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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 276]

भोपाल, शुक्रवार, दिनांक 27 मई 2011—ज्येष्ठ 6, शक 1933

परिवहन विभाग

मंत्रालय, वल्लभ भवन, भोपाल

Bhopal Dated 27 May, 2011

NOTICE

F No. 22-551/2004/VIII : WHEREAS the Reciprocal Transport Agreement for grant of and/or countersignature of interstate permit for plying of passenger vehicles and goods vehicles, was executed between the Government of Madhya Pradesh and the Government of Gujarat and which has been in force since 28 September, 2010.

AND WHEREAS, the Government of the aforesaid two States further agree to rescind the said agreement and enter into a fresh agreement to regulate the plying of passenger vehicles and goods vehicles on inter-state routes and for grant of and/or countersignature of inter state permit for plying such vehicles.

Now, therefore, the following draft agreement, which the Government of Madhya Pradesh proposes to execute with the Government of Gujarat is hereby published as required by sub-section (5) of section 88 of the Motor Vehicles Act, 1988 (No. 59 of 1988) for information of all persons likely to be affected thereby and notice is hereby given that the said draft agreement will be taken into consideration on the expiry of 30 days from the date of publication of notice in the "Madhya Pradesh Gazette". Any representation which may be received from any person with respect to the said draft of agreement on or before the expiry of the period specified above will be considered by the Principal Secretary to the Government of Madhya Pradesh, Transport Department in Room No. 340, Mantralaya, Vallabh Bhawan, Bhopal.

Representation, if any, should be addressed in duplicate to the Principal Secretary to the Government of Madhya Pradesh, Transport Department, Mantralaya, Vallabh Bhawan, Bhopal- 462 004.

By order and in the name of the
Governor of Madhya Pradesh,

(Dr. Dilip Raj Dwivedi)
Dy. Secretary
Government of Madhya Pradesh
Transport Department

DRAFT AGREEMENT

Reciprocal Transport Agreement between the Government of Gujrat and the Government of Madhya Pradesh

This agreement is made on between the Governor of Gujarat (hereinafter referred to as "The Government of Gujrat" which expression shall include his successors in office) of the one part and "The Governor of Madhya Pradesh" (hereinafter referred to as "The Government of Madhya Pradesh" which expression shall include his successors in office) of the second part.

Whereas in view of the rapid economic development of the contiguity of the State of Gujarat and Madhya Pradesh, it was considered expedient to encourage the long distance Inter State Transport of Passengers and Goods between the said two States and to regulate, co-ordinate and control their

operation, the said parties execute a Reciprocal Agreement, which has been in force since 11th June, 1986 and further since 28th September, 2010.

AND WHEREAS the conditions aforesaid are still continued, the parties hereto by mutual agreement have agreed to rescind the existing agreement. THEREFORE it is now agreed by and between the above parties as follows:

That this Reciprocal Transport Agreement shall be enforced from the and shall be valid till such time as new agreement between the two States is arrived at or reviewed or the existing one is rescind.

As from the coming into force of this agreement, all previous bilateral agreements in the matter of road transport between the State of Gujarat and the State of Madhya Pradesh shall stand superseded.

1. **Taxation - 1.1. Single Point Taxation** - There shall be single point Motor Vehicle Tax in the reciprocating State in respect of -

(a) Stage carriages covered by substantive permits or temporary permits issued during the pendency of renewals of substantive permits under section 87 (1) (d) of the Motor Vehicles Act, 1988, (hereinafter referred as 'Act') within the agreed route and countersigned by other State.

(b) Goods carriages plying of substantive permits or temporary permits issued during the pendency of renewal of substantive permit under Section 87 (1) (d) of the Act, countersigned by other State.

(c) **Explanation.-** For the purpose of this agreement -

(1) The words "Single Point Motor Vehicle Tax" means, -

(i) In the case of Stage carriages of the State of Madhya Pradesh, payment of the passenger tax of State of Gujarat shall be payable in advance on 70% load factor of seating capacity and Motor Vehicle Tax in the State of Gujarat.

(ii) In the case of Stage Carriage of the State of Gujarat, payment of the Motor Vehicle Tax (Road Tax) of Madhya Pradesh at concessional rate applicable to the State carriage of other State plying under a reciprocal agreement as provided in the Madhya Pradesh Motoryan Karadhan Adhiniyam, 1991.

(iii) In the case of Goods Carriage belongs to either State, payment of the concessional Motor Vehicle Tax in advance fixed for the vehicles plying under RPA by the reciprocating State by the notification in the official Gazette.

