

## ORISSA ACT XLI OF 1951

**THE ORISSA MOTOR VEHICLES ( REGULATION  
OF STAGE CARRIAGE AND PUBLIC  
CARRIER'S SERVICES ) ( AMENDMENT )  
ACT, 1951**

[Received the assent of the President on the 31st  
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January 1952]

AN ACT TO AMEND THE ORISSA [MOTOR [VEHICLES  
( REGULATION OF STAGE CARRIAGE AND PUBLIC  
CARRIER'S SERVICES )] ACT, 1947

**WHEREAS** it is expedient to amend the Orissa Orissa Act XXXVI of 1947.  
Motor Vehicles ( Regulation of Stage Carriage  
and Public Carrier's Services ) Act, 1947, in the  
manner hereinafter appearing ;

It is hereby enacted as follows :—

Short title  
and  
commence-  
ment.

1. (1) This Act may be called the Orissa Motor  
Vehicles ( Regulation of Stage Carriage and Public  
Carrier's Services ) Amendment Act, 1951.

(2) It shall come into force at once.

Amendment  
of section 4.  
Orissa Act  
XXXVI of  
1947.

2. In section 4 of the Orissa Motor Vehicles  
( Regulation of Stage Carriage and Public Carrier's  
Services ) Act, 1947 ( hereinafter referred to as the  
said Act)—

Orissa Act  
XXXVI of  
1947.

(a) in sub-section (1) after the words " public  
carrier's services " the following words shall be  
inserted, namely :—

" as respects the cancellation of any permit  
granted under the principal Act or the reduction of  
the number of vehicles or routes covered by such  
permit, or restriction of the number of such permits  
on a specified route or routes ";

(b) to clause (b) of sub-section (2) the following  
provisos shall be added, namely :—

" Provided that a Regional Transport Authority  
may notwithstanding the issue of a notification under  
sub-section (1) exercise its powers under section 62  
of the principal Act :

Provided further that while granting permits under section 62 of the principal Act, a Regional Transport Authority shall forthwith submit a report to the State Government containing a statement of the facts and the reasons for the grant of the temporary permit ;”

(c) after clause (b) of sub-section (3) the following new clause shall be inserted, namely :—

“(c) may notwithstanding anything contained in section 58 of the principal Act direct that a permit other than a temporary permit issued under section 62 shall be effective without renewal for such period not exceeding three years as the State Government may specify in the permit.”

Amendment  
of section 6,  
Orissa Act  
XXXVI of  
1947.

3. In sub-section (1) of section 6 of the said Act—

(i) for the words and figures “prior to the 1st day of October 1946”, the words and figures “prior to the 1st day of January 1951” shall be substituted ;

(ii) in the proviso to clause (a)—

(a) for the words and the figures “prior to the 1st day of October 1946”, the words and figures “prior to the 1st day of January 1951” shall be substituted ;

(b) for the words “two hundred rupees” the words “four hundred rupees” shall be substituted ;

(iii) in the proviso to clause (b)—

(a) for the words and figures “prior to the 1st day of October 1946”, the words and figures “prior to the 1st day of January 1951” shall be substituted ;

(b) for the words “one hundred and fifty rupees” the words “three hundred rupees” shall be substituted.

Insertion of  
a new  
section in  
Orissa Act  
XXXVI of  
1947.

4. (1) After section 9 of the said Act, the following new section shall be inserted, namely :—

The  
Company  
to be  
deemed  
to be a Local  
authority.

“10. (1) The Company formed for the purpose of the said Act shall be deemed to be a Local authority within the meaning of sub-section (2) of section 94 of the principal Act.

(2) The State Government may, by notification in the Gazette, exempt the motor vehicles of the Company from the operation of the provisions of Chapter VIII of the principal Act :

Provided that no such notification shall be issued unless a fund has been established and is maintained by the Company in accordance with rules made in that behalf under the said Act for meeting any liability arising out of the use of any vehicle of the Company which the Company or any person in the employment of the Company incur to third parties."

Renumber-  
ing of  
section 10,  
Orissa Act  
XXXVI of  
1947.

5. Section 10 of the said Act shall be renumbered as section. 11