

GOVERNMENT OF PUDUCHERRY
Abstract

Transport - Motor Vehicles – Rule 118 of the Central Motor Vehicles Rules, 1989 – Compulsory fitment of Speed Governors (Speed Controlling Device) to the motor vehicles in the Union Territory of Puducherry – Notification – Issued.

TRANSPORT SECRETARIAT

G.O.Ms. No. 20/Sectt./2015

Puducherry, dated the 7th October, 2015

- READ :
1. Orders of Hon'ble Supreme Court of India in SLP (Civil) No.17135/2008, dated 18.08.2011.
 2. G.S.R. No.290, dated 14.04.2015 of the Government of India, Ministry of Road Transport & Highways, New Delhi.

ORDER

The following notification shall be published in the Extraordinary Official Gazette of Puducherry:-

NOTIFICATION

In exercise of the powers conferred by Rule 118 of the Central Motor Vehicles Rules, 1989, and in compliance to the directions of the Hon'ble Supreme Court vide its order dated 18/08/2011 in S.L.P. (Civil) No. 17135/2008 the Lieutenant-Governor, Puducherry hereby notifies that the following classes of Transport Vehicles specified in the Table below, shall be fitted with a speed governor (speed controlling device) conforming to the standard AIS: 018/2001 as amended from time to time, namely:-

THE TABLE

<u>Sl. No.</u>	<u>Type of Vehicle</u>	<u>Max. Speed Limit in Kms. per hour</u>
(i)	Stage Carriages Plying on Inter State Routes Cuddalore-Puducherry & Villupuram-Puducherry	70 Kms.
(ii)	Stage Carriages plying on Intra State Routes	60 Kms.
(iii)	Stage carriage buses plying on Urban Routes (Town Buses)	45 Kms.
(iv)	Buses/Vans used for transporting students	45 Kms.
(v)	Contract Carriages with seating capacity exceeding 8+1	80 Kms.

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(vi)	Tourist vehicles covered with permits issued under Sec.88(9) of Motor Vehicles Act, 1988 (TVP)	80 Kms.
(vii)	Goods vehicles except 3 wheeler goods vehicles, Dumpers, Tankers and those carrying hazardous goods	80 Kms.
(viii)	Dumpers, Tankers and those carrying hazardous goods	60 Kms.

Conditions:

The speed governor shall be fitted in respect of :-

- (a) Vehicles manufactured on or after the 1st October, 2015 shall be equipped or fitted by the vehicle manufacturer either in the manufacturing stage or at the dealership stage with a speed governor (speed limiting device or speed limiting function), having maximum pre-set speed as specified in the above Table.
- (b) The above categories of transport vehicles registered prior to 1st October, 2015, which are not already fitted with a speed governor (speed limiting device or speed limiting function) shall be equipped or fitted by the operators of those vehicles on or before 1st April, 2016 with a speed governor (speed limiting device or speed limiting function), having maximum pre-set speed as specified in the above Table.

The maximum speed of such vehicles is fixed as per the above Table, under sub-section (2) of section 112 of the Motor Vehicles Act, 1988 (Act 59 of 1988);

(2) The permit granting Authority/Registering Authority concerned in the Union territory of Puducherry shall ensure that "speed governor" is fitted in each of the aforesaid classes of vehicles and the "official seal" of the permit granting Authority/Registering Authority concerned shall be put up on such "speed governor" in such a manner that the seal cannot be removed or tampered, without the seal being broken;

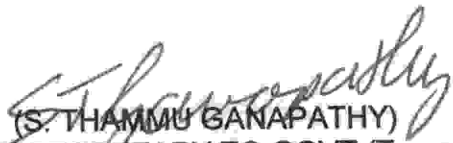
(3) The speed governor so fitted shall be functionally capable of limiting the speed of the vehicles to the maximum speed as specified by the Government, from time to time;

- (4) The manufacturer of the speed governor shall obtain a type approval certificate in respect of the speed governor to be fitted from any of the testing agencies referred to in rule 126 of the Central Motor Vehicles Rules, 1989;
- (5) The Registering Authority concerned or any officer authorized by the Registering Authority shall seal the points with the official seal after satisfying himself that the speed governor is capable of limiting the speed of the vehicle as specified by the Government;
- (6) No notified vehicle required to be fitted with a speed governor shall be used in any public place unless it bears the official seal;
- (7) No person shall open, tamper or otherwise interfere with the official seal on a speed governor;
- (8) In case, the official seal is broken, damaged or opened due to any reason whatsoever, the vehicle shall not be used in any public place unless a new official seal is affixed by the authority concerned;
- (9) The owner of the vehicle shall provide an inspection window on the floor of the vehicle just above the gear box or otherwise, where sensor of the speed governor is connected to the gear box for applying the official seal or for inspection of the same;
- (10) Any officer of the Transport Department not below the rank of Assistant Motor Vehicles Inspector is authorized to stop a vehicle for such reasonable time, as is necessary to satisfy himself that the official seal is intact and the speed governor is capable of limiting the speed as specified for such vehicle notwithstanding that the official seal on the speed governor appears to be intact;
- (11) It shall be the duty of the owner of the vehicle to train or educate the driver of the vehicle about the necessity and importance of the speed governor and the official seal therein;
- (12) Every vehicle required to be fitted with a speed governor shall display the words "SPEED GOVERNOR INSTALLED" legibly written in English at the bottom of both front and rear wind screen. The letters shall be written in white colour and shall be of 15 cms. height with appropriate thickness;

(13) If, at any time, it is observed by the driver or the owner that the speed governor is not functioning properly or by any means it is observed that the speed of the vehicle does not limit to the prescribed speed, the driver or the owner shall ply the vehicles, only after necessary rectification. In such an event, it shall be necessary to obtain fresh official seal of the concerned Registering Authority or any officer authorized by the Registering Authority on the speed governor;

(14) The penalty provided under section 177 of Motor Vehicles Act, 1988 (Act 59 of 1988) shall apply for violation of this Notification.

// BY ORDER OF THE LIEUTENANT-GOVERNOR //


(S. THAMMURAJ GANAPATHY)
DEPUTY SECRETARY TO GOVT (Transport)

To

The Director,
Directorate of Stationery & Printing,
Puducherry.

With a request to publish the said Notification in the next issue of the Official Gazette and to supply 100 copies thereof to this Department for reference and record.

Copy to:

1. All the Secretaries to Govt./Secretary to L.G., Puducherry.
2. PS to Hon'ble Chief Minister/Hon'ble Transport Minister.
3. The Transport Commissioner, Puducherry.
4. The Registering Authority, Karaikal/Mahe/Yanam.
5. The S.A.O., Transport Department, Puducherry.
6. The R.T.O., Puducherry/Oulgaret/Karaikal.
7. The CRB, Puducherry.
8. Stock file/spare.

The programmer, EDP, Transport Dept., Poly.

To host in the official website.