

UNITED PROVINCES REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) ACT, 1947

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3. Requisition of motor vehicles. 4. compensation. 4A. Charges on account of fuel, lubricant, etc. 5. To furnish information and not to motor 6. Entry and Inspection

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14. Rule making power. SCHEDULE 1947k" Pb. Act 27] THE UNITED PROVINCES REQUI- 517 SITION or MOTOR OVEHICLES (EMERGENCY POWERS) 4 THE UNITED PROVINCES REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) ACT, 1947 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH. (U.P.) ACT NO. XXVII OF 1947) Yeak g 947 No. Shori 27 The United Provinces Requisition of Motor Vehicles (Emergency powers) Act, 1947 Whether repealed or otherwise affected by legislation Extended by Government of India, Ministry of Home Affairs Notification NO. G.S.R. 1887, dated December, 1969 An Act to provide for -the nequisition of 'Motor Vehicles Whereas it is expedient to provide for the requi- sition of motor vehicles It is hereby enacted as follows (1) This Act may be called "the United Pro- Short title' (extent and vices Requisition of Moto Vehicles (Emergency commencement. Powers) ActA947. (2) It extends to the whole of the Union territory of Chandigarh, (3) It shall (come -into once. 2. •In this Act unless there is anything repugnant Definitions. in the subject or context— means the Administrator of the Union territory of Chandigarh appointed by the President under article 239 of the Constitution; This notification was published in the Gazette of India (Extraordinary); part II. Section. 3 (i), dated 9th December 1966. 518 THE UNITED PROVINCES REQUISITION OF MOTOR VEHICLE EMERGENCY POWERS Motor vehicle mechanically means a propelled vehicle adapted for use on roads whether power or propulsion is transmitted there external or internal (b) "Owner" includes a person in possession of a minor, the guardian of such minor, and in relation to a motor vehicle which is the subject of a purchase agreement, the person in possession of the vehicle at the date of the agreement means a person in possession of the vehicle under this Act. (c) "If it is necessary or expedient to do so for purposes essential to the life of the community or for maintaining public order or for the safety of public and transport means may pass an order in writing requiring any motor vehicle and may make such orders as may appear to him to be necessary or expedient in connection with such requisition copy of the order shall be served on the owner of the motor vehicle where the owner is not readily traceable or the ownership is in dispute publication thereof in the official gazette. (2) If the owner of the motor vehicle does not, at the service of the order in the manner provided in sub-section (1) place the motor vehicle in possession of the authority mentioned therein such authority may seize the motor vehicle from any person at any time being in possession thereof Where the Administrator is satisfied that a person has a motor vehicle he may use or deal with it in such manner as may appear to him to be expedient. Compensation 4. M Then ever in pursuance of section 3 the administrator requisitions any motor vehicle, the 1947 Pb. Act 27] THE UNITED PROVINCE REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) Act shall be paid to the owner such compensation at the rate, as may be applicable provided in the Schedule, from the date the vehicle is placed in the possession of or seized by the authority mentioned in the order under sub-section (1) the said section shall at its requisition area vehicle as been requisitioned Charges under the accounts of the charges on account of road tax are in addition to the use of vehicle on account of the temporary requisition of fuel and lubricant required or propulsion of the vehicle and an expense for the damage caused to the vehicle (c) shall in the event of an accident during the period of requisition in a case where the

is not covered by the provisions of the Motor Vehicle Act, 1947, and the provisions of the Motor Vehicle Act, 1947, shall apply to the motor vehicle. (b) The owner of a motor vehicle shall be liable to pay the charges as aforesaid if the motor vehicle is used for the purpose of the Motor Vehicle Act, 1947. Provided further that where the owner of a motor vehicle fails to pay the charges as aforesaid, the Administrator may deduct them from the amount of compensation payable to the owner under section 4.

5. The Administrator may, with a view to Orders to furnish information requisitioning any motor vehicle under section 3 or and not to remove the motor determining the compensation payable under section 4. Entry and inspection. (a) (b) require any person to furnish to such authority as may be specified: in the order such information in his possession relating to the motor vehicle may be specified; direct that the owner or the person in possession of the motor vehicle shall not without the permission of the Administrator dispose of it or remove it: till the expiry of such period as may be specified in the order from the premises in which it is kept. G. Any person authorized in this behalf by the Administrator may enter any premises and inspect any motor vehicle for the purpose of—determining whether such motor vehicle plying for hire should be requisitioned. Preventing removal of any motor vehicle or any person removal of parts, etc. Compliance of directions. Delegation of powers. possession thereof shall after service of the order under section 3 remove any part, tyre, tube or any other accessory or in any way injure the motor vehicle so as to reduce the usefulness of such vehicle, 8. The Administrator may require any person or persons owning or having in his possession or under his control, any motor vehicle, or class of motor vehicles to comply with such directions as he may give in writing. 9. The Administrator may by order direct that any power or duty which is conferred or imposed on the Administrator shall in such circumstances, and 1947 THE UNITED PROVINCES REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) under such conditions: if as may be specified in that direction, be exercised or discharged by any officer or authority subordinate to him, (I) No suit, prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done in pursuance of this Act, or any rules made under any order issued under any rules, 11. (1) No order made, in exercise of any power conferred by or under this Act, shall be called in question in any court, (2) Where any order purports to have been made or signed by any authority in exercise of any power conferred by or under this Act, it shall, within the meaning of the Indian Evidence Act, 1872 (1 of 1872) be presumed that such order was so made by that authority. 12. If any person contravenes any rule made under this Act, he shall be punishable with imprisonment for which may extend to six months or fine not exceeding one thousand rupees or with both.

13. Any police officer not below the rank of Sub-inspector may arrest without warrant any person who is reasonably suspected of having committed an offence under this Act. The Administrator may give Rule making power. effect to the purposes of this Act. 2 THE UNITED PROVINCES REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) SCHEDULE I Classes of motor vehicles. 5-seater (0-61" wheel base) -seater (0-32" wheel base) 4-seater (0-24" wheel base) and 3-seater (0-18" wheel base) 74 Fuel at Rs. 0 per a, 0 e da 30 per a e s3J ar , eeps, and-Rover Pick-ups and Station Wagons—and o ick-ups. tatio a s TV. Motor Cycles—and ot —Mo clesysy pe thout a da side car and Rs. 1' perz da ith sidecar. The rates of compensation payable for motor vehicles using, Diesel Oil Fuel shall be percent higher than the rate applicable to the corresponding classes of motor vehicles.