MANIPUR HIGHWAYS ACT, 1979

Manißur Gazette No. 275(B) EXTRAORDINARY PUBLISHED BY AUTHORITY Imphal, Wednesday, December 5, 1979 (Agrahayana 14, 1.901) GOVERNMENT, OF MANIPUR SECRETARIAT : LAW DEPARTMENT {h: 5th December, 1979 No. 2/22/78-Lec/L.—The following Act of the Legislature, Manipur which received assent of the President on 15-11-79 is hereby published in the Manipur Gazette. CH. NIMAI SINGH, Under Secretary (Law) to, the Govt. of Manipur. rHE* MANIPUR HIGHWAYS ACT, 1979 (Manipur Act 15 1979) AN ACT to provide foi the regulation of road development and road transport. PREAMBLE Whereas it is expedient to provide generally for the regulation of road development and road transport so as secure for the public such conditions as •will- ensure. the maximum effciency or •all -meö9s of road transport, and, in particular; efor •the prevention of ribbon développlfent - 2ads. BE it enacted by the Legislature WEpurin the Twenu Year or puplic of India as follows Short titie, extent and commence- mente Definitions. PART—I CHAPTER—I PRELIMINARY (1) This Act may be called the Manipur Highways Act, 1979. (2) It shall extend to the whole of the State of Manipur. (3) It shall come into force on such date as the State Govern- ment may, by notification in the offcial Gazette, appoint

2. In this Ordinance, unless there is anything repugnant in the subject or context : (1) u animal" means any elephant, camel, horse, ass, mule, cattle, sheeps or goat.(2) when applied to land" means the increase in the value of any land arising from the execution in its vicinity of a highway development scheme at public expense. (3) ftbetterment tax" means a tax levied on owners of land on the basis of a percentage of the betterment value of the land. (4) etbuilding line" means a line on either side of any highway or part of a highway as determined by the highway authority under Section 12 of this Act. (5) ucompetent authority" means the State Government or a local authority or any offcer of the State Government or local authority, competent to sanction the construction of, or repair to, a highway. (6) ttccntrol line" means a line on either side of a high- •vvay or part of a highway beyond the building line, (7) (8) determined by the highway authority under Section 12 of this Act. «dciver" means, in the case of a vehicle, the person in charge or control of the vehicle for the time being, and in the case of an animal any person driving, leading, riding, or otherwise managing or controlling the animal and the words drive, driving, shall be construed accordingly. encroachment" means occupation of any highway or part thereof, and includes ; (a) the erection of a building or any other strueO1re, balconies, porches, chajjas or projection, on, over or overhanging the highway land. (9) (10) (11) (12) 3 (b) occupation of highway land beyond the prescri- bed period, if any, for stacking building materials or goods of any other description, for exhibiting articles for sale, for erecting poles, awnings, tents, pandals and other similar erections or for parking vehicles or stabling domestic animals or for any other purposes, and (c) excavations or embankments of any sort made or extended on any highway land. CChighway" means any public thoroughfare, whether a road, street, lane, bridlepath or a foot-track, whether surfaced or unsurfaced, whether on land owned by Government or a local authority or on land belonging to a private person over which the public have, or acquired, a right of way by usage, and includes : (a) the slope, berm, borrow-pits, foot-paths, pave- ments and ' side drains of any such thoroughfare, (b) all bridges, culverts, causeways, carriageways or other road structures, built on or across such thoroughfares, and (c) the trees, fences posts, and other highway accessories and materials and material stacks on the thoroughfare or on land attached to the thoroughfare. t thighway authority" means : (a) for highways maintained by the State uovern- ment, the Department of the Government responsible for their maintenance or any other authority mlly appointed by the State Goverr,ment this behalf, (b) for 'fiiohs;vay-z mamtained by a local authority, the xocal auth.orit« OT such other as may be apoointerl by t_ae n: , tate Government in this behalf, and (c) for highwa.vs 110t included in clauses (a) & (b), oominted as the hi.ghway authority the au•ths under Section 3 or, if no such appointment has been made, the S* ate Government itself. "highway boundaries" means the boundaries of the highway whether visibly demarcated or not, within which is contained the areas of land constituting the highway or land reserved or acquired for widening the highway. (Climited access highway" means a highway, access to which is permitted only at points specifically provided or agreed to for the purpose by the highway authority. 4 (13) "middle of a highway" means in relation to any highway for the improvement of which plans have been prepared by the highway authority, the middle of the highway as

proposed to be improved in accor- dance with the plans, and where no such plans have been prepared, the point halfway between the boundaries of the highway. (14) ternotor vehicle" means a motor vehicle as defined in the Motor Vehicles Act, 1939. (15) "permit" means the document issued by an authority competent to issue it authorising the use of a vehicle as a public vehicle. (16) (Cprescribed" means prescribed in this Act or under rules made under this Act. (17) tepublic place" means a road, street, way or other place, whether a thoroughfare or not, to which the public have a riEht of access, and includes any place or stand at which passengers are picked up or set down by a public vehicle. (18) (19) (20) (21) (22) (23) upublic vehicle" means any vehicle used or cons- tructed or adapted to be used for the carriage of passengers or goods for hire or reward. estandard width of highway" means the width of a highway between its boundaries as prescribed by the highway authority under Section 11. survey includes" all operations incidental to the determination, measurement and record of a boundary or boundaries or any part of a boundary and includes a resurvey. "survey mark" means any mark or object errected, made, employed or specified by a survey omcer to indicate or determine or assist in deterrning the position or level of any point or points. "survey offcer" means any person appointed to be a survey offcer under this Act. ttvehicle" includes any wheeled conveyance drawn,. propelled or driven by any kind of power including, human, animals, motor steam or electric power, and includes any barrow, sledge, plough, drag OT like vehicle

PART 11 HIGHWAY AUTHORITIES, THEIR POWERS & FUNCTIONS CHAPTER—11 HIGHWAY AUTHORITIES 3. (l) The State Government may, by notification in the offcial gazet (c, appoint any person, either by name or by virtue of his otlice. to be the highway authority for all highlöays in the State or för all f he highways in such part cf the State or for such particular highway or highways in the State and subject to such conditions and litnitations as may be specified in the notification. (2) A highway authority so appointed Shal! exercise and discharge throughout its jurisdictioa powers and functions specified in the suc- cceding chapters subject only to such limitations as may have been imposed by the notification issued under Sub-secticn (1). 4. (l) The State Government may at any time by notification in the ollicial gazette transfer control of any highway from itself or n ny of' its departmeGts functioning as the highway authority to anol her highway authority, or from one highway authority to another, in regard to such mattrers dealt with by this Act and on such conditions us may be specified in the notification. (2) When a highway authority Yas been changed in the manner ptcscri bed under Sub-section (l), the new highway authority shall, (conn the date of the notification issued under that sub-section, exercise in respect of the highway or highways of which control has been transferred, all the powers and functions of the previous highway authority subject to lhe conditions if any, specified in that notilication. CHAPTER—III DEVELOPMENT AND MAINTENANCE OF HIGHWAYS (l) The highqay authority, cr any offcer not be!ow the rank cf a P.W.D. -or local Board Supervisor authorised by the highway authority in7his behalf, may undertake a reconnaissance survey in connection with the preparation ofa highway scheme and may for this purpose ; (a) enter upon any land along s,Åith his workmen and survey and take measurements an.d levels on it, (b) mark such levels, dig OT bore into the sub-soil and do all other acts necessary to ascertain whether the land is suita b!e, Appointmen t of Highway Authority , Transfer of control from one Highway Authority to another. Power to enter lands for reconnais- sance and preliminary survey in cpnnection with highway scheme. Preparation of schemes for highway develop- ment. 6 (c) set out the boundaries of the proposed highway by placing marks and cutting trenches, and (a) where otherwise survey can not be completed and the levels taken and the boundaries marked, cut down and any part of a standing crop, fence or jungle : Provided that no person shall enter into any building or any enclosed court or garden attached to a dwelling house (unless with the consent of the occupier thereof) without previously giving such occupier at least 48 hours' nocice in writing or his intentiouto do so. (2) The highway authority or the authorised offcial shall: at the time of such entry, p.iY oc tender payment for all necessary damage to be done as aforesaid, and in case of dispute as to the sumciency of the amount so paid or tendered, shall at once refer the dispute to the decision of the collector or other Chief Revenue of the district, and such decision shall be final. 6. (l) The highway authority may, of its own accord, or if expressly requested by the competent authority shall, subject to the other provisions of this Act and subject to such rules as may be framed by the State Government for this purpose, prepare and submit to the competent authority for sanction, a detailed scheme for the cons- truction of a new highway or the improvement of repairs •to an existing one. (2) Such 4 scheme may prpvide for : (a) the acquisitiqn of any land which in the opinion of the highway authority is considered necessary for its executiqp» (b) the laying out or relaying out of all or any of the lands so acquired. (c) The diversion or closure of any existing highway or a section of such highway, (d) the construction or reconstruction of the roadway including its widening, levelling, surfacing, bridging, sewering., dt@inings water supply and street lighting arrangeménts arid planting of road side trees, (e) the laying of foot-paths, cycle tracks and special tramc lanes for any kind or class of vehicles, {he designing and siting of parking bays and petrol filling and Er-gfce station, the location of advertisement posts and bill bOatæ, and (f) the layout of access roads at suitable distances connecting the highway or the proposed highway with the 4djoining properties. 7 7. When the competent authority has sanctioned the highway scheme prepared in pursuance of Section 6 and provided the necessary finances for its execution, the highway authority shall proceed to carry (l) enter into and perform all such contracts on behalf of the competent authority as may be consideréd necessary, (2) make arrangements for the acquisition of the lands required under the scheme by outright gift cr purchase by agreement with the owner or owners, or, failing such ' agreement, by resort to the procedure set out in the Land Acquisition Act, 1894 (3) turn, divert or close either temporarily or permanently any existing highway or portion thereof, and (4) regulate, subject to such rules as may be prescribed in this behalf, the kind, number and speed of vehicles using any highway or portion thereof by means of barrier, diversion roads or other means. (l) A highway authority shall maintain authoritative plans for the highways in its charge. (2) Such pians shall show clearly the

