant: the registering authority shall direct the applicant to pay the fee and comply with the conditions so specified, in which case the period specified under sub-rule (1) shall be reckoned from the date of receipt of application complete in all respects. (3) The registering authority shall attest Part 11 of Form I containing details of the branch offices to be endorsed in the certificate of registration as a proof of endorsement of branch offices in the registration certificate

6. Amendments in certificate of registration.- (1) An application for including or closing a branch office or any other amendment in the certificate of registration issued under rule 5, shall be made to the registering authority to whom the main application was made, in Form 3 and shall be accompanied by the fee as specified against Sl. No.4 of the Table to rule 13 by of Bank draft or Indian Postal Order. 18 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II] SEC. 3(i) 7. 8. 9. (2) The registering authority, on receipt of application under sub-rule (1), shall issue amended certificate of registration in Form 4 within a period of thirty days from the date of receipt of the application. (3) Where the certificate of registration is not issued within the period specified in rule (2), it shall be presumed that certificate of registration has been refused. Suspension, revocation or cancellation of certificate of registration.- (1) 'The registering authority' may revoke the certificate of registration, for the contravention of the provisions of sub-section (2) of section 5, for a period of one week. Form of register to be maintained by holder of certificate of registration.- (1) Every holder of certificate of registration shall maintain a record of the transactions in the register, to be kept in main office and branch office and updated on quarterly basis, in Form 5. either in manual or electronic form. (2) A summary of the entries recorded in the register under sub-rule (1) shall be submitted in Form 6 to the registering authority. (3) In case of any discrepancy in the data furnished by the common carrier, the registering authority or the officer not below the rank of Under Secretary to the Government of India authorised by the State Transport Department may visit the main office of the common carrier at a mutually convenient date and time to reconcile such data. Fee for appeal.- Every appeal under section 6 shall be accompanied by the fee as specified against Sl. No. 5 of the Table to rule 13. IO- Goods forwarding note and goods receipt.- (1) Every consignor while booking his goods shall execute a goods forwarding note as specified under sub-section (1) of section 8, containing details of the goods in Form 7 and submit it to the common carrier in duplicate. (2) For the goods of dangerous or hazardous nature- the goods forwarding note shall be issued on a paper with upper left hand corners printed in red as "dangerous goods". (3) An acknowledged copy of the goods forwarding note shall be returned by the common carrier to the consignor. (4) Every common carrier on receipt of the goods forwarding note from the consignor for booking of goods to be transported, shall issue a goods receipt in Form 8. 19 (5) For the goods of dangerous or hazardous nature, the goods receipt shall be issued on a paper with upper left hand corners printed in red as "Dangerous and Hazardous goods". I 1. Procedure and safeguards for carrying goods of dangerous or hazardous nature.- (1) A common carrier shall, while carrying goods of dangerous or hazardous nature, comply with the procedure and safeguards specified under rules 130, 131, 132, 133, 134, 135, 136 and 137 of the Central Motor Vehicle Rules, 1989- (2) While booking goods of dangerous or hazardous nature, the consignor shall indicate the details in respect of such goods in the goods forwarding note

12. Liability of common carrier for loss of or damage to any consignment.- (1) Liability of the common carrier under section IO for total loss shall be limited to ten times the freight paid or payable: Provided that the amount so calculated shall not exceed the value of the goods as declared in the goods forwarding note. (2) In case of partial damage to the goods, evaluation of such damage may be done by an independent Government approved valuer or surveyor selected by the consignor out of the list notified by the common carrier in its main and branch offices and the cost of such evaluation shall be borne by the common carrier. (3) In case of partial loss, the amount of liability shall be as assessed by the Government approved valuer or surveyor under sub-rule (2). (4) Liability for loss of documents sent along with consignment order shall be not exceeding, rupees five hundred. (5) In case of perishable goods, the consignor or the consignee shall select the Government approved valuer or surveyor within a period of

