



The Uttar Pradesh Motor Gadi (Yatri-Kar) Sanshodhan Adhiniyam, 1963
Act 4 of 1963

Keyword(s):

Driver, Operator, Contract Carriage, Fare, Passengers

Amendments appended: 20 of 1970, 50 of 1976, 15 of 1981

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**THE UTTAR PRADESH MOTOR GADI (YATRI-KAR)
SANSHODHAN ADHINIYAM, 1963***

(U. P. Act No. IV of 1963)

[*Authoritative English text† of the Uttar Pradesh Motor Gadi
(Yatri-Kar) sanshodhan Adhiniyam, 1963.*]

AN
ACT

to amend the Uttar Pradesh Motor Gadi (Yatri-kar) Adhiniyam,
1962

It is hereby enacted in the Fourteenth Year of the Republic
of India as follows :

U. P. Act no.
VIII of 1962.

1. (1) This Act may be called the Uttar Pradesh Motor Gadi
(Yatri-Kar) Sanshodhan Adhiniyam, 1963.

Short title and
commencement.

(2) Sections 5 and 7 of this Act shall be deemed to have come
into force on the first day of October, 1962, and the other
provisions shall come into force atonce.

2. In section 2 of the Uttar Pradesh Motor Gadi (Yatri-Kar)
Adhiniyam, 1962 (hereinafter called the principal Act),—

Amendment of
section 2.

(a) clauses (b) and (c) shall be deleted; and

(b) in clause (e) for the word "driver," the words and
comma "operator, the driver" shall be substituted.

3. In sub-section (1) of section 3 of the principal Act, the exist-
ing explanation shall be numbered as Explanation I and there-
after the following new explanation shall be added :—

Amendment of
section 3.

"*Explanation II*—In the case of a contract carriage
the fare payable for the carriage divided by the number of
passengers therein shall be deemed to be the fare payable by
each such passenger, provided that when the fare payable
for the carriage is less than seventy-five per cent of that
worked out at the maximum rates, if any, fixed for con-
tract carriages in pursuance of the provisions of the Motor
Vehicles Act, 1939, such seventy-five per cent shall be
deemed to be the fare payable for the carriage."

*For statement of Objects and Reasons, please see *U. P. Gazette (Extra-ordinary)*, dated February 5, 1963, in Hindi version and February 7, 1963, English version.

Passed in Hindi by the Uttar Pradesh Legislative Assembly on February 11,
1963 and by the Uttar Pradesh Legislative Council on February 13, 1963.

Received the Assent of the Governor on February 27, 1963 under Article
200 of the Constitution of India and was published in the Uttar Pradesh
Gazette Extraordinary, dated February 28, 1963.

Published in the *Uttar Pradesh Gazette Extraordinary*, dated February

Amendment of section 4.

4. In clause (b) of section 4 of the principal Act—

(a) after the word “sections” the figure “6” and a comma shall be inserted; and

(b) for the fullstop at the end of sub-clause (ii) a semicolon and the word “or” shall be substituted and thereafter the following new sub-clause shall be added :—

“(iii) a stage carriage plying under a special permit granted under sub-section (6) of section 63 of the Motor Vehicles Act, 1939, by an authority outside the State.”

Amendment of section 5.

5. In sub-section (1) of section 5 of the principal Act, for the fullstop at the end of the existing proviso, a colon shall be substituted, and thereafter the following new proviso shall be added:—

“Provided further that any change in the rate of tax which comes into force after the date of agreement shall have the effect of making a corresponding (proportionate) change in the lump sum agreed upon, in relation to that part of the period of the agreement during which the changed rate remains in force.”

Amendment of section 6.

6. In sub-section (2) of section 6 of the principal Act, for the fullstop at the end, a colon shall be substituted and thereafter the following proviso shall be added :—

“Provided that the penalty so directed to be paid shall not exceed one hundred rupees per stage carriage.”

Amendment of section 8.

7. In the Hindi version of sub-section (1) of section 8 of the principal Act, for the words “ग्रहण होने की दशा में”, the words “प्रथमोक्त दशा में” and for the words “अपूर्ण होने की दशा में”, the words “उत्तरोक्त दशा में” shall be substituted.

Amendment of section 20.

8. In section 20 of the principal Act, after sub-section (3), the following new sub-section shall be added :—

“(3-A) An authority acting under sub-section (1) or sub-section (2) may also seize any document prepared or maintained under this Act, if such seizure appears to the authority to be necessary for the preservation of evidence of contravention of any provision of this Act or of the rules made thereunder and when a document is so seized a receipt therefor shall be issued to the person from whose possession the document is seized.”

Amendment of section 22.

9. In clause (b) of sub-section (1) of section 22 of the principal Act, after the comma following the figure 14, the words and comma “or the receipt referred to in section 15,” shall be inserted.

Amendment of section 29.

10. In section 29 of the principal Act, for the word “proviso” the words “first proviso” shall be substituted.

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THE UTTAR PRADESH MOTOR GADI (YATRI KAR) (SANSHODHAN) ACT, 1970

(U. P. ACT No. 20 OF 1970) ✓

[*Authoritative English Text of the Uttar Pradesh Motor Gadi (Yatri Kar) (Sanshodhan) Adhiniyam, 1970.]