- (2) The words "Double Point Tax Basis" in respect of the motor vehicle means the liability of payment of all the taxes including Motor Vehicle Tax in both the States.
- (d) All types of motor vehicles of Home State not covered by any of sub-clauses (a) and (b) above, while operating in the other State, shall be liable to pay all the taxes leviable in the reciprocating State.

1.2 **Exemption** – All types of motor vehicle exclusively owned by and used for the purpose of Government of one State other than those used for commercial purposes, shall be exempted from payment of all the taxes leviable in the reciprocating State.

Mode of Payment of Taxes – (a) The permit issuing authority shall ensure that, before issuing any substantial or temporary or special permit all taxes of the Reciprocating State shall be paid in advance in the account of reciprocating State in the bank authorized by that State in this regard.

(b) Copies of all temporary permits and special permits together with Demand Draft drawn on the..... Bank and other relevant information shall immediately be sent to the Commissioner of Transport of both the States along with Demand Drafts at monthly intervals in the following performa :-

No.	Vehicle Owner Name & Address	Permit No. & Vehicle No.	G.V.W. of the Vehicle or seating capacity of Vehicle	Validity of the Permit From To		Bank Draft No & Amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)

3. **STAGE CARRIAGE SERVICE** The following general principles are to be followed:-

(a) The inter-state routes for operation of stage carriage as agreed between the two States shall be as shown in the Appendix-'A'.

(b) The total service distance shall, as far as possible be equally distributed between the two states so as to maintain parity.

(c) The number of trips allocated for each State on inter state route in Appendix 'A' shall always mean the shortest direct route, connecting to the terminals lying in the two States through via mentioned and any discrepancy discovered later in the mileage/kms shown in the said Appendix shall promptly be corrected through correspondence between the two State Transport Authorities and shall not be treated as modification of the agreement.

(d) Any extension of a portion of an inter State route included in the Appendix 'A' which lies exclusively in one State may be made by the transport authority of that State in respect of services run by operators of that State without prior consultation with the transport authority of the other State and the fact intimated to the State Transport Authority of the other State.

(e) Where in the old reciprocity the route is agreed but in the subsequent reciprocity it has been modified by giving extensions, the route agreed in the old reciprocity shall be treated as agreed route in revised reciprocity till permits for the extension is granted by the permit granting authority.

(f) The initial time table shall be fixed by the permit granting authority on a purely provisional basis to be valid for a maximum period of four months and shall be countersigned as such, to enable immediate operation of the services. During this period the countersigning authority shall in consultation with the permit granting authority finalize the time table. While fixing the timing the stage carriage of the Home State will be given preference of starting ahead of the bus belonging to the reciprocating State and there shall be sufficient gap in the timings of long distance inter State services on the route.

(g) The maximum fare and freight chargeable shall be as prescribed by the respective State Government for the operation of routes lying within the territory of each State. The form of tickets issued in one State shall be deemed to be valid in the other State.

(h) For the purposes of the Motor Vehicle tax/passenger tax, Act and rules of the reciprocating State, the fleet owners of one State shall be recognized as fleet owners of the other State.

(i) Substantive permits or temporary permit in respect of stage carriage of each State shall be countersigned by the State Transport Authority of the reciprocating State on the recommendations of the State Transport Authority of the Home State. Permit on the route not included in Appendix 'A' may be countersigned by the reciprocating State on double point tax basis.

(j) No permits for stage carriage shall be granted or countersigned other than that of STU or State Government nominees of either State on nationalized or part thereof by transport authority of reciprocating State.

(k) Both the State Transport undertaking or State Government nominees of either State can operate any route by any vehicle like express, semi luxury, luxury, AC coach or any other vehicle other fleets in Stage Carriage services.

(l) All the previous substantial stage carriage permits, for routes mentioned in Annexure-A. which are countersigned by either State, before coming in force of this agreement shall remain in force till the validity of that permit.

(m) No other vehicles, except authorized under this agreement, shall ply on the interstate routes.

4. GOODS CARRIAGE – The following general principles are agreed to-

(a) It is agreed that the permits for a total 400 (four hundred) Goods Carriages belonging to each State shall be countersigned by the State Transport Authority of the reciprocating State on recommendations of the State Regional Transport Authority concerned of the Home State on Single point tax basis. Such countersignature shall be granted by each State for all national and State Highways of the reciprocating State with a deviation of thirty km. on either side of the National and State Highways.

(b) The goods carriages operating under counter – signature shall not be used for picking up and setting down of goods between any two points lying exclusively within the territory of the reciprocating State, that is to say in such cases vehicles shall be prohibited from carrying on any business of transporting goods exclusively within the territory of the countersigning State and shall be subject to such conditions as the concerned transport authority may deem fit to impose under section 79 and 84 of the Act and rules made thereunder.