twenty-four hours from the time of report of the loss or deterioration of the goods, failing which the common carrier shall be free to select the said valuer or surveyor to assess the quantum of loss due to deterioration of the goods and the amount of liability in such case shall be the assessed value of loss or the liability by the aforesaid valuer or surveyor. (6) The delivery of the consignment to the consignee by the common carrier shall be treated as *primo-facie* evidence of delivery of the goods as described in the goods forwarding note unless notice of the general nature of loss of, or damage to, the goods is given, in writing, by the consignee to the common carrier at the time of handing over of the goods to the consignee: Provided that in case where the loss of or damage to the consignment is not apparent, provisions contained in sub-rules (1) to (6) shall not apply unless -THE GAZETIE OF INDIA : EXTRAORDINARY [PART IPSEC. potice:in€writing is givenby,the consignee, of the loss of or damage to, the goods within six days from: the date of' actual handing over of consignment to the consignee. (7)' The responsibility of the common carrier for the goods carried shall be only during the transit, period, from the date of taking over the goods in his or her charge from the consignor to the date of arrival at the destination point plus three caleridar days and the date of arrival of the consignment shali he taken as the day on which the goods physically arrive at the destination or the day when the consignee or-consignor is informed of the arrival of the goods at the destination, whichever is later. (8) In case of liability is to be incurred on the part of common carrier, the consignor, consignee or their authorised representative may have a re-look at the distance declared by the common carrier in the goods receipt and actual liability shall be based on the documentary evidence adduced by the common carrier, consignor and constgnee or their authorised representative. (9) The liability' of the common carrier shall be calculated on the actual freight collected or due or ninety per cent. of total charges excluding the taxes shown on the goods receipt, whichever is higher: Provided that in case of a vehicle carrying or meant to carry dangerous or hazardous goods, the common carrier shall ensure that such goods are insured in any one of the policy under the Public Liability Insurance Act. 1991 (6 of 1991 13. The fees to be charged under these rules shall be as specified in the fò}lwing Cable, namelv:- Sl. No. (1) I 2 3 4 5 Purpose (2) Interest-free security deposit while applying tor certificate of registration. Fee for applying tor certificate of registration ! Fee for renewal of certificate of registration Amount (3) Rs',000/Z Rs. I ,000/- plus fee) Rs. I ,000;- plus Rs.250/- (Q rocessippg fee) Fee for amendments in certificate (processing fée) re istration Submission of memorandum of appeal Rs.500/- 21 Form 1 (Part 1) APPLICATION FOR REGISTRATION / RENEWAL (To be filled in Triplicate) I. Name of the Organization 2 Type ot the Organazation [See rule 3 (1) | (Delete whichever is not applicable) (a} Proprietorship (b) Partnership (c) Pnvate Ltd. Company (d) Ltd. Company (e) Others, please specfy 3. Year of Commencement of Operation 4. PAN (Please attach copy) 5(a). Old Registration Details Of any) Date of issue Valid up to Issuang Authority (b). Methet Certificate of Registration had ever been issued and revoked by the competent author;ty in the past wherein the organisation or the authorised person had been associatated as propnetor/partner/director. etc? If yes, then furnish full particulars along with a copy of the relevant documents for all such occasions. 