boundaries of the highways, the detailed measurements of road widths the distances between boundary marks and suffcient measurements from fixed points to enable the refixation in position of boundary marks in case they have been displaced or tampered with. (3) The highway authority shall have all such authoritative plans prepared' after having a survey made of the highway lands and "their boundaries in the manner prescribed in Chapter X and in accordance with the record of that survey as notified under section 51 and modified, as may be under section 52, 9. (l) The highway authority shall have the boundaries of the highways in its charge dem1rcated with reference to the authoritative plans maintained by it, by planting stones or other suitable marks of a durable nature at intervals all along the highway in such a manner that the imaginary line joining such stones or marks shows the road boundary correctly. (2) Where there are bends or links in the road boundary, the stones or marks shall be so •located as to give the correct configuration of the boundary if they are joined by straight lines. (3) The boundary stones or marks, which may be given consecutive numbers, shall be maintained on the ground as if. they constitute part of the highway. (4) Where standard widths have been prescribed for any highway under sec!ion 11, the distance between the highway boundaries so demarcated shall correspond to that width. tp da for of schemäa of highway Planc Demarcation of road boundaries. Annual check of road boun- daries. Standard widths of highways. 8 IO. (1) It shall be the duty of the highway authority to conduct an annual check of the boundaries of the highway in its charge with a view to the location of unauthorised encroachments, if any. (2) When the higb way authority is satisfied that an unauthorised encroachment has been made on highway land, it shall take immediate steps as specified in Section 21 for the removal thereof. CHAPTER—IV PREVENTION OF RIBBON DEVELOPMENT ALONG AND CONTROL OF ACCESS TO HIGHWAYS (l) •rhe highway authority may, with the previous approval 11, of the State Government, prescribe a standard width for any highway in its chacge, (2) The standard width may be different in different portions of the same highway according to local needs. (3) When a highway authority proposes to prescribe a standard width in respect ot any highway or a portion thereof, it shall notify the proposal in the offcial gazette and invite objections, if any, to be submitted to it within sixty days of the date of publication of the notification. (4) The notification sball also be published in at least two newspapers, one at least of which shall be in the local language, circulating in the locality where the highway is situated, and, in addition* copies of the notification shall be prominently displayed in a number or places in the locality. (5) All objections received within the prescribed period shall be taken into account by the highway authority before finalising its proposal for submisson to the State GDvernment. (6) The State Government may reject or sanction the proposal with or without modifications, and shall publish their orders in the omcial gazette. (7) When the State Government.'s orders sanctioning the proposal with or without modificalion has been issued, the highway authority shall cause further publicity to be given to the standard width, as finally approved, in the same manner as prescribed, in sub-section (4), and the records so published shall thereupon be conclusiVe proof that the standard width so determined and recorded therein has been correctly determined and recorded. 9 (8) In determining the standard width, the highway authority and the State Government shall take into account the requirements of public health and welfare and of safety and convenience for all classeg of tramc. including pedestrians and cyclists, like!y to use the highway. (9) The standard width so determined may at any time be altered but the procedure for such alteration shall be the same as prescribed For the determination of the original standard width. (IO) The highway authority shall, as early as economical}y practicable after the prescription of the standard width. acquire either by direct negotiation or, failing such negctiaticn. by compulsory acquisition under the Land Acquisition Act, 1894, all }and lying within the standard width not already

forming part of the highway land. 12. (l) The highway authority may, with the previous approval Prescription of the State Government, detern,jne a building line and a contlol of building and control line in respect of any highnay or part of a highway in its charge lines. along one or both sides of the highway. (2) The distance between the middle of a high'.Aay and the buildjne Jine or that between the building line and the control line, which shall be fixed with due regard to the requirements of safety and convenience ior tramc and of public health welfare, may vary in different portions of the highway according to local conditions. (3) When a highway avthoriiy rroposes to determine a building and a control line in respect cf a highway, lhe same procedure shall as far as applicable e fe,i.'owed as prescribed under sub-sections (3) to (7) of section 11 fcr the prescription of standard width. (4) The building and control lines as fina\ly determined shall be demarcated on lhe ground by distinctive stones or other suitable marks which may be painted with different colours and serially numbered. (l) Notwithstanding anything contained in any other law for 13. the time being in force, it shall be unlawful for any person, except the highway authority or any person working on behalf of the highway authority. of building between the highway andi the building line. (a) (c) (d) to construct or lay out any means of access to or from a high way, to erect or. re-erect any building or materially a!ter the outside appearance of any existirsg building. to make any excavation, or to construct, form or lay out any works, upon land lying nearer to the middle of a highway than a distance equal -t0i: one-half of its.: standard width prescribed under section 5 Lor upoii Jand% :lyigg in between the boundary •of a high- way rand the building Fine. determined. in respecti of? the. Restriction on building etc, between •the building and the con- trol lines, 10 highway under section 12. Provided, however, these restrictions shall not apply to any works necessary for the repair, renewal, enlargement or maintenance of any sewer, drain, electric line, pipe, duct or other apparatus, constructed in or upon the land before the date on which the restrictions came into force or, with the consent of the highway authority, on or after that date. 2, Shou'd any building (including a wall) or any part thereof -lie within the acea between the building line and the middle of a highway, the highway authority may, whenever such building or part has been either entirely or in greater part taken down or burnt down or bas fallen down, by notice require such building or pact when rebuilt to be set back to the building line. 14. (l) Notwithst anding anything contained in any law for the time being in force, no person shall erect or re-erect any building or structure or make or extend any excavation or construct, form or lay out any means of' access to a highway upon iand lying in between the building and control lines determined in respect of the highway, except with the previous permission o?' the highway authority in writing. (2) Every person des;ring to obtain the permission referred to in sub-section (I) shall make an application in writing to the highway authority in such form and containing such information in respect o? the building, excavation or means of access to which the application relates, and together with such fees as may be prescribed. (3) On receipt of such applicüion, the highway authority after making such enquiries as it may consider necessary, shall by order in writing either; (a) grant the permission, subject to such reasonable conditions, if any as may be specified in order, or (b) refuse to grant such permission. (4) The highway authority shall not ordinarily refuse permission to : (a) the erection of a building or structure or the making of or -extendiog an excavation which conforms to the require- ments of public health and welfare and of safety and convenience of on the adjoining highway, or (b) the re-erection of a building or structure which was in existence on the date on which the restrictions under Sub-section (1) came into force, unless such re-erection involved any mater.ial alteration to the outside appearance of the building or structure. (5) When the highway authority refuses the permission, the reasons therefore sball be recorded and communicated to the applicant. (6) In the event of refusal, the applicant may submit fresh application for permission to the highway authority, avoiding the objectionable features on account of which the first application was refused. and such a fresh application shall be considered by the highway authority as if it were made for the first time. 11 (7) If at the expirati3n of a period of three months after an application has under Sub-section (l) or Sub-section (6) been made to the highway no order in writing has been passed by that authority, permission shall be deemed to have been given without the imposition of any conditions. Provided that no such automatic grant of permission shall be presumed if tbe application is one for the cmstruction, formulation or laying out of any means of access, (8) The highway authority shall maintain a register with suffcient Pitticulacs ot all permissions given or refused by it under this section and the register shall be available for inspection free or charge by all persons interested and such persons shall be entitled to take extracts therefrom. (9) Any person aggrieved by an order under Sub-section (2) granting

