



The Motor Vehicles (Maharashtra Amendment) Act, 1972

Act 10 of 1972

Keyword(s):

Motor Vehicles, Judicial Officer, Passenger, Additional Fare

Amendments appended: 6 of 1973, 19 of 1975, 47 of 1976, 26 of 1985

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MAHARASHTRA ACT No. X OF 1972¹.

[The MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1972.]

[29th April 1972]

An Act further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra.

^{4 of} WHEREAS, it is expedient further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, for the purpose hereinafter appearing ;
^{1939.} It is hereby enacted in the Twenty-third Year of the Republic of India as follows :

1. (1) This Act may be called the Motor Vehicles (Maharashtra Amendment) Act, 1972. Short title and commencement.

(2) It shall be deemed to have come into force on the 15th day of February 1972.

^{4 of} 2. In the Sixth Schedule to the Motor Vehicles Act, 1939, in the second column, ^{Amendment of Sixth Schedule to Act IV of 1939.} against the entry relating to Maharashtra, after the groups of letters " MR, MH " the groups of letters " MM, MT " shall be added.

^{Mah. Ord. II of 1972.} 3. (1) The Motor Vehicles (Maharashtra Amendment) Ordinance, 1972, ^{Repeal of Mah. Ord. II of 1972 and saving.} is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1972, Pt. V, Extra., p. 19.

MAHARASHTRA ACT No. VI OF 1973¹

[THE MOTOR VEHICLES (MAHARASHTRA SECOND AMENDMENT) ACT, 1972.]

[13th February 1973].

An Act further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra.

IV of 1939. WHEREAS, it is expedient further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, for the purposes hereinafter appearing ; It is hereby enacted in the Twenty-third Year of the Republic of India as follows :—

1. This Act may be called the Motor Vehicles (Maharashtra Second Amendment) Short title. Act, 1972.

2. In section 44 of the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, in sub-section (2),— Amendment of section 44 of Act IV of 1939.

(a) after the words " who has had judicial experience " the words " or experience as an appellate or revisional authority under the Land Revenue Code or tenancy or other revenue laws " shall be inserted ;

(b) in the first proviso, for the words " judicial experience " the words " judicial or revenue experience " shall be substituted ;

(c) in the second proviso, in clause (i), after the words " judicial experience " the words " or experience in revenue matters as aforesaid " shall be inserted.

¹For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1972, Pt. V, p. 506.

MAHARASHTRA ACT No. XIX OF 1975.¹

[THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1975.]

[14th July 1975]

An Act further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra.

IV of 1939. WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, for the purpose hereinafter appearing; It is hereby enacted in the Twenty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Motor Vehicles (Maharashtra Amendment) Act, 1975. Short title.

IV of 1939. 2. In section 64 of the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, in sub-section (2), for the words "a whole-time judicial officer" the words "a judicial officer" shall be substituted. Amendment of section 64 of Act IV of 1939.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1975, Part V, page 59.

THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1976

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PREAMBLE.

SECTIONS.

1. Short title, extent and commencement.
2. Inscription of section 66B in Act IV of 1939.
3. Amendment of section 67 of Act IV of 1939.

MAHARASHTRA ACT No. XLVII OF 1976.¹

[THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1976.]

[6th November 1976]

An Act further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra.

IV of 1939. WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, for the purposes hereinafter appearing; It is hereby enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Maharashtra Amendment) Act, 1976. Short title, extent and commencement.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall come into force on such date² as the State Government may, by notification in the *Official Gazette*, appoint.

IV of 1939. 2. After section 66A of the Motor Vehicles Act, 1939, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely:— Insertion of section 66B in Act IV of 1939.

"66B. (1) (a) If a passenger travelling or having travelled in a stage carriage of a State transport undertaking avoids or attempts to avoid payment of the fare for his journey, at the rates fixed by the undertaking, or Penalty for failure to pay proper fare and excess charge in stage carriages of certain State transport undertakings.

(b) If a passenger having paid the fare for a certain distance proceeds in such vehicle beyond that distance and does not pay the additional fare for the additional distance or avoids or attempts to avoid such payment,

he shall be liable to pay, on demand, by any officer or servant of the undertaking authorised in this behalf by the Chief Executive Officer of the undertaking, an excess charge equal to the amount of the fare or the additional fare payable by him, or a sum of five rupees, whichever is greater. The liability to pay this excess charge shall be in addition to his liability to pay the ordinary single fare for the distance he has travelled. Where there is any doubt as to the stop from which he started, such fare shall be calculated from the stop from which the vehicle originally started. Where any passenger has travelled additional distance, the liability to pay the excess charge shall be in addition to his liability to pay the difference between any fare paid and the fare payable for the additional distance travelled.