6 Details of the Main Office (a) Address: (b) Tel Nos (c) E-mai: {Copy of the Ownership Document (s)/ Copy of the Lease Deed/ Copy of the Rentai Agreement to be produced) 7 State under •mose Jurisdiction the Matr office is located 8. Details of the Authorized Person (a) Name• (b) Designation. (c) Residential Address: (d) Tel. Nos: (e) E mali_ (f) Type of Photo Identity Proof & No: (Any One of the Photo Identity Proof) qay Passport (b) Voter ID (C) Ration Card) (gj Authority letter -/ Resolution • signed by Partners / Directors / Proprietor should stand legal scrutiny) 9 No of Branches Applied for (Please attach list in deta:l Jn Form No 2) (Copy of the Ownership Document(s)/ Copy of the Lease freed/ Copy of the Rental Agreement to be produced) 2 THE GAZETTE OF INDIA • EXIRAORDINARY 9 A. Details of Offces of the Agents and Godowns (a) Address (b) Tel. Nos• (c) E-mail: (Copy of the Chynership Document(s)/ Copy of the Lease Deed/ Copy of the Rental Agreement to be produced) 10. Registration Criteria: (Tick which ever is applicabie) (Please attach SettAttested Cop*s) (A) Work Criteria: 'Any one of he folbwhg) RC Of two commrrcial veh&s in the name Of Organization I proprietor / oarter I director Contract letter I Work Order of any Regd. Company/Commercial organization of repute (B) Financial Crnørria: The Appocant shall estabiish Net-Worf of Rs 5 lakhs of the applicant's Company or its Proprietor / Partner Director by submqting any one of the following [PART 11—SFC. 30)! (1) (2) (3) (4) Audited Balance Sheet C. Certificate Persooai Balance Sheet / I.T. Return Bankers Certificate 11. Whether Service is to be provided under (i) Section 10 of the Act only, or (iO under both Sections IO & 11 of the Act. If Service IS to be provided under Section 1 , the

net worth of the applicant shall not be less than Rs 20 Lakhs. The applicant's Company or Rs Proprietor / Partner / Director should support net worth by any one of documents indicated in col. IO, above 12. Details of the Fees Paid Details: Details: (iii) (iv) Security Deposit of Rs 5000/- for Registration of the Main Office & Branches Registration Fees for Grant of Registration Certificate of Rs 1000/ Fee for Renewal of Regn Certificate (After Expo of IO years) Rs 1000} Processing Fees Rs 250/ 13. Declaration: hereby, declare that the above particulars are true and correct as to the best of my/our knowledge. 14 List of Enclosed Documents: 15. Place: Date. Signature of the Authorised Person(s) Signature of the Authorised Person(s) Name. Designation • 11 3(i)] Location / State Part 11 Details of Branches No. Dated: Full Address & Contact Details (Tel. No. / Fax No/E-mail) Usage Office / Godown / Hub Centre Date of Commencement Signature of Authorised Person 24 1 2 3 4 5 6 "THE GAZETTE OF INDIA : EXTRAORDINARY Form 2 CERTIFICATE OF REGISTRATION [See rule 5 Registration No. Issue Date: Valid Up to: Issued To: a) Name of the Organization: b) Address & Contact Details of Main Office a) Name of the Person Authorized: b) Contact Details of the Person Authorized Total No. of Branches (List as per Form No. 2 attached) Particulars of the registering authority issuing the Certificate of Registration [PART IPSEC. 3(i)] Date: Place: Signature along with seal Name: Designation: Form 3 APPLICATION FOR AMENDMENT IN REGISTRATION [See rule 6 (To be filled in Triplicate) 1. Name of the Organization 2. Existing Registration Details (a) No.: (b) Date of Issue (c) Valid Up to (d) Issuing Authority 3. Details of the Main Office (a) Address: (b) Tel. Nos.: (c) E-mail: 4. Amendment Required for: (Tick whichever is Applicable) (a) Addition / Deletion / Change in Address of Branches: (Attach New Annexure in Form 2) (b) Change in Address of the Main Office- (c) Change of the Authorised Person / Particulars: (d) Change in any other particulars, specify. (To be intimated within 90 days of the Change) 5. Amendment Details: (Attach supporting documents) 7 C 6 46111-- 7 76 5. Amendment Details Contd.: Note: If no intimation is received by the applicant within 30 days then this application duly received & acknowledged, will be deemed as an acceptance of the above Changes. Details of the Fees Paid: Declaration: I/we, hereby, declare that the above particulars are true and correct to the best of my/our knowledge and the changes are not being requested on account of any revocation of the certificate of registration by the competent authority. Date: 8. List of Enclosed Documents: Place: Date: Signature of the Authorised Person(s) Signature of the Authorised Person(s) Name: Designation: 11—g 3(i)] 27 Form 4 AMENDMENT OF CERTIFICATE OF 1 2 3 4 5 No. issue Date. Valid Up to: Issued To: (a) Name of the Organization: (b) Registration No: (c) Issue Date (d) Valid Up to: Amendment Details Date: Place: REGISTRATION [See rule 6 Signature along with seal Name: Designation: OF INDIA EXTRAORDINARY [PART 11—SEC. 3(i)] Form-6 CONSOLIDATED ANNUAL RETURN S.No. 2. 3. 4. 5. 6. 7. s. 9. IO. 11. 13. 14. 15. 16