permission subject to conditions or refusing permission, may within thirty days from the date of such order prefer an appeal to ibe State Government whose order in th3 matter shall be final. (l) The highway authority may with, the written approval 15. of the State Government, declare a highway or any portion of it to be a limited access highway, (2) When a highway authority proposes to make any such de- claration, the same procedure shall, as far as applicable, be followed as prescribed under Sub-sections (3) to (7) of Section 11 for the prescription of standard widths. It shall be unlawful for any person to lay out a new means (3) of access to a limited access highway for vehicles or pedestrians, -except with the specific permission of the highway authority. (4) The procedure for obtaining the permission of the highway authority for this purpose shall be the same as prescribed in Section •14 and in the event of refusal of permission the applicant shall have the right of making a fresh application to that authority and the right of appeal to the State Government in the same* manner as provided for in that Section. (5) When any highway or part of it has been declared to be a limited access highway, the highway authority shall, within six months of the final publication of the declaration or-such longer time Q, may be specially allowed by the State Government in any individual -case, prepare a plan of such highway or part showing the points oa which access shall, if applied for in accordance with sub-section be permitted. (6) A plan so prepared shall be available for inspection by the public in the offce of the highway authority free of charge at all reasonable times, and copies of it shall be made available to any member of the public on application to the highway authority and on payment of such reasonable cost as may be prescribed* 16, (1) The highway authority may, if it is considered essential in the interests of safety of convenience of tramc, regulate or divert any existing right ,sof access to a highway across land lying between. the control line and the highway boundary. Declaration of limited access hw way. Regulation or division of existing rights ot access. Compen- sation, 12 (2) Where an existing right of access is diverted, the point at which alternative access is given to the highway shall not be unreasenab]y distaot from the existing point of access. (3) In the case of existing village tracks and lanes giving access to a highway to right angles, the alternative access that may bc provided shall as far as possible have a diagonal approacb to the highway. 17. (1) Notwithstanding anything contained in any law for the- time being in force, no person shall be entitled to claim any compen- sation for any injury, damage or loss caused or alleged to have beer caused as a result of : (a) the restrictions imposed against the erection or re-erection. of a building or the making or extending of any excavation or the laying out of any means of access on or acros Iud lying in between the control line and the middle or a highway under Sub-section (l) of Section 13 or sub-section (l) of Section 14; (b) the regulation or diversion under Section 16 of the existing rights of access across lands lying within the control line. and the highway boundary, and (c) the refusal of permission to the laying out of new of access to a limited access highway under sub-sectione (3) Provided authority ; (i) (ii) Of Section 15. that compensation shall be payable by the highway where in compliance with the notice séOed by the highway authority under sub-section (2) of Section 13 a building or part thereof has been set back to the building line of any highway, and where permission to erect or re-erect a building im the area lying in between the control line and building line of a high%ay has been finally refused under Section 14. (2) Whea compensation is payable under the proviso to subö- the claimant rray, within three mcnths of the date of section (l), notice issued by the highway authority under sub-section (2) of Section 13 or within three months of the date of final refusal of permission under Section 14, as the case may be, make to the State Government his claim for compensation. (3) On receipt of the claim under sub-section (2), the State transfer it for disposal to an offcer exercising the Government shall powers of a Collector under the Land Acquisition Act, '1894. (4) Nothing in this section shall be deemed to preclude the scttlement of a claim by mufuar agreement. 13 18. (l) When a claim iS transferred for disposal under sub-section 3 of section 17 to an offcer exercising the powers of a Collector under the land Acquisition Act, 1894, such offcer shall make an award determining the amount of compensation payable to the claimant. (2) The amount of compensation awarded under sub-section (1) shall in no case exceed the difference between the market value of the land when permission is refused and the market value which it would have had if permission had been granted. (3) No compensation shall be awarded under sub-section (l) ; (i) unless the claimant satisfies the omcer making the award that of proposals for the development of the land, which at the date of application under sub-section (2) of section 14 were immediately practicable, or would have been practicable on that date if this Act had not been passed, were prevented or injuriously affected by the restrictions imposed under this Act and that there was demand for such development, or (ii) if and in so far

as the land is subject so substantially similar restrictions in force under some other enactment which were so in force at the date when the restriction were imposed under this Act, or (iii) if compensation in respect of the same restrictions in force under this Act or of substantially similar restrictions in force under any other enactment has already been paid in respect of the land to the claimant or to any predecessor In interest of the claimant. (4) The provisions of Part 11), I V, V and VII of the Land Acquisition Act, 1894 shall, so far as may be apply to an award made under sub-section (1) as though it were an award made under tHt Act. Amount of compensa- tion how determinedE Highway lands to be deemed government property, Prevention of unatho- rised occupa- tion of highway land. CHAPTER—V PREVENTION OF UNAUTHORISED OCCUPATION OF HIGHWAY LAND AND REMOVAL OF ENCROACHMENTS 19. All lands forming part of a highway which do not already vest in the State Government shall, for the purpose of this, Chapter, be deemed to be Government property. 20. (l) No person shall occupy or encroach on any highway land without obtaining the previous permission in writing of the highway authority or any omcer authorised by the highway authority in this behalf. (2) The highway authority or the authorised offcer may, with due regard to the safety and convenience of traffc and subject to such conditions as may be imposed and such rules as may be prescribed by the State Government, and on payment of such rent or other charges as may be prescribed under such rules, permit any person , (i) to place a movable encroachment on any highway in front of any building owned by him Oi make a movable structure over-hanging the highway. (ii) , to put up a temporary awn:ng or tent, pandal or other similar erections or a temporary stall or scaffolding on any highway, or (iii) to deposit or cause to be deposited building materials, goods for sale er other arti:les on any highway, or (iv) to make a temporary excavation, for carrying out any repairs or improvement to adjoining buildings. Provided that no such permission shall be deemed to be valid beyond a period of one year unless exprebs!y renewed by the highvvay authority or the authorised offcer. (3) The permission so granted shall clearly specify the date upto whicn the person is authorised to occupy the highway land, the purposes for which occupation is authorised and the exact portion of the highway permitted to be occupied, and shall also be accompanied by a plan or sketch of that portion of the highö'ay, if necessary. (4) The person in whose favour such a permission has been given shall produce the permit for inspection whenever called upon to do so by any highway offcial and shall at the end of the period prescribed in the permit release the land occupied by him after resorting it to the same state as before occupation by him. (5) The highway authority or the. offcer issuing the permission shall maintain a complete record of all such permissions issued, and shall also cause a check-up to be made in every case at the expiration of the period up to which occupation has been authorised to ensure that the land has actually been vacated. 15 21. (l) When, as a result of the annual check of highway boundaries made under section 10, or otherwise, it transpires that an encroachment has taken place on highway laud, the highway authority or any omcer authorised in this behalf shall serve a notice on the person responsible for the encroachment or his representative requiring him to remove such encroachment and restore the land to its original condition before encroachment which the period specified in the notice. (2) The notice shall specify the land encroached upon and the time limit within which such encroachment shall be removed and shall also state that failure to comply within the prescribed period shall render the person liable to prosecution and also to summary eviction. (3) If the encorachment is not removed by the person or his representative within the time-limit prescribed in the notice and no valid cause is shown by him for non-compliance, the high authority or the authorised offcial may prosecute him before the appropriate magistrate for his having made or caused the encroachment and for his failure to remove it within the prescribed time. (4) Where the encroachment is petty or of trivial nature, e.g. exposing articles for sale, opening temporary booths for vending. etc. the high- way authority or the authorised offcial may with the help of the police if necessary have it summarily removed without the formality of issuing a notice as required under sub-section. or in lieu of removal of the encroachment option of executing a lease in favour of the highway authority for payment of rent for the area encroached upon. (5) When the encroachment is of a temporarv nature and can easily be removed but is not such as can be described as petty or trival within the meaning indicated in sub-section (4), the highway authority or the authorised official may in addition to or in lieu of prosecuting the person responsible for the encroachment under sub-section (3) have the encroach;nent summarily removed with the assistance of the police, if necessary. (6) Where the encroachment is of such a nature that its immediate removal is considered essential in the interest of safety of traffc on the highway or the safety of any structure forming part of the highway and no notice can be

