

PART III

GOVERNMENT OF PUNJAB
DEPARTMENT OF TRANSPORT
(TRANSPORT-2 BRANCH)

NOTIFICATION

The 14th October, 2016

No.G.S.R. 70/C.A.59/1988/Ss.138, 212 and 215/2016.- The following draft of the rules, which the Governor of Punjab proposes to make in exercise of the powers conferred by section 138 read with section 215 of the Motor Vehicles Act, 1988 (Act No.59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act for the information of persons likely to be affected thereby.

Notice is hereby given that the draft of the rules shall be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette together with objections or suggestions, if any, which may be received by the Secretary to Government of Punjab, Department of Transport, Chandigarh, with respect to the draft of rules before the expiry of the period so specified.

DRAFT RULES

1. Short title and commencement.
 - (1) These rules may be called the Punjab Road Safety Fund Rules, 2016.
 - (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. Definitions.- In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Motor Vehicles Act, 1988;
 - (b) "Committee" means the Management Committee of the Punjab Road Safety Fund;
 - (c) "Special Fee" means a fee to be levied on new registration of vehicles and issuing and renewal of fitness certificate of transport vehicles in addition to any other fees levied under the Act;
 - (d) "Registering Authority" means the officer appointed under clause (37) of section 2 of the Act;
 - (e) "Financial Year" means a period of twelve months commencing on the first day of April of a calendar year;
 - (f) "Fund" means the Punjab Road Safety Fund;
 - (g) "Scheme" means scheme implemented to achieve the objectives of the Fund and includes projects, programmes, works etc.;

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- (h) "State" means the State of Punjab; and
- (i) "State Government" means the Government of Punjab in the Department of Transport.
3. Establishment of Fund and its Objectives.-
- (1) There shall be established a Fund by the State Government with the object of strengthening road safety and implementation of road safety measures in the State.
- (2) The Fund shall be utilized to achieve the following objectives,-
- (a) to make and implement schemes, projects and awareness programmes pertaining to road safety and related activities;
- (b) to take necessary steps for safe plying of vehicles and secure movement of road users;
- (c) to identify accident prone places and take corrective measures for the same;
- (d) to impart knowledge of traffic rules and create awareness among the public;
- (e) to provide equipments and vehicles for enforcement and controlling road accidents;
- (f) to take steps for making driving licence system effective;
- (g) to take steps for making the certification system of fitness of motor vehicles effective;
- (h) to provide rescue and post-accident care;
- (i) to conduct studies and research on road safety;
- (j) to collect and analyze road accident data.
4. Accounting and classification of Fund and Financial Procedure. -
- (1) A separate sub-head (special fee on account of registration of new vehicles and issue/ renewal of fitness certificate under the Act) under Minor Head 101 (Receipts under the Act), Major Head 0041 (Taxes on Vehicles) shall be opened in which the amount collected by the Registering Authorities as "Special Fee" shall be deposited.
- (2) The amount allocated in the Fund shall be shown under Demand No.-34 of Transport Department under the Head 2041-Taxes on Vehicles (Plan), Minor Head 102-Inspection of Motor Vehicles, sub-Head 98-Road Safety Awareness and Computerization of Regulatory Wing, Object Head 34-Other Charges;

- (3) The expenditure on the objectives mentioned in Rule 3, shall be met out from the above said Head i.e. 2041-Taxes on Vehicles (Plan), Minor Head 102-Inspection of Motor Vehicles, sub-Head 98-Road Safety Awareness and Computerization of Regulatory Wing, Object Head 34-Other Charges(Road Safety).
- (4) The funds shall be transferred to the concerned Head of the Department/DDO concerned as per the schemes sanctioned by the Committee. The executing department will spend the money as per rules and submit utilization certificate to the State Transport Commissioner.
5. Sources of Fund.-
- (1) Special Fees on registration of four wheeled vehicles (non-transport) value up to rupees Twenty Lacs at the rate of rupees Three Hundred and above rupees Twenty Lacs at the rate of rupees Five Hundred, and issuing and renewal of fitness certificate for transport vehicles @ Rs. Three Hundred per vehicle shall be levied.
- (2) Any financial contribution, grant, donation etc. by the State Government or the Government of India or any other agency.
6. Committee.-
- (1) The administrative department for the Fund shall be the Department of Transport and the Fund shall be operated by the Committee consisting of the following:-
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| 1. | Chief Secretary to Government, Punjab | Chairman ex-officio |
| 2. | Principal Secretary/ Secretary to Government of Punjab, Department of Transport | Member ex-officio |
| 3. | Principal Secretary to Government of Punjab, Department of Public Works | Member ex-officio |
| 4. | Principal Secretary to Government of Punjab, Department of Health | Member ex-officio |
| 5. | Principal Secretary to Government of Punjab, Department of Home Affairs | Member ex-officio |
| 6. | Principal Secretary to Government of Punjab, Department of Local Government | Member ex-officio |
| 7. | Principal Secretary to Government of Punjab, Department of Housing and Urban Development | Member ex-officio |

