

# MANIPUR GAZETTE



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GOVERNMENT OF MANIPUR  
SECRETARIAT: TRANSPORT DEPARTMENT

## NOTIFICATION

Imphal, the 14th September, 2015

No. 12/I/2014-T(MV). Whereas the Hon'ble Supreme Court of India in its Judgement dated 16-12-1997 in WP(Civil) No. 13029 of 1985 (MC Mehta vs Union of India & Ors) had issued certain directions for safety of school children travelling in buses and other types of vehicles.

And whereas the State Government is satisfied that it is necessary in the interest of public safety and conveniences as well, *inter alia*, the safety and convenience of the educational institution buses, private buses, school vans (motor cabs/maxi cabs) and the private omnibuses used for transportation of children of educational institutions.

Now, therefore, in partial modification of this Department Orders No. 4/7/2013-T(MV) Pt dt. 15th July, 2013 which was published in Manipur Gazette Extraordinary No. 115, Imphal, Monday, July 29, 2013 and in exercise of the powers conferred by section 115 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the State Government hereby notify that all educational institution buses, private buses, school vans (motor cabs/maxi cabs) and private omnibuses used for transportation of children of educational institutions shall comply with the conditions set herein below and hereby prohibit/restrict the use of above mentioned vehicles for transportation of children of educational institutions unless the following conditions are fully conformed :-

The conditions are :-

1. **Necessity for conversion into transport vehicle:** All types of vehicles including educational institution buses, private buses, school vans (motor cabs/maxi cabs) and the private omnibuses used for transportation of children of educational institutions should be converted into the classification of transport vehicles which may deem fit.
2. **Seating Capacity :-** No vehicle belonging to or in use for any educational institution shall seat children in excess of 1.5 (one point five) times of its registered seating capacity.
3. **Vehicle Doors :-** No vehicle belonging to or in use of any educational institution shall be used if it has an open door. Such vehicle shall be fitted with doors which can be closed.

4. **Necessity to obtain Contract Carriage Permit:** All types of vehicles including educational institution buses, school vans (motor cabs/maxi cabs) and the private omnibuses used for transportation of children of educational institutions should obtain a Contract Carriage Permit (Regular/Temporary) u/s 66 & 74 of the M.V. Act' 1988 from the office of the Secretary/STA, Manipur.

5. **Necessity to obtain a Certificate of Fitness (FC):** The vehicles as mentioned should obtain a Certificate of Fitness (FC) u/s 56 of the M.V. Act' 1988 from the offices of the District Transport Officers.

6. **Necessity to ensure under the 3rd Party Risk: obtain a Certificate of Fitness (FC):** The vehicles as mentioned should ensure under 3rd Party Risk as required u/s 146 of the M.V. Act' 1988.

7. **Necessity to obtain a Pollution Under Control Certificate:** The vehicles mentioned above should obtain a Pollution Under Control Certificate (PUC) as required under Rule 115 of the CMV Rules' 1989 from the authorised/recognised Vehicle Pollution Testing Centres.

8. **Necessity to pay T/Tax & P/Tax:** The vehicles mentioned above should pay requisite T/Tax & P/Tax as required under the prevailing Taxation Act/Rules & Notifications made thereon from time to time.

9. **Necessity for separate Colouring Code:** The vehicles mentioned above be painted with a strip/band of yellow colour of 6 inches wide for easy identification just below the window as invoked & mandated u/s 96(2) (xviii) of the M.V. Act' 1988.

10. **Necessity for conforming to other Safety Norms:**

- (i) School Bus/Van or On School Duty along with name of the School, Telephone No. on a board should be fixed in the front and rear side.
- (ii) In the case of School Van, carriers should be fitted on the roof for keeping school bags of the students.
- (iii) The School Bus/Van should carry a detailed list of students along with their blood groups, contact numbers of parents etc.
- (iv) The School Bus/Van must have a First Aid Box.
- (v) A devise/mechanism may be adapted for ensuring internal locking of the sliding doors.

11. **Driver:-** (i) No educational institution bus/school van shall be driven by a driver who has—

- (a) less than five years of experience in the case of driving heavy vehicles & whereas in the case of school vans having less than two years of driving light transport vehicles.

- (b) been challaned more than twice in a year in respect of offences of jumping of red light or stop lines, improper or obstructive parking violating the stop line, violation of lane discipline, or allowing unauthorized person to drive.
  - (c) been challaned/charged even once for the offence of over speeding, drunken driving and driving dangerously under the Motor Vehicles Act, 1988 or for the offences under sections 279, 337, 338 and 304-A of the Indian Penal Code, 1860.
  - (i) All drivers of educational institution vehicles shall be dressed in a distinctive uniform as far as practicable.
12. No bus used by or for an educational institution shall be permitted to operate without a qualified conductor being present at all times.
13. The conditions set in this notification shall apply to all educational institution buses, private or public or Government, all other types of vehicles whether run by the educational institution or by an association or organization or by individual, for an educational institution in the State of Manipur.
14. **Necessity for formation/constitution of School Transport Committee:** Further, each & every School Authority which are under the administrative control/management of Central/State Govt. or Semi Govt. or Private Establishment shall set up a School Transport Committee which shall be headed by its Principal & other members drawn from the Parents/Guardian Forum/Assn., School Transport Service Providers Assn. and, Local Bodies etc with the following **Terms of Reference** that:-
- (i) The Committee shall hold its regular meetings once in 3 months during an academic/calendar year or as deemed fit provided the situation warranted to resolve issues & take appropriate decisions concerning to transportation of school children.
  - (ii) The Committee shall maintain proper records of all the students, parents and vehicles under school duty and furnish records to the Secy/STA, Manipur.
  - (iii) The Committee shall be responsible for safe transportation of the students in terms of conforming to the prescribed guidelines/conditions issued by the competent authorities from time to time;
15. All the vehicle owners who **used/being used** their vehicles for the educational institution purposes are directed to adhere with the above conditions within **three** months from the date of publication of this notification in the Official Gazette of Manipur and the driver shall carry with all relevant documents at all times and shall comply with the above prescribed conditions when the vehicle is used for the purpose of an educational institution.

M. LAKSHMIKUMAR SINGH,  
Secretary (Transport), Government of Manipur.