served immediately on the person responsible for the encroach ment or his representative under sub-section (I) owing to his absence or for agy other reason, tbe highway authority or the authorised offcial may, in addition to prosecution of the Removal of enEoach- ments. person under (i) (ii) sub-section (3), either— have such protective work as may be feasible at a rea- sonable cost carried out so as to minimise the danger to traffc on the highway, or have the encroachment removed with the help of tbe police, •if necessary. en the highway authority to desist from removal of enchroach- ment. Recovesy of cost of val of meats. 16 (7) Where the encroachment is of a permanent nature and bas been in existence for some time but not long enough to create a prescriptive right by adverse possession, and the person responsible for the encroachment or his representative has not arranged for its removal even after he has been prosecuted under sub-section (3) and convicted, a fresh notice for its removal shall be served on him by the highway authority or the offcer authorised under sub-section (l b and in the event of his failure to comply with that notice also, the highway authority or the authorised omcial shall institute a second prosecution against him and simultaneously apply to the magistrate having local jurisdiction to order the removal of the encroachment, and the magistrate shall thereupon have the encroachment removed. 22. (l) Where the person on whom notice to remove an eneroachment has been served under sub-section (1) of Section lays claim that the land in respect of which encroachment has been alleged is his property or that he has acquired a prescriptive right over it by virtue of adverse possession, he shall within the time limit prescribed in the notice for the removal of the encroachment, fle a suit in a competent civil court and also get an injuction on the highway authority to desist from taking further action in the matter till the suit has been disposed of. (2) When such an injuction has been issued, the highway authority or the authorised omcer shall suspend further action until the suit filed by the person has been disposed of. 23. (l) Whenever a highway authority or the omcer authorised under sub-section (1) of Section 21 has under the provisions of that Section removed any encroachment or carried out any protective work in respect of any encroachment, the actual expenditure involved* together with 15 per cent for overhead charges shall be recovered from the person responsible for the encroachment in the manner hereinafter provided. (2) A bill, representing the actual expenditure and the overhead charges, shall be served by the highway authority or the authorised offcer referred to on the person responsible for the encroachment or his representative with a direction to pay up the total amount within a specified date to the authority mentioned in the bill. (3) The bill shall be accompanied by a certificate from the highway authority or the authorised offcer to the effect that the amount or expenditure indicated in the bill represents the charges incurred and such a certificate shall be conclusive proof that the charges had actually been incurred and shall not be questioned in any civil court. (4) The materials, if any, recovered as a result of the removal of any encroachment shall be handed over to the person responsible for the encroachment on payment of the bill by him but in the event of his failure to pay up the bill within the specified date, the mate- rials may, be auctioned and after deducting the amount of the billA from the procceeds, the balance if any, sball be made over to him. 17 (5) If the proceeds of the auction sale do not cover the total billed amount, the excess over the amount realised by the sale of materials or if there are no materials to dispose ot' and the billed amount has not been paid by the person responsible for encroachment within the prescribed date, the entire amount of the bill sball be recoveled as arrear of land revenue. CHAPTER—VI IMPROVEMENT AND MAINTENANCE OF VILLAGE ROADS 24. (l) The State Government may, whenever it deems it td be necessary in the public interest, by notification in the offcial gazette direct a highway authority to take over for road construction and/or maintenance any land constituting a village road or track on which the public have, or have established by long usage, a permanent right of way, irrespective of whether such village road or track has been shown in the Settlement Records as a public way or not, and whether the ownership of such land vests in the Government or any landlord or a proprietary body. (2) Such notification shall be p; oper publicity in the locality of the village road or track. (3) All such lands taken over by the highway authority as a result of the notification issued unc?er section (l), as are not already deemed to be crown property, shall t e so deemed for purposes cf Chapter V, and the provision of that chapter shall apply fully to such lands. 25. (1) Where there is any obligation by law or by custom or otherwise, on any iandlord or proprietary body to maintain a village road or track on which the public bave or have acquired a permanent right of' way, and such road or track is not in the opinion of any highway authority properly maintained, that authority may issue a notice to the landlord or the proprietor to repair the road or track within such a reasonable time and in such manner as may be specified in the notice. (2) If at the end of the specified

period the repairs have not been carried out in the manner specified, and the land'ord or the proprietor has not furoished any satisfactory explanation for non-com- pliance, the highway authority may move the State Government to transfer control ot' the road or track to it or to any other highway authority under sub-section (l) of Section 24, (3) The State Government, while directing the transfer of control of such village road or treck to any highway authority, may determine whether any, and if so what, portion of the cost of repair Yihich the highway authority may incur shall be recovered frorn the landlord or the proprietor in discharge of his obligation to maintain the road or track. State Govt. to direct highway authority to take over village tracks for develop- ment and maintenance Highway authority to require the proprietor road land to repair the road properly where he is under obliga- tion to do soe Highway authority to acquire reversionary right of propriecors in village road land. Appointment of Planning Boards for control of development in areas adjoining highways. Constitution of the Plan- ning Board and transac- tion of busi- aesc by it. 18 26. (l i Where the control of a village road or track has been taken over by a highway authority as a result of a notification issued under sub-section (l) of Section 24 and the ownership of the land constituting the road or track vests in a landlord or proprietary body, the highway authority shall acquire by direct negotiation or, failing negotiation, by resort to the Land Acquisition Act, 1894, the reversionary rights, if' any, of the landlord or proprietary body to the land by paying suitable compensation. (2) In determining the compensation payable under sub-section (1), regard shall be had to the fact that the reversionary right is very remote. (3) The amount, if any, payable by the proprietor under sub- section (3) of Section 25 may be set off against the compensation payable to him under sub-section (l)

PART 111 CONTROL OF LAND DEVELOPMENT IN AREAS ADJACENI TO HIGHWAYS AND LEVY OF BETTERMENT TAX CHAPTER—VII CONTROL OF ROADSIDE LANDS 27. (l) The State Government shall, by notification in the offcial gazette, appoint a Planning Board (hereinafter referred to as the Board) for the control of township development in the State in areas adjoining highways outside the territorial jurisdiction of Municipalities, City Corporations, City improvement Trusts or like Bodies not being District Boards: Provided that the State Government may, if it considers a single Board to be inadequate for handling the work in the whole State, appoint more than one such Board, each for a specified region in the State. (2) The State Govern ment may, at any time by notification in the omcial gazette, add to or reduce the area of jurisdiction of a Board. (3) A Board, so appointed, shall be a body corporate and have perpetual succession and a common seal and shall sue and be sued by its own name. 28. (l) A Board shall consist of such number of members, omcial or non-offcial, not being less than three, as the State Government may from time to time determine by notification in the offcial gazette: 19 (2) One of the members of the Board shall be a Highway Engineer, a second Town Planner with knowledge ot' architecture, a.nd a third with experience in land valuation. (3) The Board shall meet and transact business in accordance with such rules as may be prescribed by the State Government in this behalf. (4) Such rules shall also provide for the appointment of a chairman from among the technical members of the Board, the payment of remuneration and travelling allowance to him and to the other members, and the appointment of staff for the Board, (5) If any member of a Board owns, or has any interest in, •land lying in any area the development of which is controlled by such a Board, he shall take no part in the proceedings of the Board relating to such area. (6) A Board shall be provided by the State Government with such funds as may be required for the proper discharge of its functions and shall maintain regular accounts in accordance with such rules as may be prescribed by the State Government in this behalf. 28A. (l) Whenever a highway authority has reason to believe that an area adjacent to a highway outside the territorial limit of a Municipality, City Corporation or City improvement Trust or other like body not being a District Board, is likely to develop into a building ar industrial area and that such development if' left unregulated is likely in course of time to affect the highway adversely, it shall in writing request the State Government to direct the Board, or the appropriate Board if more than one such Board have been appointed in the State, to control the Development in that area, (2) On receipt of such request from a highway authority, or at its own instance, oc at the instance of any class of public, and after making such enquiries as may be deemed necessary, the State Govern- ment may by notification in the offcial gazette direct the Board, or the appropriate Board if there is more than one in the State, to exercise control over development in such area: provided that the State Government may, at its discretion direct in adjoining Municipality, City Corporation, City Improvement Trust or other like body to exercise control over such area in accordance with the law under which such body functions within its own limits of jurisdiction. 29. (l) The Board shall,

as soon as possible after it has been notified to exercise control over development in any area, have a survey made of such area and shall have the boundaries thereof demarcated with reference to the survey. (2) The boundaries so demarcated shall be notified by the Board in the omcial gazette in such detail as may be necessary for the proper ntification of the area. Specification of areas where con- trol is to be exercised over develop- men t. Survey and demarcation of the area and the pre- paration of a layout plam for its deve- lopment, Regulation of develop- ment in the area, 20 (3) Within a year of the date of the notification issued under sub-section (2) or such longer period as may be specially permittedl by the State Government in this behalf, the Board shall prepare a layout plan of the area showing the sites of proposed roads, parks playfields, residential localities, industrial areas, access lanes to the adjacent highway, etc. (4) The access points to the adjacent highway and the generaz layout plan shall be fixed in consultation with the highway authority concerned. (5) The layout plan so prepared shall be deposited by the Board with the Principal Revenue Offcer of tbe district in which such area is located and also in its own offce and in the offce of the high— way authority concerned, and the plan so deposited shall be available for inspection by the public free of charge at all reasonable time% (6) Copies of the plan shall be made available to any interested member of the public on applicat ion to the Board and on payment of such reasonable cost as may be fixed by the Board. 30. (1) It shall be unlawful after a notification has been issued by the Board under sub-section (2) of Section 29, to construct or re-construct any building in the area so notified, or to layout any means of access in that area towards the adjacent highway without obtaining tbe prior permission of the Board. (n Every person wishing to construct or re-construct any structure or to layout any means of access in that area shall apply to the Board for permission in such form and with such details and plans and together with such fees, if any, as may be prescribed by the Board. (3) The Board shall, as soon as possible after the receipt of an application, by order in writing either. (a) grant the necessary permission, with or without such reason— able conditions as may be specified in the order, if the propo- sal of the applicant is not inconsistent with the layout of the area planned or contemplated, and is otherwise unobjection— able, or (b) refuse the permission. (4) If at the expiration of 3 months from the date of appli- cation no order in writing has been passed by the Board, permission shall be deemed to have been given without the imposi(ion of any conditions : Provided, however, no such automatic grant of permission shall be presumed if the application is for the laying out of any means of access towards the adjacent highway. (5) In the event of refusal of pamiEsicn, the Board shall communicate to the applicant the defects or the objectionable features of the proposal responsible for its rejection. 21 (6) The applicant may re-submit the proposal to the Board after removing the defects or objectionable features and such appli- cation shall be disposed of by the Board under sub-section (3) as if it mere a fresh application. (7) If in course of execution of any work after obtaining the permission of the Board, the applicant desires to make any substantial alteration in the appxoyed pian, a fresh application shall be made to the Board as if the modified plan constituted a fresh proposal and, pending the disposal of such fresh appiication by the _ Board under sub-section (3), the construction work shall be suspended by the applicant. (8) Any person feeling aggrieved by an order issued by the Board under sub-section (3) sanctioning any proposal subject . to conditions or rejecting it, may, within three months of the date of. the order of the Board, prefer an appeal to the State Goyernment whose order in the matter shall be final. (9) If any . person constructs or re-constructs any structure or lays out any means of access without obtaining the permission of the Board, or where permission of the Board has been obtained, makes in course of execution cf the work any substantial deviation from the approved plan, the Board may, without prejudice to any other proceedings which may be taken against him, have the structure removed or the means of access closed and recover from him the departmental charges, tin expenditure involved, together with 150 accordance with the procedure prescribed under Section 23 in so far as that procedure is applicable. (10) T Ile Poard shall be the sole judge of what constitutes substantial deviation from the approved plan for purposes of sub- section 31. (1) Where after the issue of a notification under sub-section (2) of Section 29 it appears to the Board that ethe planned development of the notified area can be secured only by acquiring land in that area, it may, with the prior consent of the State Government, acquire the entire area or such part of it as may be considered necessary, either by direct negotiation with the owner or failing such negotiation, by resort to the provisions of the Land Acquisition Act, 1894. (2) Such area as may be acquired under sub-section (l) 'hdll be properly laid out by the Board, the necessary improvementseffected and sites assigned sold or leased to the public for a specified* period hot exceeding 99 years, for construction according to approved