17. Commodities Beverages including Building Materials (See rule 8 (2)) 1 No. of Packages and Weight Volume cc table alcohol (tonnes)/ Freight Collected Rs. Lakh Chemicals (including explosives) Fertilizers Tea, Coffee & Groceries Consumer durables. Household Electronics Appliances Fruits, Vegetables, Electric Meat & Fish (including processed items Food grains & Edible Oil Milk Petroleum products including LPG Leather and leather products Plastic and plastic products Livestock Machinery & machine tools Metals and metal scrap Motor vehicles & motor vehicle parts Paper . paper board, wood and timber products Rubber and rubber products 18. —yugpr, Sugar Cane / by-products 19. Cosmetics & Toiletries 20. An other item not listed above 746 30 S. No. 1. 2. 3. 4. 5. 6. 7. 8. 9. IO. 11. 12. 1 THE GAZETTE OF INDIA : EXTRAORDINARY Form 7 Goods Forwarding Note I See rule 10 (1) 1 • Sub • ect Goods Forwarding Note No. and Goods Receipt No. Date, if any. GFN should be machine numbered Details of Consignor & Consignee Particulars of the Goods Value of Goods Weight & volume and No. of Packages/units Origin ' Destination Expected date of delivery :under normal conditions Whether the cargo/ consignment to be booked under Section IO or under Section I I of the Act. Desirable period of delay, if any, beyond the likely date of delivery (requirement of section 10(2)) Is the cargo to be booked under section 10 of the Act. Cargo to be booked as (a) dangerous & hazardous goods (D & H) or as (b) Normal Goods Details of the insurance policy/cover (for dangerous, hazardous goods) [PART IF-SEC. 30)) Details have taken necessary precautions for carrying dangerous and hazardous goods. Date: Signature of the consignor: Note. For dangerous & hazardous goods the form should have upper left hand corners printed in red as Dangerous and Hazardous goods. s. No. 1 2 3 4 5 6 7 8 9 IO 11 12 13 14 Form 8 Goods Receipt See rule 10 4 Subject Goods Forwarding Note No. & Date Goods Receipt No. & Date GR should be machine numbered Details of Consignor Name and Address: Details of Consignee Name and Address: Particulars of the Goods &

their value. Weight/Volume and No. of Packages/units Origin of Consignment Destination of Consignment Whether the cargo/ consignment has been booked under Section 10 or under Section 11 of the Act. Distance to destination. Likely date of delivery Mutually agreed period of delay beyond the likely date of delivery Requirement of section 12 Freight collected/paid /due for calculation of liability under Section 11. Additional payment collected (due over and above freight charges for higher risk undertaken by the common carrier as mutually agreed upon with the consignor if cargo booked under section 11. Details of the insurance Policy/cover (in case of dangerous/hazardous goods) Details of hazardous goods. Date: have taken necessary precautions for carrying dangerous and Signature of the registered common carrier/his authorized agent: Note: For dangerous and hazardous goods the form should have upper left hand corners printed in Red as Dangerous and Hazardous goods. S. K. DASH, Jt. secy Printed by the Manager, Government of India Press, Ring Road. New Delhi-110064 and Published by the Controller of Publications, Delhi-110054. G.O-33004/99 REGD. NO. D. L-33(N99) The Gazette of India 126) No. 1261 EXTRAORDINARY 3—zq-ws (i) PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY 10, 2011/TTFF 19, 1932 NEW DELHI, THURSDAY, MARCH 10, 2011/PHALGUNA 19, 1932 3frT 10 q<, 2011 11, 28-02-2011 3TRå-11023/1/2007-i] 914 GI, 2011 MINISTRY OF ROAD TRANSPORT AND-HIGHWAYS New Delhi, the 10th March, 2011 G. S. R 205(E).—In the notification of Government of India, in the Ministry of Road Transport and Highways, 176(E), dated 28th February, 2011, published in the Gazette of India, Extraordinary, Part 11, Section 3, Sub-section (i); At page No. 16 of English Version, the words "Draft Rules" shall be deleted. [E No. RT-11023/10007-TI S.K. DASH, Jt. secy. Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054.

