

# The U.P. State Road Transport Corporation Rules, 1972 <sup>1</sup>

In exercise of the powers under Section 44 of the road Transport Corporation Act, 1950 (Act No. LXIV of 1950), the Governor is pleased to make the following rules :

## CHAPTER I

### Preliminary

**1. Short title and commencement.**—(1) These rules may be called the Uttar Pradesh State Road Transport Corporation Rules, 1972.

**2. Definitions.**—In these rules unless there is anything repugnant in the subject or context,—

- (a) "Act" means-the Road Transport Corporation Act, 1950;
- (b) "Board" mean.- s the Board of Directors of the Corporation under Section 5 of the Act;
- (c) "Corporation" means the Uttar Pradesh State Road Transport Corporation established under Section 3 of the Act;
- (d) "Director" means a Director of Board of Directors of the Corporation and includes the Chairman and the Vice-Chairman;
- (e) " Division" means such areas as may be established by the Corporation from time to time for the proper operation and control of its undertaking from the administrative point of view;
- (f)"Financial Year" means a period of twelve months commencing' on April 1, and ending on March 31, next following;
- (g)"Schedule' means a Schedule appended to these rules;
- (h)"State Government" means the Government of Uttar Pradesh;

(i) Words and expressions used but not defined in these rules, shall have the same meanings as have been assigned to them in the Act;]

1. *Vide* Notification No. 2870/XXX-2-324-N-72, dated May 31, 1972, published in U.I. Gazette Extra., dated 1st June, 1972.
2. *Vide* Subs. by Notification No. 5109/XXX-2-143-N-72, dated October 5, 1983.

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## CHAPTER II

### Constitution of Corporation

<sup>1</sup>[**Constitution.**—(1) The Board shall consist of a Chairman and such other Directors as provided under sub-section (2) of Section 5 of the Act.

(2) Two-thirds of the Directors shall be the representatives of the State Government and one third of the Central Government. The nomination of Directors shall be made on the basis of their technical and commercial experience in Transport.

(3) The representatives of the State Government shall be appointed by the Governor and the representatives of the Central Government shall be appointed by the Governor on the nomination of the Central Government.

(4) One or more of the representatives of the State Government or of the Central Government may be appointed as whole time director of the Road.

(5) The State Government shall appoint one of the Directors as Chairman and may appoint another Director as Vice-Chairman.

(6) The Head office of the Corporation shall be at Lucknow.]

<sup>2</sup>[**4. Term of office, Section 5(4).**—The Directors other than *ex officio* shall hold office for a period of one year from the date of their appointment or until their successors are appointed, whichever is earlier. They shall be eligible for reappointment.".

**5. Emoluments of Members, Section 44(2)(13).**—A whole-time Director shall be entitled to such salary and allowances as may be specified by the State Government.

**6. Travelling, daily and conveyance allowance, Section 44(2) (b).**—  
(1) A Director, who is an officer of the State Government or the Central Government and is a part-time Director shall be eligible to draw

travelling and daily allowance at the rates as may be admissible to him in the State Government or the Central Government as the case may be.

(2) A Government servant who is appointed as whole-time Director shall have the option to draw travelling and daily allowance either at the rate as may be admissible to him under the rules governing such a Government servant or if he so chooses at the rates as may be specified by the State Government. The option exercised once by the officer concerned shall be final,

1. Subs. by Notification No. 1535/XXX-2-89-332-84, dated September 25, 1989 (w el. 26• September, 1989).

2.,, Subs by Notificatiol.. No. 1460/XXX-2-2002-332-84, dated 6th August, 2002, 'p4blished in U.P. Gazette Extra., Part 4 Section (kha), dated 6th August, 2002. (w.e.f. •0-8-2002).

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(3) A Director who is not a Government officer shall draw travelling and daily allowance on the rates which may be specified by the State Government :

Provided that such Director shall not draw travelling/ daily allowance admissible under these rules if for the same journey or for the same halt they have drawn travelling or daily allowance, as the case may be, from the Government, Treasury in any other capacity.

(4)A bill for travelling allowance, daily allowance or convey,7:,- n allowance, as these case may be, claimed under these rules shall be countersigned, when such allowance is claimed by—

(a) the Chairman, by the Chairman himself,

(b)a Director, by the Chairman.

## **7. Use of a . staff car by the Chairman, Section 44.—The**

Corporation may provide a staff car for the use of the Chairman in the discharge of his duties as such and where the Chairman uses such staff car for any journey, no kilometrage allowance shall be admissible to him in respect of such journey; but he shall be entitled to draw daily allowance as may be specified by the State Government.

Provided that if the Chairman is an officer to whom Rule 6 (1) applies, he shall draw daily allowance in accordance with that rule.

**18. Travelling allowance may be drawn in advance, Section 44.—**  
The Corporation may, at the request of any Director, grant him an advance against the travelling allowance to which he may be entitled

under Rule 6 for journeys to be undertaken by him. Such advance shall not exceed the estimated amount of the travelling allowance admissible to such Director for the journey and shall be recovered in full on submission of travelling allowance bill by the Director :

Provided that no such subsequent advance shall be granted to any Director unless the amount of the previous advances has been recovered from him in full and the Director has furnished the following certificate, namely :

"Certified that the full amount of the previous T.A. advance for journey on tour has been recovered in full *vide* my T. A. bill dated for the month of

Signature of the Director.]