Planning Board to acquire lanå for planned development, neces— sary. P lanning Board to decide on levy of better- ment tax with the consent of State Government who shall determioe the rate of levy. Computation of betterment value. CHAPTER—VIII LEVY OF BETTERMENT TAX 32. (!) Where a Board is of the opinioa that the value of land in any area in its charge is likely to increase as a result of the development at public expense of any area adjoining a highway, it may, with the previous consent of the State Government, decide to levy a betterment tax in respect of such area : Provided that wh&e in pursuance of Section 31 the Board has acquired any area and has had it properly laid out and sold or leased to the public, no betterment tax shall be levied in respect of such area. (2) The State Government, when approached by the Board under sub-section (l) for its consent to the levy Of betterment tax in any area, shall while giving such consent determine the percentage rate, not exceeding 80% of the betterment value, at which the tax shall be levied in such area and communicate the same to the Board. (3) Where it is decided to levy a betterment tax in respect of any area, the Board shall cause the decision to be notified in the offcial gazette and shall also secure further publicity to the notification in the manner prescribed under sub-section (4) of Section I l, (4) The notification shall specify :— (a) the exact area in which the betterment tax is to be levied, (b) the date on which the prevailing land value shall be deemed to be the basic value for purposes of commuting betterment, and (c) the percentage rate of betterment value at which better- ment tax shall be levied, as determined by the State Government under sub-section (2). (S) When the development or improvement of the area adjoining the highway has been completed or, in the opinion of the Board, has reached a stage suffciently advanced to enable the resulting betterment to be determined, the Board shall notify in the offcial gazette the date on which the execution of the scheme has been completed or shall be deemed to have been completed, and shall also cause further publicity to such notification in the manner prescribed under sub-section (4) of Section I l. 33. (l) For land which has already been built upon or on which permission to build has already been accorded before the date notified under sub-section (5) of Section 32, betterment value shall be the value on that date less the basic value as computed with reference to the date notified under sub-section (4) of that Section less, the estimated cost of improvement work, if any, carried out by the owner between the two dates, 23 (2) For land which on the date notified under sub-section (5) of Section 32 has neither been built upon nor in respect of which permission to build has been accorded before that date, the betterment value shall be the value on the date when permission to build is granted less the basic value as computed with reference to the date notified under sub-section (4) of Section 32, less the estimated value of improvement, if any, carried out by the owner between the two latter dates. 34. (1) The Board shall, at any time after a month of the publi- cation of the notification under sub-section (5) of Section 32 assess the amount of betterment tax payable by every individual owner of land, and shall serve a notice on him in writing in the pcescribed manner, specifying the amount of the tax payable by him, the details of calculation, the instalments if aoy in which payment' may be made, the date or dates on or before which payment of the full amount or of the instalments shall be made, and the authority to whom payment shall be tendered. (2) Any person on whom a notice for payment of betterment tax bas been served under sub-section (l), may within one month from the date of service of such notice, file an objection before the Board ia respect of the assessment rnade against him. Provided that the Board shall have discretion to entertain objections even after the expiry of the period of one month if it is satisfied that the failure to file such objections in time was due to causes beyond the control of tbe objector. (3) After an opportunity has been given to the objector of being heard in person or through pleader the Board may confirm, modify or cancel the assessment made under sub-section (1), (4) Any person aggrieved by the order issued by the Board under sub-section (3) may, within two months from the date of such order, appeal to the appropriate Civil Court. (5) If any person on whom a notice has been served under sub-section (l), fails to file any objection under sub-section (2), the assessment shall be conclusive and shali not be questioned in any court of law. 35. (l) The person liable to pay a betterment tax may, it has option, instead of making either a lump-sum payment or payment by instalments where allowed by the Board, execute an agreement with the Board or any other authority specially authorised by the State Government in this behalf, to leave the said liability outstanding as a charge on his interest in the land subject to the pavement in perpe- tuity of interest at the rate of 60 per annum. (2) A person who has exercised his option under sub-section (l) may at any time after giving six months notice of his intention so to do, redeem the charge of paying the assessed amount of betterment tax or such part of it as may have been outstanding against him at the time he execurved the agreement under

sub-section (l). 36, Arrears of betterment {ax shall be realised in the manner provided for the recovery of arrears of land revenue, Assessment of Better- ment tax. Betterment tax may at option of the owner of land be made a charge on his interest in the land. Arrears of betterment tax to be recovered as arrears of land revenue. Appropria- tion of the proceeds of betterment tax. Prevention of cover structure of view or distraction of attention of persons using any highway. 24 37 • The proceeds of the betterment tax, levied in any area, shall after deduction of the assessment and collection charges, be made over by the Board to the Provincial Government may direct

PART IV MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS CHAPTER—IX SUPPLEMENTAL PROVISIONS TO SECURE SAFETY OF TRAFFIC AND PREVENTION OF DAMAGE TO HIGHWAY Where a highway authority is of opinion that it ig 38. necessary for the prevention of danger arising from obstruction of the view or distraction of the attention of persons using any highway, especially at any bend or corner of the highway, it may serve, a notice upon the ner or occupier of land along side or at the bend or corner of such highway to alter or remove altogether, within such time and in such a manner as may be specified in the notice, the height or character of any existing wall, (not being a wall

forming part of a permanent structure), fence, hedge, tree, advertisement post, bill board or any other object thereon, so as to eliminate or minimise the apprehended danger. (2) If any person upon whom a notice has been Served under sub-section (1), objects to comply with any requirement of such notice, he may, within 14 days of its receipt send to the highway authority his objection in writing stating the grounds thereof. (3) The highway authority shall, within 14 days of the receipt of the objection consider the grounds advanced and shall, by order in writing, either withdraw the notice or amend or confirm it. (4) If a person is aggrieved by an order issued by a highway authority under sub-section (3), he may prefer an appeal within 7 days of the date of such order to the collector or Chief Revenue Offcer of the district, whose decision in the matter shall be final. (5) If any person falls to comply with the notice served on him under sub-section (l) as amended or confirmed as the case mey be under sub-section (3) or (4), the highway authority may take aqtion to alter or remove the object causing obstruction or distraction of view at its own expense, and such expenditure together with 15%, departmental charges, shall be recovered from such person in accordance with the provisions of Section 23, without prejudice to any other action which may be taken against him. 25 39. (1) If at any time it appears to a highway authority that any highway in its charge or any portion thereof is or has been rendered unsafe for vehiculat or pedestrain tramc by reason of damage or otherwise, it may, subject to such rules as may be prescribed in this behalf, either close the highway or the portion of it to all tramc or to any class of traffc, or regulate the number and speed of vehicles using the highway

