

(खतरनाक/परिसंकटमय माल)	
------------------------	--

मैंने.....खतरनाक और परिसंकटमय माल के वहन के लिए आवश्यक सावधानियां अपनायी हैं ।

तारीख :.....

रजिस्ट्रीकृत साधारण वाहन/प्राधिकृत अभिकर्ता के हस्ताक्षर.....

टिप्पण 1 :

खतरनाक और परिसंकटमय माल प्ररूप के लिए खतरनाक और परिसंकटमय माल के रूप में लाल रंग में ऊपरी बाएं हाथ के कोने में मुद्रित होना चाहिए ।

[फा. सं. आरटी-11023/1/2007-टी]

एस. के. दास, संयुक्त सचिव

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 28th February, 2011

G.S.R. 176(E).—Whereas the draft of the Carriage by Road Rules, 2010 were published vide G.S.R. 505 (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 Government hereby makes the following rules, namely:-

Draft Rules

1. Short title.- (1) These 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.
2. Definitions.- In these rules, unless the context otherwise requires,-
 - (a) "Act" mean the Carriage by Road Act, 2007;
 - (b) "Form" means a form 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.

3. Application for grant or renewal of certificate of registration.- (1) An application for grant or renewal of a certificate of registration shall be made in Form 1, 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 Table to rule 13, by way of Bank Draft or Indian Postal Order.
4. 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 five 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 be minimum rupees twenty lakhs;
- (iii) 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 II of Form 1 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 way of Bank draft or Indian Postal Order.

(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.

7. 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.

8. 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.

9. 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.

10. 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 "expand goods".

(3) An acknowledged copy of the good 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.

(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".

11. 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 10 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 *prima-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

notice in writing is given by 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 calendar days and the date of arrival of the consignment shall be 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 consignee 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 following Table, namely:-

TABLE

Sl. No.	Purpose	Amount
(1)	(2)	(3)
1	Interest-free security deposit while applying for certificate of registration.	Rs.5,000/-
2	Fee for applying for certificate of registration	Rs.1,000/- plus Rs.250/- (processing fee)
3	Fee for renewal of certificate of registration	Rs.1,000/- plus Rs.250/- (processing fee)
4	Fee for amendments in certificate of registration	Rs.250/- (processing fee)
5	Submission of memorandum of appeal	Rs.500/-

Form 1
(Part I)
APPLICATION FOR REGISTRATION / RENEWAL

[See rule 3 (1)]

(To be filled in Triplicate)

(Delete whichever is not applicable)

1. Name of the Organization	
2. Type of the Organization (a) Proprietorship (b) Partnership (c) Private Ltd. Company (d) Ltd. Company (e) Others, please <i>specify</i>	
3. Year of Commencement of Operation	
4. PAN No.: (Please attach copy)	
5(a). Old Registration Details (if any) (i) No.: (ii) Date of Issue (iii) Valid Up to (iv) Issuing Authority (b). Whether Certificate of Registration had ever been issued and revoked by the competent authority in the past wherein the organisation or the authorised person had been associated as proprietor/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-mail: (Copy of the Ownership Document (s)/ Copy of the Lease Deed/ Copy of the Rental Agreement to be produced)	
7. State under whose Jurisdiction the Main office is located	
8. Details of the Authorized Person (a) Name: (b) Designation: (c) Residential Address: (d) Tel. Nos: (e) E-mail: (f) Type of Photo Identity Proof & No.: (Any One of the Photo Identity Proof) : (a) Passport (b) Voter ID (c) Ration Card) (g) Authority letter -/ Resolution * signed by Partners / Directors / Proprietor (* should stand legal scrutiny)	
9. No. of Branches Applied for: (Please attach list in detail in Form No. 2) (Copy of the Ownership Document(s)/ Copy of the Lease Deed/ Copy of the Rental Agreement to be produced)	

766 5 0711-6

<p>9 A. Details of Offices of the Agents and Godowns (a) Address: (b) Tel. Nos: (c) E-mail: (Copy of the Ownership Document(s)/ Copy of the Lease Deed/ Copy of the Rental Agreement to be produced)</p> <p>10. Registration Criteria: (Tick which ever is applicable) (Please attach Self Attested Copies)</p> <p>(A) Work Criteria: (Any one of the following)</p> <p>(i) R.C. of two commercial vehicles in the name of Organization / proprietor / partner / director (ii) Contract letter / Work Order of any Regd. Company/Commercial organization of repute</p> <p>(B) Financial Criteria:</p> <p>The Applicant shall establish Net-Worth of Rs. 5 lakhs of the applicant's Company or its Proprietor / Partner / Director by submitting any one of the following.</p> <p>(1) Audited Balance Sheet (2) C. A. Certificate (3) Personal Balance Sheet / I.T. Return (4) Bankers Certificate</p>	<p>Details:</p>
<p>11. Whether Service is to be provided under (i) Section 10 of the Act only, or (ii) under both Sections 10 & 11 of the Act. If Service is to be provided under Section 11, the net worth of the applicant shall not be less than Rs.20 Lakhs. The applicant's Company or its Proprietor / Partner / Director should support net worth by any one of documents indicated in col.10, above.</p>	
<p>12. Details of the Fees Paid:</p> <p>(i) Security Deposit of Rs 5000/- for Registration of the Main Office & Branches (ii) Registration Fees for Grant of Registration Certificate of Rs 1000/ (iii) Fee for Renewal of Regn.Certificate(After Expiry of 10 years) Rs 1000/ (iv) Processing Fees Rs 250/</p>	<p>Details:</p>
<p>13. Declaration: I/we, hereby, declare that the above particulars are true and correct as to the best of my/our knowledge.</p> <p>Date: _____ Signature of the Authorised Person(s)</p>	
<p>14. List of Enclosed Documents:</p>	
<p>15.</p> <p>Place: _____ Signature of the Authorised Person(s) Date: _____ Name: Designation:</p>	