**9. Casual vacancy Section 5(4).—(1)** All casual vacancies among the Directors shall be filled as soon as convenient in the manner provided in Rule 3 by the State Government :

1. Subs. by Notification No. 5109/XXX-2-143-N-72, dated October 5, 1983.

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Provided that the vacancies among the representatives of the Central Government shall be filled by the State Government on the nomination of the Central Government.

(2) The person appointed to fill a casual vacancy shall hold office so long as the Director in whose place he is appointed would have held it if the vacancy had not occurred.

**10. Grant of leave of absence to the Chairman, Section 5(4).—** The Chairman may at his request be granted such leave of absence as may be allowed by the State Government. When such leave is granted, the State Government may appoint in his absence any other Director of the Corporation, to hold office and to perform the duties and exercise the powers of the Chairman, in addition to his own, duties during the period for which such leave is granted.

**11. Quorum Section 44(2)(d).—**The number, of Directors necessary to constitute quorum at a meeting of the Board shall be seven including the Chairman and the Vice-Chairman :

Provided that no quorum shall be necessary for an adjourned meeting.

## **12. Remuneration to persons associated with corporation**

**Section 10.—(1)** A person temporarily associated with the corporation or any of its Committees (hereinafter referred to as "associated person") may be so associated in an honorary capacity or on paythent of such remuneration as may be determined by the Corporation with the prior approval of the State Government

(2) Such associated person shall be entitled if he is in the service of the Central Government or the Government of a State, or

Central Government or of the State Government or such Corporation as the case may be :

Provided that the he shall not draw travelling or halting allowance admissible under these rules, if for the same journey or halt he has drawn travelling or daily allowance from the Central Government or the State Government or from the funds of this or the parent Corporation in another capacity.

### **CHAPTER III**

#### **Financial Structure**

**13.Uttar Pradesh State Road Transport Corporation Fund, Section 27.—(1)** The Corporation shall have a fund to be known as the Uttar Pradesh State Road Transport Corporation Fund.

(2) The moneys belonging to the said Fund may be deposited in Government Treasuries, sub-Treasuries or State Bank of India.

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### **CHAPTER IV**

#### **Budget**

**14.Form of Budget Section 44.—(1)** The Budget Estimate of the Corporation shall be prepared for each financial year and shall consist of six parts :

*Part I*—A detailed estimate together: with a summary of (a) • contribution from the State Government and the Central Government and other receipts on capital account, and (b) expenditure on capital account;

*Part II*—A detailed estimate together with a summary of (a) income and (b) expenditure on revenue account;

*Part III*—A statement of transaction of funds;

*Part IV*—A detailed estimate of Stores Suspense account, Workshop Suspense accounts, Advances and Deposits, Works undertaken for outside organisations and such other accounts;

*Part V*--A detailed statement of the appropriation of net profits; and

- *Part VI*— Cash account of the Uttar Pradesh State Road Transport Corporation Fund.

(2) The Budget estimates shall give the original and revised estimates for the current year, and the anticipated receipts and expenditure for the budget year to which they pertain under the major, minor, sub and detailed heads of account in the form in Schedule I. They shall also clearly indicate the extent to which amounts from any of the funds with the Corporation are proposed to be appropriated towards expenditure during the course of the year.

**15.Procedure for forwarding Budget to Government, Section 44.—**(1) Each year the budgeted estimates for next financial year shall

be laid before the Corporation on or before the first day of December of each year and after approval of the Corporation shall be forwarded by December 15 to the State Government for approval. The State Government shall approve the budget before January 15, of making such amendments and alteration as it considers necessary.

(2) The budget so approved shall constitute the budget of the Corporation for the ensuing financial year and shall be issued under the seal of the Corporation and signed by the officer or officers of the Corporation duly authorised in this behalf. Authenticated copies of the budget shall be forwarded to the

Central and State Governments. and the Accountant-General, Uttar Pradesh, Allahabad, on or before January 3.1, each year.

**16. Sanction of the budgeted estimate under the Grants,**  
**Section 4.--The** sanction of the budget estimates shall be granted under the following grants

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 REVENUE EXPENDITURE

(The letters in brackets refer to items in Part II-B--"Deduct Working Expenses" of Schedule I unless otherwise stated) :

*Grant 1—Traffic—This* grant shall include expenditure on Traffic (Item A).

*Grant 2—Repairs, Supplies and Taxes—This* grant shall include expenses under repairs and maintenance, power and licences and taxes (Items B, C and D).

*Grant 3—Administration—This* grant shall include, administrative and other general expenses, such as expenditure on welfare and superannuation, *etc.*, (Items E and F).

*Grant 4—Depreciation—This* grant shall include expenditure on contribution to the Depreciation Fund (Item G).