40. Where the highway authority is satisfied that the surface of any highway, or a portion thereof.cr any bridge; culvert or cause- way built on or across any highway, is not designed to carry vehicles of which the laden weight exceeds a certain limit it may subject to such rules as may be prescribed in this behalf, prohibit or restrict the plying of such vehicles on or over such highway or such part of the highway or such bridge, culvert or causeway. (l) Where in pursuance of clauses (3) and (4) Of Section 7 or in exercise of the poMers under Section 39 or 40, the highway authority desires temporarily to close any highway or part of it to tramc or to restrict or regulate traffc thereon in any manner, it shall in writing request the authority authorised to control traffc under Part V of this Act to enforce the restrictions in the said manner. (2) Where such a request has been received from a highway authority, the authority empowered under Part V to control tramc shall take all necessary measures to enforce the said restrictions in accordance witb the provisions of that part. 42. (l) Where, in pursuance of clause (3) of Section 7 or in exercise of Section 39, a highway authority desires permanently to close down any highway or part thereof, it shall give notice of its intention so to do in the offcial gazette, and shall cause further publicity to be given to the notice in the manner prescribed under sub-section (4) of Section 11. (2) The notice shall indicate the alternative route, if any, which is proposed to be provided or which may already be in existance, and shall also invite objections, if any, to the proposal to be submitted within such time as may be specified. (3) The highway authority Shal} finalise its proposal to ciose down any highway or part of it after considering the objections, if any, received within the specified time, and shall submit the final proposal to the State Government for approval together with such objections as may have been received against the proposal, (4) The State Government may either approved the proposal, with or without modifications, or reject it, (5) When the State Government has approved the proposal, it shall' publish its orders in the offcial gazette. (6) When the orders of the State Government have appeared in the omcial gazette, the highway authority shall arrange for further publicity to be given to the orders in the - manner prescribed under sub-section (4) of Section 11 and the highway or part thereof shall jhen be closed. Highway authority to reguiate tramc wheD highway deemed unsafe. Prohibition of use of heavy vehi-• cles on cer- lain highways. Power of highway authority to controk tramc to be exercised through (he authority appointed V to centroE traffc. Procedure be followed way autho- rity wishes permanently to close any highway. Consent of highway authority required to do certain acts on highways. Prevention and rectifi- cation of damage to highway. 26 (7) Whenever any highway or any part thereof has been so closed, reasonable compensation shall be paid to every person who was entitled, otherwise than as a mere member of the public, to use such highway or part as a means of access to or from his property and has suffered damage for such closing. (8) Where an alternative route nas been provided or is already the amount of compensation payable to any person under in existence, sub-section (7) shall in no case exceed the cost of laying a new means of access from bis property to such alternative route. (9) Where compensation is payable under sub-section (7), the claimant shall, within 3 months of the closing of the bighway or part, make to the State Government his claim for compensation, and such claim shall be disposed of in accordance with the provisions Of Sections 17 (3) and 18 43. (l) Notwithstanding anything contained in any other enactment for the time being in force, no person other than a highway authority or its authorised agent shall construct or carry any cable, wire, pipe, drain sewer or channel ot any kind through, across, under ot over any highway, except with the specific consent of the highway authority. (2) In giving its consent, the highway authority may impose such conditions as it may deem to be necessary and may also impose a rent or other charge for any land

forming part of the highway occupied by or applied to the proposed work. (3) If any person constructs or carried out any work in contra- vention of sub-section (i), the highway authority may arrange for the removal of such work and restoration of the highway to its former condition in accordance with the provisions of Section 21 as T the work constituted an encroachment on the high 'Nays and such expenses as the highway authority may incur for this purpose, together with 15% departmental charges thereon, shall, without prejudice to any other action that may be taken against such person, be recovered from him in accordance with the procedure prescribed under Section 23 in so far as that procedure is applicable. 44. (l) No person shall wilfully or negligently cause, or allow any vehicle or animal in his charge to cause any damage to any highway. (2) Where in contravention of sub-section (1) any damage has been caused to any highway, the highway authority shall have the damage repaired and the expenses involved, together with 15 % departmental charges, shall, without prejudice to any other action that may be taken against tbe person responsible for the contravention of sub-section (l), be recovered from him in accordance with the procedure prescribed under Section 23 in so far that procedure is appliéable: CHAPTER—X SURVEY OF HIGHWAY LANDS AND HIGHWAY BOUNDARIES PLANS FOR PREPARATION OF AUTHORITATIVE of Section 8, (1) Where, in pursuance of sub-section (3) 45. a view to the -a highway authority wishes to have a survey made with preparation of authoritative plan or plans for any highway in its charge, it shall request the State Government in writing to order the survey and appoint a Survey Offcer for the purpose. (2) If, on receipt of su3h request and after making such further enquiries as may be deemed necessary, the State Government is satisfied about the need for such survey, it may, by notification published in the official gazette, order that the proposed survey shall be made and shall simultaneously appoint a Survey for the purpose. 46. (l) When a survey has been ordered under Section 45, the Survey Officer appointed for the purpose shall publish a notification in the official gazette inviting all persons having or claiming to have any interest on the lands adjoining the highway or its boundaries of which the survey has been ordered, to attend either in person or by agent at a specified place and time and from time to time thereafter when caned upon for the purpose of pointing out the boundaries and supplying information in connection therewith. (2) The Survey Offcer shall cause further publicity to be given to the notification issued by him under sub-section (1) in the manner prescribed in sub-section (4) of Section I l, (3) A notification published in accordance with sub-section (l) and further published in accordance with sub-section (2) shall be held to be a valid notice to every person having or claiming to have any interest in the land or boundaries of which the survey has been ordered. 47. (I) The Survey Offcer shall give a special notice to the high way authority concerned intimating the date and time from which the survey of the highway shall be carried out. (2) The highway authority shall, on receipt of such special notice, take such steps as may be deemed necessary to watch the survey Proceedings and to make representation to the Survey Offcer whenever it has reason to believe that the interests of the highway are being or likely to be adversely affected. 48. (1) The Survey Offcer shall have power to determine and record as undisputed any boundary in respect of which no dispute iS brought to his notice. (2) Notice of every decision of the Survey Offcer under sub-seqtion shall be given in the prescribed manner to the registered ho(detS ot :the land the boundaries of which may be affected the decision and also to the higb way authority concerned. State Govern- ment to order survey and appoint survey offcer when so requested by the highway authority. Survey Offcer to publish notification. Survey Offcer to give spe- Cial notice to highway authority to the enable latter to make representa- tions if neces- sary• Power of survey oficer to deterüe and reecifd$ boundary. Power of survey offcer to determine and record a disputed boundary. Appeals against order of the survey offcer under sections 48 & 49. Completion tion to be notified by the survey oficer. Institution of suit in civil court where agßieved by determination of boundary. 28 49. (l) Where a boundary is disputed, the Survey Offcer after making such enquiry as he considers necessary, shall determine tkE boundary and record it in accordance with his decision and also record in writing the reasons for his decision. (2) Notice of every decision of the Survey under sub- section (l) shall be given in the prescribed manner to the parties to the dispute, to the highway authority and to the other registered holders of the land the boundaries of which may be affected by the decision, (l) The highway authority or any other person affected by 51), the decision under Sections 48 or 49 may, within th,eee months o? the date of service of notice under those sections, appeal to the Collector or the Chief Revenue Offcer of the district and the decision of such omcer shall be recorded in writing and notice of such decision given in the prescribed manner to the parties to the appeal, Any modification of the Survey Offcer's decision ordered by the appellate authority shall be noted

in the record prepared under Sections 48 or 49 as the case may be. (2) No appeal preferred after the expiry of the said period of three months shall be admitted. Provided that the time taken to obtain a copy of the decision and the map under sub-section (3) shall not be taken into account in calculating the said period of three months. (3) A copy of the order and a copy of the map recording the boundaries as determined under Sections 48 or 49 or sub-section (l) of this section, shall be furnished to the highway authority or to any person interested in such order or map, as the case may be or the application to the Survey Offcer and on payment of such reasonable cost as may be fixed. (l) When the survey of any highway land or its boundaries 51. which has been notified under Section 45 has been complete:.l in accordance with the orders passed under Sections 48, 49 or 50, the Survey Offcer shall notify the fact in the offcial gazette and sham cause further publicity to be given to the notification in the manner prescribed under sub-section (4) of Section 11, (2) Unless the survey so notified is modified by a degree of a civil court under the provision of Section 52, the record of the survey shall be conclusive proof that the boundaries as determined and recorded therein have been correctly determined and recorded and. shall not be questioned in any court of law. 52. (l) The highway authority or any other person deeming itself or himself aggrieved by the determination of any boundary under Sections 48, 49 or 50 may, subject to the provisions of the parts l] and Ill of the Indian Limitation Act, 1908 institute a suit 'Fithim a year from the date of the notification under sub-section (l) or Section 57, to set aside or modify the said determination, and the- survey, shall, if necessary, be, altered in accordance with the final decree in the suit, and the alteration, if any, shall be noted in the record. Rules 29 (2) The plaintiff in such shall join as parties to it all persons including the highway authority (where such authority is not itself the plaintiff) whom he has reason to believe to be interested in the boundary is the subject of the suit. CHAPTER—X1 POWER TO FRAME RULES FOR THE CONSTRUCTION AND MAINTENANCE OF HIGHWAYS (I) r] he State Covernment may make rules for the regulation 53. of the construction and maintenance of highway and generally for carrying into effect the purposes of Part 11 to IV of this Act. (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all Or any of the following matters, namely : (a) the preparation of schemes for the development of new or improvement of, or repairs to existing, highways (b) the standards that have to be followed in determining a standard width and building and control lines in respect of various types of highway (c) the prevention of obstruction of view or distraction of attention of persons using such high%ays and of annoyance, danger or injury to the public ; (d) the prevention of obstruction, encroachment and nuisances on or near, and of damages to such highways (e) the proper maintenance of boundary marks demarcating highway boundaries and building and control lines ; (f) the prescription of various forms of application required to be made and the Corms of notice and bills required to be served on persons, the charges to be made for the supply of copies of plan, etc. and the rem or other charges to be imposed or levied under the previsions of this Act; (g) the general guidance of the highway authority and the Planning Board in the discharge of their funciions under this Act ; (h) the transaction of business by a Planning Board including appointment of a crairman, his powers, his remuneration and travelling allowance, etc. and those of the other offcers of the Board and the appointment of Staff for the Board , (i) the maintenance of accounts by a Planning Board and the and method of audit of such accounts ; (j) any other matter which is to be or may be prescribed. CHAPTER—XII GENERAL AND MISCELLANEOUS PROVISIONS Service of 54. (l) Every notice or bill issued or prepared under any Section notice., etc. of this Act shall be served or presented : (a) by delivering or tendering it or -sending it by post to the person to whom it is addressed, or to his agent ; or (b) if such a person or his agent is not found. then by leaving it at his usual or last. known p'ace of abode or by delivering or tendering it to some adult male member of his family or by causing it. to be fixed on some conspicuous part of the building or land, if any, to which it relates. (2) Where notice under this Act is required, to be served upon an "owner" or "occupier" or a building or land, . it shall not be necessary to name the owner or occupier, and the service there shall, be effected either : (a) by delivering or tendering the notice or sending it by post to ;tbe "owner" or "occupier" of if there be more owners or occupiers than once, to any one of them, or (b) if no such owner or occupier is. found, then by giving or tendering the notice to an adult male -member or servant of his family. or by causipg the notice to be fixed on some conspicuous building or part of the land to which the same *relates , (c) whenever the person to whom a notice or, a bill is to be, served is a minor,setvice upon his guardian ot upon an adult male member or servant of his* family shall be deemed to be service. upon the, minor. 54A. (l) Every power to make rules given by this Act is subject to the

condition of the rules being, made after previous. publication. (2) All rules made under this Act shall be published Lin the offcial gazette, and shall, unless some later date is appointed, come into force on the date of such -publication