5. GENERAL CONCURRENCE FOR ISSUE OF TEMPORARY PERMITS- In view of section 88 (7) of the Act the following general principles are agreed to :

5.1 GOODS CARRIAGE – (a) Goods Carriage temporary permits as per need may be issued for a period not exceeding 30 days by either State in accordance with the provisions of section 87 of the Act except sub-section (1) (d) or (2) of the said section, except on prohibited routes in the reciprocating State, without any restriction on the number of trips and without

countersignature of the transport authority of reciprocating State, on the double point tax basis.

(b) These permits shall be issued subject to the following conditions :-

(i) That no goods shall be picked up or set-down between any two points lying wholly within the jurisdiction of the reciprocating State i.e. such vehicle shall be prohibited from carrying on any business of transport exclusively within the territory of the other State.

(ii) That an operator shall abide by any other conditions which the transport authority of either State may deem fit to impose under section 79 of the Act.

5.2 OTHER PUBLIC SERVICE VEHICLE AND PRIVATE SERVICE VEHICLE - (a) Temporary permits for contract carriage motor cabs, contract carriages omnibuses and private service vehicle may be issued as per need by transport authority of one State for a specified route connecting the specified terminal in the reciprocating State without the requirement of countersignature by the transport authority of the reciprocating State on double point tax basis.

(b) If due to some reason the validity of the permit issued by one State expires in the territory of other State, a fresh temporary permit shall be obtained from the transport authority within whose jurisdiction the vehicle happens to be at that time after the payment of necessary fees and taxes.

(c) The validity of such temporary permits shall not exceed a period of thirty days. Motor Vehicle tax on such temporary permit payable to the other State shall be paid in advance through a Demand Draft.

(d) These temporary permits shall be subject to the following conditions :

(i) Such temporary permit shall be valid for a period of not exceeding thirty days in the reciprocating State.

(ii) Passengers in excess of the seating capacity specified in the registration certificate shall not be carried and no standing passengers shall be allowed.

(iii) The contract carriage (Omni bus) shall be hired by a single party and shall be used for a single return journey.

(iv) Such temporary permits shall clearly specify the date of the outward and then date of the return journey, in case a certain party

engaging a contract carriage on a temporary permit wished to change the date of the return journey subsequent to the grant of the permit it shall obtain permission in writing to that effect from the transport authority within whose jurisdiction the contract carriage happens to be at that time.

(v) The vehicle shall not be parked on any bus stand used by stage carriages and shall not operate from such bus stand.

(vi) The permit holder shall not operate the vehicle as a stage carriage.

6. SPECIAL PERMITS - There shall be no restriction on the number of special permits to be issued under section 88 (8) of the Act, by the transport authorities of either State, such permits shall be valid for period of not exceeding thirty days in the reciprocating State and shall be issued on double point tax basis.

7. CORRIDOR ROUTE - In view of the geographical position of the two States of Madhya Pradesh and Gujarat some routes having their originating and terminating point in one State have to pass through a small portion of the territory of the other State. For purpose of motors vehicle tax shall be treated at par with permits which are duly countersigned and shall be allowed on single point tax basis. Where, however, the corridor distance exceeds sixteen kilometres, such permits shall be countersigned, as per agreement. The Transport Authority granting permit shall also assist the recovery of taxes of reciprocating State in respect of such corridor in all possible manners.

8. GENERAL - (i) The reciprocating State accord recognition to tax token registration, conductor's/ licenses public service authorizations, certificates of fitness etc. in respect of vehicles plying or to be plied on inter state routes in accordance with this agreement.

(ii) All permits issued and countersigned as per earlier agreement or under any other arrangement agreed upon between the Governments shall be deemed to be permits issued and countersigned under and in terms of this agreement.

(iii) The number of permits and inter state routes agreed to in respect of stage carriages, goods carriages, contract carriages and temporary permits in accordance with this agreement may be reviewed periodically at the instance of either State.

(iv) The buses of Gujarat shall operate from the bus stands of Madhya Pradesh State and the buses of Madhya Pradesh State operate from the bus stands of Gujarat State, as the case may be.

(v) This agreement shall be brought into force with effect from day of and shall remain in force until it is rescinded by mutual consent on three month's notice or either side.

IN WITNESS WHEREOF THE - Governor of Gujarat has caused the Additional Chief Secretary to the Government of Gujarat, Ports & Transport Department (Transport) to hereto set his hand and affix his official seal for and on his behalf and the Governor of Madhya Pradesh has caused Secretary Transport to the Government of Madhya Pradesh to set his hand and affix his official seal for and on his behalf the day and year hereinabove written.