*Grant 5—Interest and debt charges—This* grant shall include expenditure on the interest to be paid by the Corporation and the income-tax on interest on investments deducted at the source (Items H, I and J).

*Grant 6—Provisions for future contingencies—This* grant shall include expenditure on various provisions such as for clearance of stock adjustment account, for obsolescence of stores, *etc.* (Item K).

*Grant 7—Contribution to Funds—This* grant shall include expenditure on the contribution to the various funds set up by the Corporation except the Depreciation Fund (Part II-B--"Contribution of Funds").

CAPITAL EXPENDITURE

(The figures in brackets refer to items in Part I-B,--Expenditure of Schedule I) :

*Grant 1—Land and Buildings* (Items 1 and 2).

*Grant 2—Motor Buses, trucks, etc.* (Item 4).

*Grant 3—Machinery and plant and miscellaneous equipment (Items 3 and 5).*

*Grant 4—Miscellaneous (Item 6).*

*Grant 5—Deduct expenditure to be met out of funds (Item 7).*

**17. Permanent advances, Section 44.**—Permanent advance of rupees one lakh shall be held by the General Manager of the Corporation to meet certain classes of expenditure before he or the Divisional Managers and the Chief Mechanical Engineer can place themselves in funds by drawing bills. The General Manager will sanction and allocate imprest for the Central Office, the Divisional Managers and the Chief Mechanical Engineer out of this amount.

**18. Unanticipated expenditure, Section 32(4).**—If during the course of a year, it becomes necessary to incur expenditure over and

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above the provision made in the budget, the corporation shall immediately forward to the State Government the details of the proposed expenditure along with the manner in which it is proposed to meet the additional expenditure. The State Government shall either approve the proposed expenditure after making such modifications as it considers necessary, or reject it. A copy of the order of the Government on every such request shall be communicated to thP Corporation and to the Accountant-General.

## CHAPTER V

### Statistics

**19. Statistical returns and reports, Section 44.** —(1) A report to be known as the Operational Review shall be submitted to the Stag: Government each month containing details of statistical returns and other information relating to the operation and other general progress of the Corporation.

(2) (i) The Operational Review shall contain details relating to—

(a) the analysis of operation;

(b) the vehicle position;

(c) the revenue analysis;

(d) the cost analysis on major items including fuel consumption, staff position, consumable stores, department..

kilometrage, estimate of operational margin or deficit in actual and in paise per kilometer;

(e) general statistics of accidents and break-down, analysis irregularities in service, classification of public complaint-and summary of default cases.

(ii) The Operational Review shall consist of statistical statemen, in the forms in Schedules II to XI and such other statements as the State Government may direct.

**20. Issue of ticket for journey and receipt of goods.—**The conductor or any other employee of the Corporation, authorised in this behalf, shall issue to a passenger on payment of proper fare a ticket for the journey and on payment of proper freight a receipt for any goods, if chargeable, carried by him.

**21. Liability to obtain ticket or receipt.—**No person,. not being a driver or conductor, shall travel or carry goods in a vehicl operated by or on behalf of the Corporation unless he has obtained a ticket for the journey or a receipt for the carriage of the goods, if chargeable as the case may be.

**22. Penalty for breach of Rule 21. —**Whoever does any act in contravention of Rule 21 shall, without prejudice to any. action that may be taken against him under any law for the time being in force,

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be liable, subject to the provisions of Section 46 of the Act, to the penalty provided therein.

**23. Production of ticket or receipt by a passenger.—**Every passenger shall, during the course of or immediately before or after the journey, whenever required by Magistrate or an authorised employee, produce the ticket or receipt for the goods carried by him and shall for contravention of this rule be liable to the penalty provided in Section 46 of the Act.

**24. Liability of passenger for breach of Rule 23.—**On the failure of the passenger to produce the ticket or receipt under Rule 23, the Magistrate or the authorised employee, as the case may be unless satisfied that such passenger has not intentionally travelled without a

ticket or carried goods without a receipt may without prejudice to any action that may be taken against such passenger under any law for the time being in force, take action for his prosecution under Section 46 of the Act.

**25. Duty of conductor and liability of breach.—(1)** It shall be the duty of the conductor of a vehicle to ensure that no passenger travels or carries goods in that vehicle in contravention of Rule 21 and any conductor who commits a breach of this rule shall be liable to the penalty under Section 46 of Act.

(2) Any Magistrate or authorised employee, on making such enquiry in connection with the discharge of his functions under the foregoing rules, as he deems necessary, if satisfied that any conductor has intentionally committed a breach of sub-rule (1) may take action for his prosecution under Section 46 of the Act.

#### CHAPTER VI

**26. Passenger and Goods Tax, Section 44.—The Corporation shall** be responsible for the recovery of Passenger Tax and **Goods Tax** under the provisions of the Uttar Pradesh Motor Vehicles (Passenger Tax) Act, 1962 and the Uttar Pradesh Motor Vehicles (Goods Tax) 'Act, 1964 and for payment of the amount so recovered into the Government treasury every year under such revenue head of account as may be prescribed by the State Government.