55. The highway authority may, after obtaining thec..approval of the State Government, by notification in the oficial Gazette, delegate any of its powers or duties under sections 7(3), 2(), 21, 23, 38, 39, 4m 41, 42, or 43 of this. Act to any offcer; or authority subordinate to it subject to such conditions if any, as may be specified in such notification. Pu blication and com- mencemene of rules. Delegation of powers by the high. way autho- rity. 31 56. All persons acting by the authority of the State Govern- ment or of any highway _ author.ity_ or, a Planning Board in the carrying out of any of the provisions of this Act or of any of the under: be- deemed. to •be: public servants within the meaning of Section •21 of the Indian Penal Code

57. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under or in pursuance of this Act or any rules made under this •Acte 58. Every police offcer shall forthwith furnish information to the nearest highway authority, or the nearest offcer subordinate to the highway authority, of any offence coming to his knowledge which has been committed against this Act or any rule made under this Act, and shall be bound to assist the highway authority and its offcers and servants in the exercise of' their lawful authority. 59. •A police omcer in uniform may arrest without warrant any purson who commits in his view an offence punishable under Section 66 or 67

60. Every village.headman, village accountant, village watch- man or other village omcial by whatever name called, shall forthwith inform the nearest police station of the nearest highway authority or any offcer Of the highway authority, -whenever he becomes aware that any survey marks showing the building or control lines determined in respect of a highway has been} des- troyed, damaged, removed, displaced or otherwise tampered with, or that any damage to any highway or encroachment on any highway land has been , made

forming part of a highway which is not immediately required for the passage of tramc and dispose of the produce of such lands. '62. Where in pursuance of Sections 7 (2), 11 (10), 26(1) or 31 (1), a highway authority or. æ Planning Board has acquired any land by. direct negotiations with the owner or owners, it shall cause the interests, if any, of other person or persons in such land to be acquired under the Land Acquisition Act, 1894, in so far as that Act may be applicable, to ensure perfect title thereto. 62A. Nothing in Parts 11 to IV of this Act shall apply to lands vested in or under the control of Central Government or to any area falling within the limits of a Cantonment Board, Major Port Trust or other local authority, under the administrative control- of the "Central Government. Persons deemed to be public servants, Protection of persons tak- ing action under •this Act. Powers and duties of police. in respect .of offences and assistance to highway authorities. Power of arrest without warrant in case of omces involying encroachmeåt on or damage to -highways. Duties of vil- jage oficials to report to highway au- thority when- ever they become aware of damages to highway or to the boundary marks of •highways, etc. Power to uti- lise highway and for other than road purpose. Land aquired by direct ne- gotiation to be subsequ- ently aquired under Land Acquisition Act, 1894. Saving as regards land under central Government control. General pro- vision for punishment of offences under Parts 1i to lv. Disobedence of orders, obstruction and refusal of informa- tion. Penalty for Contraven- tion of restrictions relating to laying of means of access of erecting many buit- dings etc. Penalty for unauthorised occupation of highway land. Penalty for causing damage to highway, Power to compound offences. CHAPTER—XIII OFFENCES, PENALTIES AND PROCEDURE APPLICABLE TO PART 11 TO IV 63. Whoever contravenes any provision of Parts 11 to IV of this Act or of any rule made under this parts shall, if no other penalty is provided for the offence, by punishable for fine which may extend to Rs. 5(), or if having been previously convicted of any offence under this Act, he is again convicted of an offence under this Act, with fine which may extend to Rs. 200

64. Whoever wilfully disobeys any direction lawfully given by any person or authority empowered under this Act to give such direction, or obstructs any functions that such person or authority is required or empowered under this Act to discharge, or, being required by or under this Act to supply any information which he knows to be false or which he d jes not believe to be true shail, if nc other penalty is provided for the offence be punishable with fine which may extend to Rs.210 65. Whoever constructs or lays out any means of access or erects or re-erects any building or structure or does aüY other work in contravention of Sections 1 3(1), 14(1), 15(3) or .30(1), he shall be punish able. (a) with fine which may extend to Rs. 50'), and (b) with further fine which may extend to Rs. 100 for each day after tbe first, during which the offending means of access or structure or work is not removed, demolished or cleared and the site not restored to its original condition

66. Whoever occupies or makes any encroachment on any highway land in contravention of Section 20(1), or fails to comply with the notice served on him by Section 21(1) for no valid reason, he shall on conviction be liab!e to pay.(a) a fine which may extend to Rs. 250 for the first offence, and (b) with further fine which may extend to a lump penalty of Rs. 500 plus a daily levy not exceeding Rs. 50 for each day that the offence is coatinued in the event of a second conviction in relation to the same encroachment

67. Whoever in contravention to Section 4(1) wilfully causes or allows any vehicles or animal in his charge to cause any damage to any highway, he shall be punishable with fine which may extend Rs.1,000

68. Tbe highway authority may, either before or after the insti- tution of the proceedings, compound and offence against Part 11 to IV of this Act or any rule framed thereunder

PART V TRAFFIC PROVISIONS CHAPTER—XIV CONTROL OF TRAFFIC 69. In this part of tbis Act, unless there is anything repugnant in the subject or context the terms "public vehicles" and "vehicle" shall not be construed to include a motor vehicle as defined in the Motor Vehicles Act, 1939

70. The State Government or any authority authorised in this behalf by the State Government, if after consulting the highway authority is satisfied that it is necessary in the interest of public safety or convenience, or because of the nature or any road or bridge, may by notification in the offcial gazette prohibit or restrict, subject to such exceptions and conditions as may be specified in the notification, the driving of vehicles or animals, either generally in a specified area or on a specified highway or part of highway, and when such prohibition or restriction is impose, shall cause appropriate tramc signs to be placed or erected under section 71 at suitable places : Provided that

where any prohibition or restriction under this Section is to remain in force only for a period of one month or less, notification thereof in the official gazette shall not be necessary.(l) The State Government or any authority authorised in 71. this behalf by the State Government may cause or permit tramc signs or be placed or erected in apy public place for the purpose of bringing to public notice any prohibitions or restrictions imposed under section 70, or generallv for the purpose of regulating traffc other than motor vehicle tramc. (2) Trafic signs erected under sub-section (l) for any purpose for which provision is made in the First Schedule shall have the meanings set forth in the First Schedule, but the authority empowered in this behalf bv the State Government may make or authorise the addition to any sign set forth in the said Schedule of transcriptions of the words, letters or figures thereon in the script provided that the transctiptions shall be of similar size and colour to the words, letters or figures set forth in the First Schedule. (3) Except as provided by sub-section (T) no tramc sign shall, after the commencement of this Act, be placed or erected on or near any highway ; but all traffc signs erected prior to the commencement of this Act by apy authority competent to do so shall for the purpose of this Act be deemed to be tramc signs erected under the provisions of sub-section (l). Exclusion of motor vehi— cles from the scope of part Power to restrict the use of vehi- cles, Power to erect traffc signs. Main roads. Duty to obey traffc signs. Signals and signaling devices. Leaving vehi• cle or animal in dangerous position. Towing of persons riding cycle. Leaving vehicle or animal unattended. 34 (4) Aoy authority authorised in this behalf by the State Govern- ment may, by notification in the offcial gazette, remove or cause to be removed any sign of advertisement which is so placed in his opinion as to obscure any tramc sign from view or any sign or advertisement which is in his opinion so similar in appearance to a traffc sign as to be misleading. (5) No person shall wilfully remove, after deface, or in any way tamper With any traffic sign placed or erected under this section. (6) If any person accidently cause such damage to traffc sign is placed and as renders it useless for the purpose for which it erected. under Ihis section, he shall report the circumstances of the occurrences to a police officer or such authority as may be authorised in this behalf by State Government or at a police station as soon as possible, and in any case within twentyfour hours of the occurrence