By order and in the name of
the Governor of Gujarat,

By order and in the name of the
Governor of Madhya Pradesh,

Add. Chief Secretary to the
Government of Gujarat,
Ports & Transport
Department

Secretary to the Government of
Madhya Pradesh, Transport
Department

APPENDIX "A"

Allocation of Interstate Routes between Gujarat & Madhya Pradesh

S.No.	Route	Route Lenth			Single Trips		Service Kms. in		Permits	
		M.P.	Guj.	Total	M.P.	Guj.	M.P. for Guj.	Guj. for M.P.	M.P.	Guj.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	Ahmedabad-Badvani Via Dahod, Kukshi.	128.00	245.00	373.00	0	1	128.00	0.00	0	1
2	Ahmedabad-Indor Via Dahod, Dhar.	175.00	245.00	420.00	5	8	1400.00	1225.00	5	8
3	Ahmedabad-Khargoon Via Pavagadh, C'Udaipur Alirajpur.	187.00	292.00	479.00	1	1	187.00	292.00	1	1
4	Ahmedabad- Omkareshwar Via Dahod, Dhar.	250.00	245.00	495.00	0	2	500.00	0.00	0	2
5	Ahmedabad-Ujjain Via Dahod, Dhar Indore.	231.00	245.00	476.00	1	1	231.00	245.00	1	1
6	Alirajpur-Ahmedabad Via C'Udaipur.	19.00	260.00	279.00	2	0	0.00	520.00	1	0
7	Anand-Ujjain Via Dahod, Dhar Indore.	231.00	183.00	414.00	0	2	462.00	0.00	0	2
8	Badvani-Ahmedabad Via Alirajpur.	128.00	243.00	371.00	1	0	0.00	243.00	1	0
9	Badvani-Baroda Via Alirajpur.	93.00	153.00	246.00	2	0	0.00	306.00	1	0
10	Badvani-Baroda Via Alirajpur, Dabhoi.	93.00	156.00	249.00	2	0	0.00	312.00	1	0
11	Badvani-Dahod Via Kukshi, Alirajpur,	126.00	26.00	152.00	2	0	0.00	52.00	1	0
12	Badvani-Kukshi- Dahod Via Bagh. Jobat.	98.00	26.00	124.00	2	0	0.00	52.00	1	0
13	Baroda-Indore Via Dahod, Dhar.	175.00	176.00	351.00	2	4	700.00	352.00	2	4
14	Chhotaudaipur- Alirajpur Via Chandpur.	19.00	29.00	48.00	16	6	114.00	464.00	4	3
15	Dahod-Alirajpur Via Sejavada Bhabhra	50.00	26.00	76.00	6	8	400.00	156.00	3	4

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
16	Dahod-Indore Via Dhar.	175.00	26.00	201.00	0	2	350.00	0.00	0	1
17	Dahod-Jhabua Via Pitol.	19.00	26.00	45.00	0	12	228.00	0.00	0	6
18	Dahod-Para Via Jhabua.	38.00	26.00	64.00	0	4	152.00	0.00	0	2
19	Dahod-Ranapur Via Pitol, Jhabua.	37.00	26.00	63.00	0	8	296.00	0.00	0	4
20	Himatnagar-Indore Via Dahod, Dhar.	175.00	237.00	412.00	0	2	350.00	0.00	0	1
21	Khargoan-Baroda Via Badvani, Alirajpur, C'Udaipur.	187.00	153.00	340.00	2	0	0.00	306.00	2	0
22	Khargoan-Sendhva- Surat (Adhna) Via Khetiya, Nandurbar.	123.00	107.00	356.00	2	0	0.00	214.00	2	0
23	Kukshi-Dahod Via Nanpur Alirajpur.	98.00	26.00	124.00	4	0	0.00	104.00	2	0
24	Kukshi-Dahod Via Nanpur, Khattali, Bhabhra.	94.00	26.00	124.00	2	0	0.00	52.00	1	0
25	Nadiad-Indore Via Dahod, Dhar.	175.00	185.00	360.00	0	2	350.00	0.00	0	2
26	Surat-Alirajpur Via Kawant, Chhatkala.	37.00	223.00	260.00	4	2	74.00	892.00	2	1
27	Surat-Burhanpur Via Navapur, Dhuila, Sirpur, Bijasan.	11.00	107.00	412.00	0	2	22.00	0.00	0	2
28	Udaigarh-Jhabua- Dahod Via Pitol.	54.00	26.00	80.00	2	0	0.00	52.00	1	0
29	Udaigarh-Indore Via Navapur, Sirpur, Sendhva.	169.00	107.00	276.00	2	2	338.00	214.00	2	2
30	Ujjain-Baroda Via Alirajpur, C'Udaipur.	295.00	153.00	448.00	2	0	0.00	306.00	2	0
Total . .		2235.00	2628.00	4863.00	69	51	6282.00	6359.00	36	35