Part II
Details of Branches

Sl. No.	Location / State	Full Address & Contact Details (Tel. No. / Fax No/E-mail)	Usage Office / Godown / Hub Centre	Date of Commencement

Dated:

Signature of Authorised Person

Form 2

CERTIFICATE OF REGISTRATION

[See rule 5 (1)]

1	Registration No.:	
2	Issue Date:	
3	Valid Up to:	
4	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:	
5	Total No. of Branches: (List as per Form No. 2 attached)	
6	Particulars of the registering authority issuing the Certificate of Registration	

Date:

Place:

Signature along with seal

Name:

Designation:

Form 3
APPLICATION FOR AMENDMENT IN REGISTRATION
 [See rule 6 (1)]

(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: <i>(Tick whichever is Applicable)</i> (a) Addition / Deletion / Change in Address of Branches: <i>(Attach New Annexure in Form 2)</i> (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)	

766 40711-7

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.

6. Details of the Fees Paid:	Details:
-------------------------------------	-----------------

7. 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:

Signature of the Authorised Person(s)

8. List of Enclosed Documents:

Place:

Date:

Signature of the Authorised Person(s)

Name:

Designation:

Form 4**AMENDMENT OF CERTIFICATE OF
REGISTRATION
[See rule 6 (2)]**

1	No.:	
2	Issue Date:	
3	Valid Up to:	
4	Issued To: (a) Name of the Organization: (b) Registration No.: (c) Issue Date : (d) Valid Up to:	
5	Amendment Details:	

Date:

Place:

Signature along with seal

Name:

Designation:

Form-6
CONSOLIDATED ANNUAL RETURN
[See rule 8 (2)]

S.No.	Commodities	No. of Packages and Weight Volume (cc)	(tonnes)/	Freight Collected (Rs. Lakh)
1.	Beverages including potable alcohol			
2.	Building Materials			
3.	Chemicals (including gases)			
4.	Fertilizers			
5.	Tea, Coffee & Groceries			
6.	Consumer durables, Household Electronics & Electric Appliances			
7.	Fruits, Vegetables, Meat & Fish (including processed items)			
8.	Food grains & Edible Oil			
9.	Milk and milk products			
10.	Petroleum products including LPG			
11.	Leather and leather products			
12.	Plastic and plastic products			
13.	Livestock			
14.	Machinery & machine tools/ Metals and metal scrap			
15.	Motor vehicles & motor vehicle parts			
16.	Paper, paper board, wood and timber products			
17.	Rubber and rubber products			
18.	Sugar, Sugar Cane / by-products			
19.	Cosmetics & Toiletries			
20.	Any other item not listed above			

66 46/11-8

Form 7
Goods Forwarding Note
[See rule 10 (1)]

S. No.	Subject	Details
1.	Goods Forwarding Note No. and Goods Receipt No. Date, if any. (GFN should be machine numbered)	
2.	Details of Consignor & Consignee	
3.	Particulars of the Goods	
4.	Value of Goods	
5.	Weight/Volume and No. of Packages/units	
6.	Origin	
7.	Destination	
8.	Expected date of delivery under normal conditions	
9.	Whether the cargo/ consignment to be booked under Section 10 or under Section 11 of the Act.	
10.	Desirable period of delay, if any, beyond the likely date of delivery (requirement of section 10(2) if the cargo is to be booked under section 10 of the Act.	
11.	Cargo to be booked as (a) dangerous & hazardous goods (D & H) category or as (b) Normal Goods	
12.	Details of the insurance policy/cover (for dangerous/hazardous goods)	

I _____ 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.

Form 8
Goods Receipt
[See rule 10 (4)]

S. No.	Subject	Details
1	Goods Forwarding Note No. & Date	
2	Goods Receipt No. & Date (GR should be machine numbered)	
3	Details of Consignor Name and Address: Details of Consignee Name and Address:	
4	Particulars of the Goods & their value.	
5	Weight/Volume and No. of Packages/units	
6	Origin of Consignment	
7	Destination of Consignment	
8	Whether the cargo/ consignment has been booked under Section 10 or under Section 11 of the Act.	
9	Distance to destination.	
10	Likely date of delivery	
11	Mutually agreed period of delay beyond the likely date of delivery {requirement of section 10(2)}	
12	Freight collected/paid /due (for calculating liability under Section 10(1).	
13	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.	
14	Details of the insurance Policy/cover (in case of dangerous/hazardous goods	

I _____ have taken necessary precautions for carrying dangerous and hazardous goods.

Date: _____

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.

[F. No. RT-11023/1/2007-T]

S. K. DASH, Jt. Secy.