

(7) "vehicle" means any mechanically propelled vehicle, used or capable of being used for the purpose of road transport and includes a tramcar, a trolley-vehicle and a trailer;

(8) Words and expressions used by not defined in this Act and defined in the Motor Vehicles Act, 1939 (IV of 1939), have the meanings assigned to them in that Act.

CHAPTER - II

The Delhi Transport Authority.

3. In-corporation:- (1) with effect from such date as Central Government may, by notification in the official Gazette, appoint in this behalf, there shall be established an Authority by the name of the Delhi Road Transport Authority.

(2) The said Authority shall be a body corporate having perpetual succession and a common seal, and shall by the said name sue and be sued.

4. Constitution of the Authority - (1) The Authority shall consist of seven members as follows:-

(a) One member to be elected by the members of the Delhi Municipal Committee.

(b) One member to be elected by the members of the Delhi District Board.

(c) One non-official having experience in transport, industrial, commercial or financial matters, to be nominated by the Central Government;

(d) Three officials of whom one shall represent the Ministry of Finance, to be nominated by the Central Government and

(e) The Chief Commissioner of Delhi, or an official nominated by him.

(2) The Central Government shall nominate a member of the Authority to be the Chairman thereof.

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Manager (Admn.) Hqr.
Delhi Transport Corporation
1 Govt. of N.C.T. of Delhi
1 R. Estate, New Delhi - 110002

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(3) Every election or nomination under this section shall take effect as soon as it is notified by the Central Government in the official Gazette.

5. Term of office of members of the Authority - (1) save as otherwise expressly provided in this Act, the term of office of a member elected under clause (a) or Clause (b) of sub-section (1) of Section 4, or of a member nominated under clause (c) of that sub-section shall be three years commencing from the date on which his election or nomination, as the case may be, is notified.

(2) A member nominated by the Central Government under clause (d) of sub-section (1) of section 4, or by the Chief Commissioner of Delhi under clause (e) of that sub-section, shall hold office during the pleasure of the nominating authority.

(3) A member nominated as Chairman of the Authority under sub-section (2) of section 4 shall hold office as Chairman during the pleasure of the Central Government.

(4) A member of the Authority shall, on the expiration of his term of office, be eligible for re-election or re-nomination.

6. Disqualifications for being chosen as, or for being a member of the Authority - A person shall be disqualified for being chosen as, or for being, a member of the Authority-

(a) if he is found to be a lunatic or a person of unsound mind; or

(b) if he has been adjudged insolvent; or

(c) if he has been convicted of an offence involving moral turpitude; or

(d) if he has, directly or indirectly, any interest in any subsisting contract made with, or in any work being done for, the Authority except as a share-holder (Other than a director or managing agent) in a public company as defined

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Handwritten initials: HUC
Manager (Admin) Part
Delhi Transport Corporation
(Office of N.C.T. of Delhi)
12, Connaught Place - Delhi - 110002
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in section 2 of the Indian Companies Act, 1913 (VII of 1913), provided that where he is a share-holder, he shall disclose to the Central Government the nature and extent of shares held by him in such company; or

(e) if he has any financial interest in any other road transport undertaking.

7. Removal of members from office - The Central Government may, by notification in the Official Gazette, remove from office any member of the Authority who-

(a) is or becomes subject to any of the disqualifications mentioned in section 6; or

(b) in the opinion of the Central Government, has failed or is unable to carry out his duties so as to render his removal necessary; or

(c) without excuse sufficient in the opinion of the Central Government is absent without the leave of the Authority from more than four consecutive meetings of the Authority.

8. Resignation of office by the Chairman or an elected or nominated member - The Chairman or an elected or nominated member of the Authority may resign his office by giving notice in writing to the Central Government, and shall, on such resignation being accepted by that Government, be deemed to have vacated his office.

9. Temporary absence of any member.- If any member of the Authority is by infirmity or otherwise rendered temporary incapable of carrying out his duties or is absent on leave or otherwise in circumstances not involving the vacation of his appointment, the Central Government may appoint another person to act in his place.

