THE RAJASTHAN STATE ROAD TRANSPORT SERVICE
(PREVENTION OF TICKETLESS TRAVEL) ACT, 1975.

(Act No. 11 of 1975)

(Rceived the assent of the President on the 25th
day of March, 1975)

An

Act,

...to provide for prevention of ticketless travel on the
motor vehicles operated by the Rajasthan State Road Transport
Corporation and for other matters connected therewith.

Be it enacted by the Rajasthan State Legislature in
the Twenty-sixth Year of the Republic of India as follows:

1. Short title and extent.—(1) This Act may be called the
Rajasthan State Road Transport Service (Prevention of Ticket-
less Travel) Act, 1975.

(2) It shall extend to the whole of the State of
Rajasthan.

2. Definitions.—(1) In this Act, unless the subject or
context otherwise requires—

(a) 'conductor' means the servant of the corporation
designated as such and includes any person authorised
by the corporation for the purpose of supplying ticket
for travelling by a motor-vehicle;

(b) 'corporation' means the Rajasthan State Road Transport
Corporation as established under the Road Transport Cor-
poration Act, 1950 (Central Act 64 of 1950);

(c) 'fare' means the total amount of all charges of what-
ever nature payable by a person or group of persons
in respect of his or their carriage and luggage in a
road transport service, and includes the amount of
any tax levied on such fare under any law for the
time being in force;

(d) 'motor vehicle' means a motor vehicle as defined by
the Motor Vehicles Act, 1939 (Central Act 4 of 1939),
which is for the time being operated by or under the
authority of the corporation in a road transport
service;

(e) 'pass' means a duty, privilege or courtesy pass issued
by or under the authority of the corporation entitling
the person to whom it is given to travel in a motor
vehicle gratuitously.

(f) 'road transport service' means a service of motor
vehicles operated by the corporation for carrying
passengers or goods or both by road for hire or for
reward;

(g) 'schedule' means the scheduled time fixed from time
to time by the corporation for the running of a motor
vehicle between two terminal on a particular route;

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viii) 'ticket' includes a single ticket, a return ticket or a season ticket.

(2) All other expressions used but not defined in this Act shall have the meaning respectively assigned to them as in force in Rajasthan.

3. Supply of tickets on payment of fares. Every person desirous of travelling in a motor vehicle shall, upon payment of such particulars as may be prescribed, be supplied by the conductor a ticket containing such particulars as may be prescribed.

4. Prohibition against travelling without pass or ticket. No person shall enter or remain in any motor vehicle, for the purpose of travelling therein unless he has with him a proper pass or ticket.

Provided that where arrangement for the supply of tickets are made in the motor vehicle by which a person has to travel, after his entry therein, he shall make the payment of his fare to the conductor and obtain from him the ticket for his journey without which he shall not remain in such motor vehicle.

5. Obligation to show passes and tickets. Every person travelling by a motor vehicle shall, on requisition of the conductor or any other servant of the corporation, authorised in this behalf, present his pass or ticket to such conductor or servant for examination at or before the end of the journey for which the pass or ticket was issued.

6. Punishment for travelling without proper pass or ticket.

(a) enters or remains in a motor vehicle or in any way travels therein without proper pass or ticket in contravention of section 4; or

(b) while travelling by a motor vehicle or vehicle remaining in it or having alighted from it, fails or refuses to present for examination pass or ticket immediately on requisition being made therefor under section 5; or

(c) uses or attempts to use with intent to defraud the corporation an invalid ticket within the meaning of section 6 or a single pass or a single ticket in the case of a return ticket, a half thereof which he shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both and shall also be liable to pay the excess charge mentioned in sub-section (2) in addition to the ordinary single proper pass or ticket where there is any doubt as to proper pass or ticket, the fare from the place from which he started his journey without which the motor vehicle originally started or if the tickets of other persons travelling by the same motor vehicle have been examined since the original starting of the motor vehicle, the ordinary single fare from the place where the tickets were last examined.

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(2) The excess charge referred to in sub-section (1) shall be a sum equivalent to the ordinary single fare referred to in that sub-section or five rupees whichever is greater.

(3) Where a person liable to pay any sum as an ordinary fare and the excess charge under this section fails or refuses to pay the same on demand being made therefor under this Act, may apply to the Judicial Magistrate competent under section 11 for the recovery of the said sum which shall be payable and recoverable as if it were a fine, and the said Judicial Magistrate, if satisfied that the said sum is payable and recoverable under this Act, shall order it to be so recovered and may order that the person liable for payment shall in default of payment suffer imprisonment of either description for a term which may extend to seven days.