(2) If a passenger liable to pay the excess charge with the fare or the additional fare, as the case may be, as provided in sub-section (1), is willing to pay the amounts due but is unable to pay the same on the spot, he may give his true name and address to the officer or servant of the undertaking authorised under sub-section (1) and an undertaking in the form specified by the undertaking to pay the amount due within fifteen days by money order or in cash to the officer of the undertaking specified in such form. If the passenger fails to pay the amount or any portion thereof accordingly within fifteen days from the date on which he has called upon to pay the amount, he shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both."

¹ For Statements of Objects and Reasons, see *Maharashtra Government Gazette*, 1976, Part V, page 319.

² 1st December 1976, vide G. N., H. D., No. MVA-0973/M-2048-XXXIII-TR, dated 18th November 1976.

(3) If a passenger liable to pay the excess charge with the fare of the additional fare, as the case may be, as provided in sub-section (1) refuses to pay the amount due or any portion thereof on demand being made therefor by any officer or servant of the undertaking authorised under sub-section (1), he shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

(4) It shall be lawful for any authorised officer or servant of the undertaking and all person called in by any of them for his assistance, to arrest and hand over to the officer in charge of the nearest police station any passenger, who commits or attempts to commit contravention of sub-section (1) and who on demand refuses to give his true name and address or where there is reason to believe that the name or address given by him is not correct. Such police officer shall adopt such legal measures as may be necessary to cause that person to be taken before a Magistrate with the least possible delay.

Explanation.—In this section, the expression “State transport undertaking” shall have the meaning assigned to it in clause (b) of section 68, but shall not include any transport undertaking carried on by any Municipal Corporation established under the Bombay Municipal Corporation Act or the Bombay Provincial Municipal Corporations Act, 1949. Bom. III of 1888. Bom. LIX of 1949.

Amendment
of section 67
of Act IV
of 1939.

3. In section 67 of the principal Act, in sub-section (2), in clause (c),—

(a) for the words, “if so requested by the driver or conductor,” the words “to the conductor or driver” shall be substituted;

(b) for the words “to accept any ticket” the words “to obtain any ticket” shall be substituted.

THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1985

CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement.
2. Amendment of section 15 of Act IV of 1939.
3. Amendment of section 64 of Act IV of 1939.

MAHARASHTRA ACT No. XXVI OF 1985¹

THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1985.

(This Act received the assent of the President on the 15th August 1985; assent was first published in the Maharashtra Government Gazette, Part IV, Extraordinary, on the 21st August 1985).

An Act further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra.

IV of 1939. WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939, in its application to the State of Maharashtra, for the purposes hereinafter appearing; It is hereby enacted in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Maharashtra Amendment) Act, 1985. Short title and commencement:

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

IV of 1939. 2. In section 15 of the Motor Vehicles Act, 1939, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"),— Amendment of section 15 of Act IV of 1939.

(a) in sub-section (1), after the words "If a licensing authority" the words "or other prescribed authority" shall be inserted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2)(a) Upon the issue of any such order a person affected, if he is the holder of a driving licence, shall forthwith surrender his licence to the licensing authority, or as the case may be, other prescribed authority, if the driving licence has not already been surrendered.

(b) The other prescribed authority to whom the driving licence has been surrendered shall forward the driving licence together with a copy of an order made by such other prescribed authority under sub-section (1) to the licensing authority which issued the driving licence, or as the case may be, to the licensing authority by which the driving licence was last renewed.

(c) The licensing authority to whom the driving licence has been surrendered, or as the case may be, forwarded as aforesaid shall—

(i) if the driving licence is a licence issued under this Act, keep it until the disqualification has expired or has been removed, or

(ii) if it is not a driving licence issued under this Act, endorse the disqualification upon it and send it to the licensing authority by which it was issued:

Provided that where the driving licence of a person authorises him to drive more than one class or description of motor vehicles, and the order made under sub-section (1) disqualifies him from driving any specified class or description of motor vehicles, the licensing authority shall endorse the disqualification upon the driving licence and return the same to the holder."

(c) in sub-section (3),—

(i) after the words "licensing authority" in both the places where they occur, the words "or other prescribed authority" shall be inserted;

¹ For statement of Objects and Reasons, see *Maharashtra Government Gazette, 1985, Part V, Extraordinary, page 173.*

(ii) for the words "prescribed authority" the words "prescribed appellate authority" shall be substituted ;

(d) the following *Explanation* shall be added at the end, namely :—

"*Explanation.*—For the purposes of this section, no police officer below the rank of an Assistant Commissioner of Police in areas where Commissioner of Police has been appointed, and the Deputy Superintendent of Police in all other areas, shall be prescribed by rules as the "other prescribed authority" ;

(e) in the marginal note, after the words "licensing authority" the words "or other prescribed authority" shall be inserted.

Amendment of section 64 of Act IV of 1939. 3. In section 64 of the principal Act, in sub-section (2), for the words "which shall consist of a judicial officer not below the rank of a District Judge" the following shall be substituted, namely :—

"which shall consist of a person who—

(a) is, or has been, a Judge of a High Court, or

(b) is, or has been, a District Judge, or

(c) is qualified for appointment as a Judge of the High Court :".