**AN
ACT**

further to amend the Uttar Pradesh Motor Gadi (Yatri Kar) Adhiniyam, 1962

IT IS HEREBY enacted in the Twenty-first Year of the Republic of India as follows :

1. This Act may be called the Uttar Pradesh Motor Gadi (Yatri Kar) (Sanshodhan) Adhiniyam, 1970.

Short title.

2. In the Uttar Pradesh Motor Gadi (Yatri Kar) Adhiniyam, 1962, in section 3, for the proviso to sub-section (1) thereof, the following proviso shall be substituted, namely :—

Amendment of section 3 of U. P. Act No. VIII, 1962.

“Provided that the amount of tax shall, whenever necessary,—

(a) in the case of a stage carriage plying exclusively within the limits of a City or Municipality, be rounded off to the nearest paisa, that is to say, fractions of half a paisa and over shall be counted as one and less than half a paisa shall be disregarded ; and

(b) in the case of other stage carriages, be rounded off to the nearest multiple of five paise, that is to say, fractions of two and a half paise and over shall be counted as five paise and of less than two and a half paise shall be disregarded.”

*[For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette (Extraordinary)*, dated May 2, 1970.]

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on May 4, 1970 and by the Uttar Pradesh Legislative Council on May 15, 1970.)

Received the Assent of the Governor on June 1, 1970 under Article 200, of the Constitution of India and was published in the *Uttar Pradesh Gazette (Extraordinary)*, dated June 3, 1970.

Price 05 Paise.

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THE UTTAR PRADESH MOTOR GADI (YATRIKAR) (AMENDMENT) ACT, 1976

[U. P. ACT NO. 50 OF 1976]

[Authoritative English Text of the Uttar Pradesh Motor Gadi (Yatrikar) (Sanshodhan) Adhiniyam, 1976]

AN ACT

further to amend the Uttar Pradesh Motor Gadi (Yatrikar) Adhiniyam, 1962.

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Uttar Pradesh Motor Gadi (Yatrikar) (Amendment) Act, 1976.

Short title and commencement*

(2) It shall be deemed to have come into force on November 1, 1976.

2. In section 3 of the U. P. Motor Gadi (Yatrikar) Adhiniyam, 1962, hereinafter referred to as the principal Act—

Amendment section 3 of U. Act 8 of 1962.

(a) after sub-section (3), the following sub-section shall be inserted, namely :—

“(3-A) From and after the commencement of this sub-section there shall further be levied and paid to the State Government a surcharge for the purposes of insurance of passengers, on the tax and additional tax payable by every passenger carried by a stage carriage for each journey, at a rate not exceeding 5 per cent of the aggregate of such tax and additional tax as the State Government may by notification direct”;

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(b) in sub-section (4), for the words “additional tax chargeable under sub-section (3)” the words “additional tax and surcharge chargeable under sub-sections (3) and (3-A)” shall be substituted, and after the words “the said additional tax” the words “and surcharge” shall be inserted.

3. (1) The Uttar Pradesh Motor Gadi (Yatrikar) (Amendment) Ordinance, 1976, is hereby repealed.

Repeal at savings.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

U. P. Ordinance no. 33 of 1976.

[For statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated November 11, 1976.]

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on November 1, 1976 and by the Uttar Pradesh Legislative Council on November 8, 1976.)

(Received the Assent of the Governor on November 20, 1976 under Article 200 of the Constitution of India and was published in the Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette, Extraordinary, dated November 23, 1976.]

PRICE 10 PAISE

Dated Lucknow, October 3, 1981

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Motor Gadi (Yatri-Kar (Sanshodhan) Adhiniyam, 1981 (Uttar Pradesh Adhiniyam Sankhya 15 of 1981), as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 1, 1981:

THE UTTAR PRADESH MOTOR GADI (YATRI-KAR) (SANSHODHAN)
ADHINIYAM, 1981

[U. P. ACT NO. 15 OF 1981]

(As passed by the Uttar Pradesh Legislature)

AN
ACT

further to amend the Uttar Pradesh Motor Gadi (Yatri-Kar) Adhiniyam, 1962

IT IS HEREBY enacted in the Thirty-second Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Uttar Pradesh Motor Gadi (Yatri-Kar) (Sanshodhan) Adhiniyam, 1981.

(2) It shall be deemed to have come into force on April 1, 1981.

Amendment of section 3 of U.P. Act 8 of 1962.

2. In section 3 of the Uttar Pradesh Motor Gadi (Yatri-Kar) Adhiniyam, 1962, hereinafter referred to as the principal Act, in sub-section (3-A), for the words "insurance of passengers", the words "providing relief to passengers in case of accidents" shall be substituted.

Amendment of section 30.

3. In section 30 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely:—

"(aa) prescribing the principles for determination of the amount of relief referred to in sub-section (3-A) of section 3 and the manner in which it shall be paid ;"

Repeal and savings.

4. (1) The Uttar Pradesh Motor Gadi (Yatri-Kar) (Amendment) Ordinance, 1981, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
G. B. SINGH,
Sachiv.