7. Entering a motor vehicle in motion or otherwise improperly travelling therein without pass or ticket.-(1) If a person without holding a proper pass or ticket, enters or leaves or is in motion in, or elsewhere than by the entry, or exit, door appointed by the corporation for the passengers to enter or exit the motor vehicle, he shall be liable to punishment with fine which may extend to three months or with fine which may extend to five hundred rupees or both.

(2) If a person without holding a proper pass or ticket, travels by any motor vehicle while occupying any place on the roof, steps or foot board of any motor vehicle or on the engine or by the side of the driver or on any other part of the motor vehicle not intended for the use of passengers, he shall be liable with fine which may extend to three months both, and may be removed therefrom by the conductor or the driver of the motor vehicle or by any other servant of the corporation authorised to do so in this behalf.

(3) Any person who is liable to the penalties provided in sub-sections (1) and (2), shall also be liable to pay the excess fare as mentioned in sub-section (2) of section 6, and the said provisions of sub-section (3) of the said section shall apply to the recovery of excess fare from such person or to the punishment of such person by imprisonment in default of payment of excess fare.

8. Breach of duty imposed under section 3. If a conductor or any other person authorised by the corporation, whose duty it is to supply a ticket to a person who travels or intends to travel in a motor vehicle on payment of fare by him, negligently supplies or wilfully omits to supply proper ticket to such person or supplies to him an invalid ticket when demanded by such person, he shall be liable to be punished with imprisonment of either description which may extend to one month or with fine which may extend to two hundred rupees or with both, in addition to any disciplinary action for such misconduct, which he is liable to undergo under the conditions of his service.

Explanation.—For the purpose of this section, the expression 'invalid ticket' means such ticket.
(a) as was issued to any other person for a distance already covered by such person;
(b) as bears a date already expired;
(c) as pertains to a route which is not for the time being covered by the motor vehicle;
(d) as covers a distance which is shorter than the distance for which the fare has been charged;
(e) as covers a distance which is shorter than the distance actually travelled or to be travelled by the person to whom the ticket is supplied;
(f) as does not conform to the schedule for which it was issued; and
(g) as is forged or fictitious.

Power to remove persons from motor vehicles.—Notwithstanding anything contained in this Act, any person, who fails or attempts to travel in a motor vehicle without a proper pass or ticket, with him, or beyond the place endorsed on his ticket, or, who, being in a motor vehicle, receives to present for examination his ticket, distinctly in requisition being made thereof for under section 5 may also be removed from the motor vehicle by another person whom such servant may call to his aid, as he then and there pays the fare:

Provided that no person shall be so removed from the motor vehicle between the hours 6 p.m. to 6 a.m. except either at the place, at which he has entered the vehicle, or at the place which is a stand, appointed by the corporation for the stoppage of the motor vehicle for taking or leaving passengers during the course of their journey.

10. Obstructing servants and agents of the corporation in the discharge of their duties.—If a person obstructs any servant or agent of the corporation in the discharge of his duty as imposed on him by this Act, he shall be punishable with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both.

11. Trial etc. of offences.—(1) An offence under this Act shall be cognizable and shall be triable by the court of a judicial magistrate of the first class having jurisdiction over the place where the offence was committed or through whose local jurisdiction the offender passed during the course of the journey by the motor vehicle on which the offence was committed.

(2) Except as otherwise provided in sub-section (1), the provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) shall apply to the investigation, enquiry, trial or other kinds of proceedings in an offence under this Act.

12. Excess charges and single fare to be paid to the corporation.—(1) Out of the amount recovered for an offence under this Act, the amount due and payable on account of excess charges and single fare, referred to in sections 6 and 7 shall be paid to the corporation before any portion of amount so recovered is credited as a fine to the State.
(2) Out of the amount received under sub-section (1), the corporation shall be liable to pay tax levied under the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act No. 18 of 1959).

13. Overriding effect of the Act. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

14. Delegation of powers. The corporation may, by general or special order, direct that all or any of its powers under this Act shall also be exercised by such person and subject to such restrictions or conditions, as may be specified in the order.

15. Power to make rules. (1) The State Government may make rules for carrying out all or any of the purposes of this Act.

(2) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the House of the State Legislature while it is in session for a period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the House agrees in making any modification in the rule, or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

16. Repeal and savings. (1) The Rajasthan State Road Transport Service (Prevention of Ticketless Travel) Ordinance, 1975 (Rajasthan Ordinance No. 4 of 1975) is hereby repealed.

(2) Notwithstanding such repeal all things done and action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act had come into force on the 22nd day of January, 1975.

Secretary to Government

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