10. Vacancies amongst members or defect in the constitution not to invalidate acts or proceedings of the Authority.- No act or proceeding of the Authority shall be

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invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

11. Temporary association of persons with the Authority for particular purposes.--(1) The Authority may, with the previous approval of the Central Government, associated with itself in such manner and for such purposes as may be determined by regulations made under this Act any persons whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person associated with it by the Authority under sub-section (1) for any purpose shall have a right to take part in the discussions of the Authority relevant to that purpose, but shall not have a right to vote at a meeting of the Authority, and shall not be a member for any other purpose.

12. Meetings of the Authority.--(1) The Authority shall meet at such times and places and shall, subject to the provisions of sub-sections (2) and (3), observe such rules of procedure in regard to transaction of business at its meeting as may be provided by regulations, made under this Act.

(2) The Chairman or, in his absence, any member chosen by the members present from among themselves, shall preside at a meeting of the Authority.

(3) All Question at a meeting of the Authority shall be decided by a majority of votes of the members present, and in the case of an equality of votes, the Chairman or, in his absence, any other person presiding shall have a second or casting vote.

(13) Authentication of orders and other instruments of the Authority.-- All orders and decisions of the Authority shall be authenticated by the signature of the Chairman or any other member authorised by the Authority in this behalf, and all other instruments issued by the Authority shall be authenticated by the signature of the secretary or any other officer of the Authority authorised in like manner in this behalf.

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Manager (Admin. Dept.)
Debt Transport Corporation
(Govt. of N.C.T. of Delhi)
1.P. Estate. 110002

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14. Allowances or fees for attendance at meetings or for performance of other duties.- Every member referred to in clauses (a), (b) and (c) of sub-section (1) of section 4 or other person associated with the Authority under section 11, shall be entitled to receive such allowances or fees as may be prescribed for attendance at meetings of the authority or for performance of any duty assigned to him by the Authority for the purposes of this Act.

15. Officers and servants of the Authority.- (1) There shall be a General Manager and a Chief Accounts Officer of the Authority who shall be appointed by the Central Government.

(2) The Authority may appoint such other officers and servants as it considers necessary for the efficient performance of its functions.

(3) The conditions of appointment and service and the scales of pay of the officers and servants of the Authority shall:-

(a) as respects the General Manager and the Chief Accounts Officer be such as may be prescribed, and

(b) as respects the other officers and servants be such as may be subject to the provisions of section 39, be determined by regulations made under this Act.

16. Functions and duties of the General Manager and the Chief Accounts Officer:- (1) The General Manager shall be the Chief Executive Officer of the Authority and all other officers and servants of the Authority shall be subordinate to him.

(2) The General Manager shall also be the ex-officio Secretary of the Authority and shall have the right of being present at any meeting of the Authority and of taking part in the discussions there at, but he shall not vote upon any proposition or make any motion at such meeting.

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Manager (Admin.) Hqr
Delhi Transport Corporation
13074, of N.C.T. of Delhi
17, Laxmi New Delhi - 110002

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(3) The Chief Accounts Officer shall have the right to record his views on every proposal involving expenditure from the fund of the Authority prior to the consideration of such proposal by the Authority.

(4) The other functions and duties of the General Manager and the Chief Accounts Officer shall be such as may be prescribed.

17. General disqualification of all officers and servants.- No person who has directly or indirectly, by himself or his partner or agent, any share or interest in any contract, by or on behalf of the Authority, or in any other road Transport undertaking, shall become or remain an officer or servant of the Authority.

18. Appointment of Advisory Council.- There shall be constituted by the Central Government an Advisory Council consisting of not more than fifteen members to advise the Authority and the functions of the procedure to be followed by, the number and term of office of, and the manner of filling casual vacancies among, members of the Advisory Council shall be such as may be prescribed.

CHAPTER - III

Powers and duties of the Authority

19. General duty of the Authority.- It shall be the General duty of the Authority so to exercise its powers under this Act as progressively to provide, or secure or promote the provision of, an efficient, adequate, economical and properly co-ordinated system of road Transport services for passengers and goods in the Union Territory of Delhi and in any extended area.

Provided that nothing in this section shall be construed as imposing on the Authority either directly or indirectly, any form of duty or liability enforceable by proceedings before any court of tribunal to which it would not otherwise be subject.

20. Powers of the Authority.- (1) Subject to the provisions of this Act, the Authority shall have power -

Jun
Manager, Delhi Transport Corporation
(C.M. of N.C.T. of Delhi)
12, Esplanade, New Delhi - 11002
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