

**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
12, R. N. MUKHERJEE ROAD, KOLKATA-700001**

No: 3944-WT/3M-01/2010 Pt. II

Dated: 14.08.2018

NOTIFICATION

Whereas the Transport Department had constituted vide Notification No. 5444-WT/3M-01/2010 dated 02.12.2016 a 'High Power Committee' to examine the legal provisions related to issuance of permits for auto-rickshaws and the present conditions of operations of auto-rickshaws including unauthorized vehicles in the State as reported and recommend the steps to frame a uniform policy regarding scopes of regularization of unauthorized auto-rickshaws, issuance new permits for auto-rickshaws and operations of auto-rickshaws in the State: and

Whereas after considering the reports submitted by different RTAs and Police Authorities the said High Power Committee had submitted their report and recommendations to frame a policy on operations of auto-rickshaws and regularization of unauthorized vehicles in the State within a time frame as well as limitation of maximum number of permits for auto-rickshaws in the restricted areas in terms of section 74(3) of Motor Vehicles Act, 1988; and

Now, therefore, after considering the recommendations of the High Power Committee as well as the opinions and views of the Police Authorities in this regard, the Governor is pleased to frame a 'Policy for operation and regularization of auto-rickshaws as well as issuance of permits for auto-rickshaws in the State' hereinafter termed as 'Auto-rickshaw Policy of West Bengal, 2018', the details of which is given hereunder:

Auto-rickshaw Policy of West Bengal, 2018

I. General Policy:

- a) Registration, grant of permits and operations of auto-rickshaws in the State shall be regulated and governed by this new policy.
- b) No unauthorized auto-rickshaw without having valid registration and/or permit shall be allowed to ply in the State after the date notified by the Transport Department.
- c) All existing unauthorized auto-rickshaws plying continuously since 01.01.2015 or before in the State shall be given the opportunity to avail 'one time regularization' process on 'as is where is' basis within a prescribed time limit under certain conditions.
- d) In case of 2-stroke unauthorized auto-rickshaws, regularization shall be allowed only on scrapping of existing auto-rickshaw and subsequent replacement by eco-friendly auto-rickshaw.
- e) From the point of view of pollution of environment no diesel-driven auto-rickshaw will be allowed to ply in the jurisdictions of Municipal Corporations in the State and all existing diesel-driven auto-rickshaws operated in such areas are to be replaced by suitable eco-friendly auto-rickshaws within certain time limit.
- f) All registered auto-rickshaws must be fitted with High Security Registration Plate (HSRP).
- g) Within the jurisdiction of RTA, Kolkata and Siliguri and Asansol Municipal Corporation areas number of permits for auto-rickshaws will be limited and restricted in terms of the Notifications to be issued by the Transport Department under section 74(3) of Motor Vehicles Act, 1988.
- h) In the areas, other than as noted above, permits for auto-rickshaws may be issued in terms of law strictly subject to the decision of the concerned RTA on routes or areas of operations.
- i) To restrict unauthorized entry of other auto-rickshaws into the restricted area referred under (g) above from outside, the auto-rickshaws are to be painted in the manner as may be notified by the Transport Department.
- j) Similarly all the auto-rickshaws operated in the areas outside the jurisdiction referred under (g) above are also to be painted in a separate manner as may be notified by the Transport Department.

- k) No new auto-rickshaw shall be sold and registered in the State unless allowed by any Offer-letter for permit issued by the RTA concerned.
- l) No dealer is allowed to sell any auto-rickshaw State without support of offer-letter and concerned Registering Authority may take necessary action as per law to suspend/cancel Trade Certificate of any dealer violating such norms.
- m) Operation of auto-rickshaws on curtailed routes is strictly prohibited – permit may be suspended/cancelled by the RTA in terms of law for any violation in this respect.
- n) Carrying of passengers in excess of capacity shall not be allowed.
- o) Provisions for stands for every route should be considered by the RTA in consultation with Police Authority.
- p) Uses of loud music / additional dazzling and external lights on auto-rickshaws are prohibited.

II. Policy for regularization of unauthorized auto-rickshaws:

The policy, as noted below, is to be followed for regularization of existing unauthorized auto-rickshaw plying continuously since 01.01.2015 or before in the State:

- i) The owner of the existing auto-rickshaw will apply before the concerned RTA for regularization and issue of permit with the followings:
 - a) Relevant documents as proof of ownership/possession of such auto-rickshaw
 - b) Proof of operation of such auto-rickshaw since 01.01.2015 or before on any route [Certificate of Route-Committee duly countersigned by the concerned Police Authority (AC of Traffic Guards in the jurisdiction Kolkata, Siliguri and Asansol or OC of Police Stations in other area) may be taken as proof of operation]
 - c) Application for permit on the concerned route in Form II of WBMVR, 1989
- ii) The RTA shall examine all the documents and decide to issue Offer-letter for permit to the applicant subject to physical verification of the existing auto-rickshaw produced by its owner.
- iii) On the basis of offer-letter the existing auto-rickshaw, if not LPG-driven 4-stroke auto-rickshaw, shall be scrapped under supervision of MVI (Tech and scrap-certificate in the format prescribed by RTA shall be issued by the MVI(Tech).
- iv) The owner will register the new fuel-driven/electric auto-rickshaw of specifications prescribed in the Offer-letter (like LPG-driven 4-stroke or E-auto) on the basis of scrap-certificate within 45 days of scrapping.
- v) The RTA shall issue permit within 7 days of registration on realization of due fees.
- vi) In case of existing registered LPG-driven 4-stroke auto-rickshaw, permit is to be issued to the owner immediately after issuance of offer-letter observing all legal formalities.
- vii) Within the jurisdiction of RTA, Kolkata and Siliguri and Asansol Municipal Corporation areas regularization of existing unauthorized auto-rickshaws will be limited within the number of permits for auto-rickshaws as notified by the Transport Department in terms of section 74(3) of Motor Vehicles Act, 1988.
- viii) In the jurisdictions, other than as noted above, regularization of existing unauthorized auto-rickshaw will be limited on the routes/areas as may be decided by the concerned RTAs.
- ix) In Asansol for regularization process existing auto-rickshaw may be replaced also by CNG-driven/ Electric auto-rickshaws.
- x) The process of regularization of existing unauthorized auto-rickshaws in the State following the above steps is to be completed within **31st December, 2018**.

The 'Auto-rickshaw Policy of West Bengal, 2018' will come into effect from **1st September, 2018**.

By order of the Governor
Sd/-
Principal Secretary

No. 3944-WT/1(1)

Date: 14.08.2018

Copy with the copy of above Notification is forwarded to the Superintendent, West Bengal Government Press, 38, Gopal Nagar Road, Alipore, Kolkata- 700 027 with the request to arrange to publish this in the Official Gazette and send 50 (fifty) copies of the same to this Department for official use.

Commissioner

No. 3944-WT/1(1)

Date: 14.08.2018

Copy forwarded for information and taking necessary action to:

1. Director General of Police, West Bengal
2. Director, Transport Directorate, West Bengal
3. District Magistrate (All)
4. Secretary, Regional Transport Authority, Kolkata
5. Regional Transport Officer (All)


Commissioner