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| | 8. | Principal Secretary to Government of Punjab, Department of Finance | Member ex-officio |
| | 9. | State Transport Commissioner | Member-Secretary ex-officio |
| | (2) | The Committee shall meet at least once in every quarter. | |
| | (3) | The quorum of the meeting of the Committee shall be of four members. | |
| 7. | Powers of the Committee and other authorities.- | (1) | The Committee shall be authorized to approve the schemes of any amount within the available funds. |
| | | (2) | The Principal Secretary / Secretary to Government of Punjab, Department of Transport shall be authorized to approve schemes subject to a maximum limit of rupees ten lakhs for a scheme and the State Transport Commissioner shall be authorized to approve expenditure on salaries and establishment/ office expenditure of Road Safety Cell established in the State Transport Commissioner's office. |
| 8. | Rights and duties of the Committee.- | (1) | The Committee shall select and approve the schemes to be financed from the Fund. |
| | | (2) | The Committee shall review the physical and financial progress of the approved schemes. |
| | | (3) | The Committee shall ensure maintenance of accounts of the Fund in accordance with these rules. |
| 9. | Utilization of the Fund.- | | The following are the purposes for which the amount of Fund may be utilized, namely:- |
| | | (a) | On the schemes the selection of which shall be made on such norms as may be determined from time to time by the Committee; |
| | | (b) | On Such schemes which may be completed in one go; |
| | | (c) | For payment of the salaries and establishment/office expenditure of Road Safety Cell established in the State Transport Commissioner's office; |
| | | (d) | No amount from the Fund shall be invested under fixed deposit schemes or for giving loans for earning interest in any circumstances; |
| | | (e) | The amount sanctioned from the Fund shall be utilized for the same purpose for which it has been approved. |

10. Nature of Schemes which may be covered under the Fund.- The schemes which may be financed from the Fund:-
- (a) Work related to road safety measures:-**
- (i) to install mandatory / regulatory, cautionary and informative road signboards, various traffic signals, etc. including their maintenance as per immediate local needs, in the interest of public safety and to reduce mortality in case of accidents, where it is not possible for other departments to install / maintain;
 - (ii) to set up "Road Accident Data Base Management System" for reporting and making analysis of road accidents and for controlling road accidents;
 - (iii) to reimburse expenditure incurred on the transportation of the injured persons in road accidents to hospitals;
 - (iv) to purchase and maintain ambulances, other accessories, salary of driver, para-medical staff and expenditure on fuel etc. of the ambulances, to provide immediate medical relief to persons injured in accidents;
 - (v) to take corrective/reformatory measures after studying the causes of road accidents and identifying accident prone places;
 - (vi) to purchase and maintain equipments for traffic management and road safety including cranes and weighing machines;
 - (vii) to set up driving training schools and driving test tracks for strengthening the driving license system;
 - (viii) to set up Certification Centres for checking fitness of vehicles and issue certificate of fitness;
 - (ix) to provide Mobile Testing Equipments for checking of vehicles;
 - (x) to set up check posts, parking areas for impounded vehicles and weighing bridges;
 - (x) to do any other work to strengthen road safety measures and traffic management which the Committee deems proper and useful.

(b) Work related to Traffic Education:-

- (i) to establish in collaboration with other departments or otherwise the traffic education parks;
- (ii) to make wide publicity of traffic rules in public;
- (iii) to organize various competitions for imparting knowledge of traffic rules and awareness about road safety;
- (iv) to prepare publicity materials related to traffic management and road safety;
- (v) to purchase and maintain equipments related to traffic education;
- (vi) to purchase publicity vans equipped with audio-video equipments, computers and other accessories and utilize them to impart traffic education to public at large;
- (vii) to organize road safety exhibitions;
- (viii) to organize seminars, workshops, meetings, rallies, competitions and other such programmes related to traffic education etc.;
- (ix) to organize traffic related training for different ranks of Police, Transport and Local Bodies officers/staff;
- (x) to conduct studies to improve Traffic Management for controlling road accidents.

(c) **Work related to Enforcement:**

- (i) to purchase, operate and maintain modern traffic enforcement equipments;
- (ii) to purchase and maintain the vehicles.

11. Procedure for submission of schemes to the Committee.-

- (1) The State Transport Commissioner shall put up the schemes before the Committee after due examination which he received from transport, police, health, public works departments, District Road Safety Committees etc. or suo-moto prepared by him.
- (2) Formal administrative and financial sanction shall be issued by the State Transport Commissioner for financing the schemes after approval thereof from the Committee.

12. Responsibilities for execution of schemes financed from the Fund.-
- (1) The State Transport Commissioner shall co-ordinate the work related to the successful execution of schemes.
 - (2) Heads of the Departments concerned shall be responsible for successful implementation of schemes and for regular monitoring of construction, maintenance and repairs of assets/equipments etc. financed from the Fund within the area of their respective jurisdiction. They shall supervise, monitor and review physical and financial progress of the schemes. The senior most district level officer of respective department shall also be responsible for issuing completion certificate of the scheme.
 - (3) Stores Purchase Rules and other Government instructions issued from time to time shall be complied with in the cases of purchases with respect to the approved schemes.
13. Maintenance of Fund and Audit.-
- (1) The Deputy Controller (Finance & Accounts) or such other finance officer in State Transport Commissioner's office as authorized by the Principal Secretary/ Secretary, Transport, shall maintain accounts of the expenditure incurred from the Fund in accordance with the provisions of the Punjab Financial Rules, instructions and the Treasury Rules. Accounts will be reconciled with the records of the office of Accountant General (Accounts and Entitlements), Punjab. Before the closure of annual accounts, orders related to reconciliation adjustments will be made available to the Accountant General (Accounts and Entitlements), Punjab simultaneously.
 - (2) The unutilized money left in the Fund at the end of the financial year shall remain in the Fund. Such balance/unutilized amount in the Fund shall be utilized in the next financial year.
 - (3) The accounts shall be audited by the Accountant General (Audit), Punjab.
 - (4) Detailed report of receipts in, and the expenditure from, the Fund shall be submitted by State Transport Commissioner, Punjab to the State Government from time to time or as may be required.

DIPINDER SINGH,
Secretary to Government of Punjab,
Department of Transport.