The Tamil Nadu Panchayats (Public Landing Places, Halting Places, Cart-Stands) Rules, 1999

(G.O.(Ms)No.184, Rural Development (C4), dated 30th August, 1999)

In exercise of the powers conferred by Section 154 and clause (*xxii*) of sub-section (2) of Section 242 of the Tamil Nadu Panchayats Act,1994 (Tamil Nadu Act 21 of 1994) and in supersession of the Rules relating to the public halting places, cart-stands, etc., the Governor of Tamil Nadu hereby makes the following Rules.

RULES

1. Short title.-These Rules may be called the Tamil Nadu Panchayats (Public landing places, halting places, cart-stands) Rules, 1999.

2. Definition.- For the purposes of the Rules, 'cart' means any conveyance suitable for use on road and includes any kind of carriage, cart-wagon, vehicle, bicycle, tricycle, rickshaw both pedaled or motorized, motor cycle, scooter and moped.

3. Application to provide public landing places, halting places and cart-stands.-When a Village Panchayat proposes to provide a public landing place, halting place or cart-stand shall submit an application to the Inspector. The application shall contain-

(*a*) the survey number, extent and classification of the land in which the Village Panchayat proposes to provide the landing place or halting place, cart-stand and shall be accompanied by a sketch indicating the position or location of the land with reference to the important roads and other lands in the neighbourhood; and

(*b*) any other particulars which the Inspector may specifically require.

(2) Before according sanction, the Inspector shall consult the Regional Transport Authority concerned in the case of stands intended solely or partly for motor vehicles and shall have due regard to its opinion.

(3) No Village Panchayat shall close a public landing place, public halting place or cart-stand, whether temporary or permanently without the previous permission of the Inspector.

4. Places not be declared as public landing places and halting places and cart-stand.-(1) A road or road margin shall not ordinarily be declared as a public landing place, public halting place cart-stand:

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Provided that in a special case, the Inspector, in consultation with the Authority in whom the road is vested, permit a Village Panchayat to provide a public landing place, halting place or cart-stand if in his opinion, that there is sufficient space available for road purpose, after making provision for such purposes.

(2) No. Village Panchayat shall declare the entire village to be a public landing place, a public halting place or cart-stand.

5. Prohibition for use of public landing place, halting place or cart-stand.-Where a Village Panchayat has provided a public landing place, halting place or cart-stand, it may prohibit the use for the same purpose by any person, within one kilometer thereof, or any public place or the sides of any public road:

Provided that nothing contained in this Rule shall apply to any motor vehicle which is not a stage carriage within the meaning of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

Explanation.-A public place or the sides of a public road shall not be deemed to be used as a public landing place, halting place or cart-stand if a vehicle used for the carriage of passengers stops therein for a period not exceeding two minutes for the purpose of getting down or picking up passengers or their luggage, or if a vehicle used for the carriage of goods stops therein only for the period required for the loading or unloading of goods.

6. Notification for opening of public landing place, halting place or cart-stand.-When a Village Panchayat provides a public landing place, halting place or cart-stand it shall give due publicity by publishing a notice in the office of the Village Panchayat and in the District *Gazette,* with informations as to the place where such landing place, halting place or cart-stand is to be opened and the rates of fees payable for its use. A notice specifying the rates fixed by the Village Panchayat, the name of the person authorised to collect fees therein and the prohibited distance shall be put up on notice board in a conspicuous place in such public landing place, halting place or cart-stand.

7. Rate and fees to be fixed for public landing place, halting place and cart-stand.- Fees for the use of a public landing place,halting place or cart-stand shall be levied at the rate not lower than the rate prescribed in this Rule specified in the Table below:-

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TABLE

Description of car/vehicle		**Minimum rate *per diem***
(1)		(2)
		Rs.
1. For every hand-drawn cart	..	4.00
2. For every cart or vehicle drawn by one or more animals	..	8.00
[1][3.For every motor vehicle (Heavy)-		
Class A Bus Stand	..	15.00
Class B Bus Stand	..	12.00
Class C Bus Stand	..	8.00
Class D Bus Stand	..	5.00
For every motor vehicle (Light)-		
Class A Bus Stand	..	10.00
Class B Bus Stand	..	8.00
Class C Bus Stand	..	5.00
Class D Bus Stand	..	5.00
For every auto-rickshaw and two wheeler	..	4.00
4. For every tricycle or cycle rickshaw	..	2.00
5. For every horse, mule, bullock, bull, cow or buffalo	..	2.00

8. Amenities.-There shall be provided amenities in every public landing place, halting place or cart-stand such as shelter facility for passengers, vehicle and animals, lighting facility, drinking water facility and toilet facility.

9. Seizure and detention of property.-(1) If the fee leviable under these Rules read with clause (a) of Section 154 of the Tamil Nadu Panchayats Act 1994 (Tamil Nadu Act 21 of 1994) in respect of a vehicle or animal is not paid on demand, the person authorised to collect such fee may seize and detain such portion of the appurtenance or load of such vehicle or animal as will, in his opinion, suffice to defray the amount due and in the absence of any such appurtenance or load or in the event of this value being insufficient to defray the amount due, he seize and detain the vehicle or animal.

(2) Any property seized under sub-rule (1) shall be sent, within twenty four hours of its seizure to the Executive Authority or to such person as may be authorised to receive and sell such property and the Executive Authority shall forthwith give notice to the owner of the property seized or if the owner, is not known, or is not resident within the village, to the person who was incharge of the said property at the time of its seizure or if such person cannot be found, publish by beat of drum, that after the expiry of two days, exclusive of sunday,

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from the date of service or publication of such notice, the property shall be sold by public auction at a place to be specified in the notice and the proceeds of the sale shall be appropriated towards-

(i) the amount due on account of the fee,

(ii) such penalty not exceeding the amount of the fee as the Executive Authority may direct, and

(iii) a sum of rupees five on account of charge incurred in connection with the seizure, detention and sale.

The surplus, if any, shall be paid to the owner of the property or to the person who was incharge of the property at the time of its seizure.

(3) If, at any time before the sale has begun, the amount due on account of the fee together with a sum of rupees five on account of charges incurred in connection with the seizure and detention, is tendered to the Executive Authority or other persons authorized as aforesaid, the property seized shall be forthwith released.

(4) If not such tender is made, the property may be sold.

RAMESH CHANDRA PANDA
SECRETARY TO GOVERNMENT

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1. Substituted by G.O. Ms. No.118, Rural Development (C2), 26th July 2004.

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