

CHAPTER IX

MOTOR VEHICLES TEMPORARILY LEAVING OR VISITING INDIA

139. Power of Central Government to make rules. –

- (1) The Central Government may, by notification in the Official Gazette, make rules for all or any of the following purposes, namely :-
 - (a) the grant and authentication of travelling passes, certificates or authorizations to persons temporarily taking motor vehicles out of India to any place outside India or to persons temporarily proceeding out of India to any place outside India and desiring to driver a motor vehicle during their absence from India;
 - (b) prescribing the conditions subject to which motor vehicles brought temporarily into India from outside India by persons intending to make a temporary stay in India may be possessed and used in India; and
 - (c) prescribing the conditions subject to which persons entering India from any place outside India for a temporary stay in India may drive motor vehicles in India.

- (2) For the purpose of facilitating and regulating the services of motor vehicles operating between India and any other country under any reciprocal arrangement and carrying passengers or goods or both by road for hire or reward, the Central Government may, by notification in the Official Gazette, make rules with respect to all or any of the following matters, namely :-
 - (a) the conditions subject to which motor vehicles carrying on such services may be brought into India from outside India and possessed and used in India;
 - (b) the conditions subject to which motor vehicles may be taken from any places in India to any place outside India;
 - (c) the conditions subject to which persons employed as drivers and conductors of such motor vehicles may enter or leave India;
 - (d) the grant and authentication of travelling passes, certificates or authorizations to persons employed as drivers and conductors of such motor vehicles.
 - (e) the particulars (other than registration marks) to be exhibited by such motor vehicles and the manner in which such particulars are to be exhibited;
 - (f) the use of trailers with such motor vehicles;
 - (g) the exemption of such motor vehicles and their drivers and conductors from all or any of the provisions of this Act [other than those referred to in sub-section (4)] or the rules made thereunder;
 - (h) the identification of the drivers and conductors of such motor vehicles;
 - (i) the replacement of the travelling passes, certificates or authorizations, permits, license or any other prescribed documents lost or defaced, on payment of such fee as may be prescribed;
 - (j) the exemption from the provisions of such laws as relate to customs, police or health with a view to facilitate such road transport services;
 - (k) any other matter which is to be, or may be, prescribed.

- (3) No rule made under this section shall operate to confer on any person any immunity in any State from the payment of any tax levied in that State on motor vehicles or their users.
- (4) Nothing in this Act or in any rule made thereunder by a State Government relating to -
- (a) the registration and identification of motor vehicles, or
 - (b) the requirements as to construction, maintenance and equipment of motor vehicles, or
 - (c) The licensing and the qualifications of drivers and conductors of motor vehicles shall apply –
- (i) to any motor vehicle to which or to any driver of a motor vehicle to whom any rules made under clause (b) or clause (c) of sub-section (1) or under sub-section (2) apply; or
 - (ii) to any conductor of a motor vehicle to whom any rules made under sub-section (2) apply.

Corresponding Law. – Section 139 corresponds to section 92 of the Motor Vehicles Act, 1939.

Objects and Reasons. – Clause 139 authorizes the Central Government to make rules for carrying into effect the provisions of this Chapter relating to the regulation of services of motor vehicles operating between India and any other country under reciprocal agreement, etc.