



## **ABSTRACT**

Motor Vehicles - Tamil Nadu Motor Vehicles Rules 1989-Amendment to rules 172 and 343 (a) of Tamil Nadu Motor Vehicles Rules 1989-To permit Stage carriages to display advertisement-Draft Amendment-Notified.

### **Home (Tr.VII) Department**

**G.O.Ms.No. 364**

**Dated: 9.4.2010**

#### **Read:**

- 1) From the Principal Secretary and Transport Commissioner Letter R.No.23501/E2/2008, dated 20.10.2009 and 17.12.2009.
- 2) High court order in W.P. No.6818/09 dated 23.11.20.09.

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#### **ORDER:**

The following Notification will be published in an ordinary issue of the Tamil Nadu Government Gazette .

### **NOTIFICATION**

The following draft of amendments to the Tamil Nadu Motor Vehicles Rules, 1989, which it is proposed to make in exercise of the powers conferred by section "96 of the Motor Vehicles Act, 1988 (Central Act 59 .of 1988) is hereby published for the information of all persons likely to be affected thereby, as required by sub-section (1) of section 212 of the said Act.

2. Notice is hereby given that the draft amendment will be taken into consideration on or after the expiry of thirty days from the date of publication of this Notification in the Tamil Nadu Government Gazette and that any objection or suggestions, which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu.

3. Objection or suggestion, if any, should be" addressed in duplicate to the Principal Secretary to Government, Home Department, Chennai- 600 009"

### **DRAFT AMENDMENTS**

In the said Rules:-

1) in rule 172, after sub-rule (10), the following sub-rule shall be added, namely:-

"( 11) It shall be a condition of permit of every transport vehicle that the vehicle *shall* not carry or display advertisements in contravention of rule 343"; and

2) in rule 343, in-sub-rule (a), for the third proviso, the following provisos shall be substituted, namely: ~

"Provided also that in the case of stage carriage, no advertisement shall be carried or displayed on the front wind screen or rear window or side windows of the vehicle and if there are glass panels above the windows on the sides of the vehicle, advertisements may be displayed on such panels".

"Provided also that the advertisements shall not be offensive, obscene or cause for major distraction to the road users".

### **EXPLANATORY NOTE**

As per the third proviso to rule 343 (a) of the Tamil Nadu Motor Vehicles Rules, 1989, in the case of stage carriages, no advertisement shall be carried except inside the vehicle and rear portion of the exterior body. As the rule stands today, advertisements on the side portion of the body are not permitted. In W.P.No.6818/09, dated 23-11-2009 seeking direction against violation of the above rule, the High Court of Madras has directed the State Government to consider amending rule 343 of the said rules, as suggested by the State in their counter affidavit before the High Court. Considering the road safety and security of the passengers, it has been proposed not to allow advertisements in the front wind screen or rear window or side window of the stage carriages. However it has also been proposed to permit display of advertisements on the glass panels above the windows on the sides of the vehicle. It has also been proposed to prescribe a condition on the permit of a transport vehicle that it should not carry or display advertisements in contravention of rule 343 of the said rule. The draft amendment provides for this.

**(BY ORDER OF THE GOVERNOR)**

**S.MALATHI  
PRINCIPAL SECRETARY TO GOVERNMENT**