72. The State Government or any authority authorised in this behalf by the State Government may by notification in the offcial gazette or by the erection at suitable places of the appropriate tramc sign referred to in Part A cf the First Schedule, designate certain roads as main roads for _the purpose of the regulations contained in the Second Schedule.(1) Every driver of a vebic}e or animal shall drive it in '73ø conformity with any indication given by a mandatory tramc sign in conformity with the driving regulations set forth in the Second Schedule and shall comply with all directions given him by any police omcer for the time being engaged in the regulation ot' traffc in any public place. (2) In this section "mandatory tramc sizn" means a tramc sign inclüded in Part A of the First Schedule or any traffc sign of similar fotm (that is to say consistiog of or including a circular discr displaying a device, word or figute and having a red ground or border) or any prescribed siga painted or marked on the road erected or displayed for the purpose of regulating other than motor vehicle traffc under sub-section (1) of Section 7). 74 The driver of a vehicle shall on the occasion specified io the Third Schedule make the signals specified therein

75. No person in charge of a vehicle or animal shall causes or allow the vehicle or animal to remain at rest on any highway in such a position or in such a condition or in such circumstances as to cause oc be likely to cause danger, obstruction or undue inconvenience to other users of the highway

76. No driver of a vehicle shall tow a person riding a cycle and no person riding a cycle shall allow himself to be towed by any other vehicle

77. No person in charge of a vehicle or animal shall allow sucb vehicle or animal to stand or proceed on a highway unless it is under adequate control 35 78.(t) The Driver of a vehicle or animal shall cause the vehicle -or animal as the case may be to stop and to remain stationary so dong as may reasonably be necessary; (a) when required to do so by any police offcer in uniform or by the authority authorised in this behalf by the State Government, or (b) when the vehicle or animal is involved in the occurrence of an accident to a person, animal or vehicle or of damage to any Droperty, whether the driving or management of the vehicle or animai was or was not the cause of the accident or damage, and he shall give his name and address and the name and address of the owner of the vehicle or animal to any person affected by such

accident or damage who demands it, provided such person also furnished his name and address. (2) The drivet of a vehicle or anima! shall* on demand by a person giving his own name and address and alleging that the driver has committed an offence punishable under Section 86, give his name and address to that person

79. The owner of a vehicle or animal the driver of which is this Act shall on demand by accused of any offence under any police (ficer or other authority authorised in this behalf by the State Governrnent give all information regarding the name and address of the driver wh ich is in his possession or could by reasonable diligence be ascertained by him

80. When any person is injured, or damage to property to the amount of twenty-five rupees or more is caused as the result of an accident in which a vehicle is involved, the driver Of the vehicle cr other person in charge of the vehicle shali: (a) take all reasonable steps to secure medical attention for any person so injured and, if necessary, convey him to the nearest hospital, unless the injured person, or his guardian, in case be is a minor, desire otherwise.(b) give on demand bii a police officer or by any authority authorised in this behalf by the State Government any if no police offcer or information required by him or, other authority is present, report the circumstances of occurrence as soon as possible, and in any case within twenty-four hours of the occurrence, at the nearest police station, or if he continues his journey after the accident, at the next police station on or near his route. (I) The State Government may make rules for the purpose 81. of carrying into effect the provisions of this Chapter. (2) Without prejudice to the generality of the foregoing power, such rules may provided for— the removal and the safe custody of the vehicles including their loads which have broken down or which have been left standing or have been abandoned on highways; Duty of driver to stop in cer- tain cases. Duty of owner vehi- cle or animal to give infor• mation. Duty of driver in case of accident and injury to person. Power to make rules for control o' tramc. (b) (c) (d) (e) (g) (h) (i) (j) (k) 0) (m) (n) (o) (p) (q) (r) (s) 36 the use of weighting devices; the determination, maintenance and management of parking places for the use of vehicles and animals and the fees, if any, which may be charged for their•use , prohibiting the use of foot paths cr pavements by vehicles. or animals subject to specified conditions the segregation to any specified part of a highway of specified clauses and descriptions of vehic\e or animal tramc , prohibiting or restricting the use of audible signals at certain times oc in certain places regulating the leading of vehicles and in particular limiting the loads carried in relation to the size and nature of tyres fitted ; a right of way for ambulances and fire brigade vehicles; prohibiting the use of devices designed to prevent the rotation of any wheel of a vehicle; the control of animals likely to frighten other animals ox pedestrians ; the control of children on highways; prohibiting the riding by more than one person at the same time of cycles other than cycles designed for the purpose ; prohibiting the riding of' more than two cycles abreast; limiting the age of drivers of vehicles; the inspection of loads carried on vehicles and animals; the uses of nose-ropes for animals; the driving of vehicles and animals at night; regulating the use of highways by pedestrians; generally, the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property or of obstruction to -traffc ; (t) any other matter which is to be or may be prescribed. CHAPTER—XV CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF VEHICLES 82. Every vehicle used on a highway shall be so constructed and maintained as to prevent danger or inconvenience to persons using that vehicle and other road users. 83. (1) The State Government may make rules regulating the construction, equipment and maintenance of vehicles used on highways. (2) Without prejudice to the generality of the foregoing power rules may be made under this section governing any of the following matters either generally in respect of vehicles or in respect of vehicles of a particular class or description or in particular circumstances, namely (a) (b) (c) (d) (e) (f) (g) the width, height and length of vehicles, the size, nature and condition of wheels and tyres, brakes. lamps and reflectors, warning devices, the inspection of veh icles by prescribed authorities, regulating the particulars exhibited on vehicles and the manner in which particulars shall be exhibited. CHAPTER—XVI CONTROL OF PUBLIC VEHICLES General provision regarding construction and mainte nance. Power to make Power to make rulesæ 84. (I) The State Government may make rules for the regulation cf the use of public vehicles. (2) Without prejudice to the generality of the foregoing power, rules may be made under this section governing anv of the following matters either generally. or in respect of public vehicles of a particular class or description or in particular circumstances, namely : (a) (c) the issue, renewal, modification or cancellation of permits and the transfer of permits from one person to another; the issue, renewal or cancellation of driving licences; the issue of duplicate copies

in place o? permits and driving licences mutilated, defaced, lost or destroyed; 38 (d) the pregerring of appeals by persons aggrieved by the refusal of the authority competent to grant or renew a permit or a driving licence. or to transfer a permit or by the cancellation or modification of a permit or the cancellation of a driving licence, and the hearing and conduct of such appeals (e) the documents, plates and marks to be carried by public vehicles, the manner in which they are to be carried and the language in which such documents are to be expressed ; (f) the badges and uniforms to be worn by drivers , (g) the fees to be Plid in respect of permits, driving licences, duplicate copies of permits or driving licences, plates, badges, and appeals preferred under this Chapter (h) the production of permits and driving licences tecore specified offcers for purposes of inspection (i) the conduct o? persons licensed to act as drivers of public vehicles when acting as such and Ibe conduct of passengers in such vehicles; (j) the limiting of the number of public vehicles or public vehicles of any specified class or description for which permits may be granted in any specified area, or on any specified route or routes ; (k) the fixing of maximum or minimum fares or freights • the minimum number of passengers or the maximum quantity of goods that may be carried in a public vehicle; (m) the conditions subject to which passengers' luggage or goods may be carried on public vehicle ; (n) the construction and fittings of, and the equipment to be carried by, public vehicle, whether generally or in specified areas or on specified routes (o) the safe custody and disposal of property left in public vehicles ; (p) the conveyance in public vehicles of corpses or persons suffering from infections or contagious diseases or goods likely to cause discomfort or injury to passengers and the inspection and disinfection of such vehicles, if used for such purposes; (q) the requirements which shall be complied with in the cons- truction or use of any stand or halting place, including the provisions of adequate equipment and facilities for if any, the convenience of all users thereof, the fees, which may be charged for the use of such facilities, the records which shall be maintained at such stands or places, the staff to be employed thereat and the duties and conduct of such staff, and generally for maintaining such stands and place in a serviceable and clean conditions ; General pro- vision for punishment of offence lunder part V. Driving reckiessly or dangecously. of arrest without 39 (r) requiring the person in charge ofa public vehicle to carry any person tendering the legal or customary fare (s) the inspection of public vehicles including animals used to drive them (t) the records to be maintained and the returns to be furnished by the owners of public vehicles ; (u) the appointment, terms of appointment, jurisdiction, con- trol and functions of authorities for the purpose of admi- nistering the provision of this chapter (v) any other matter which is to be or may be prescribed, CHAPTER—XVII OFFENCES, PENALTIES AND PROCEDURE APPLICABLE TO PART V 85. Whoever contravenes and provision of Part V of this act or of any rule made thereunder shall, if no other penalty is provided for the offence, be punishabie with fine which may extend to ten rupees, or, if having been previously convicted of any offence under this Act he is again convicted of an offence under this part of the Act, with fine which may extend to fifty rupees

86. Whoever drives vehicle or animal on a highway at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case including the nature, condition and use of the highway where the vebicle or animal is driven and the amount of traffc which actually is at the time or which might reasonably be expected to be in the highway, shall be punishable on a first conviction for the offence with fine which may extend to one hundred rupees and for a subsequent offence with fine which may extend to two hundred rupees.87. (l) A police offcer in uniform or other authority outho- rised in this behalf by the State Government may arrest without warrant— (a) any person who being required under the provisions of Part V of this Act to give his name and address refuses to do so, or gives a name or address which the police offcer or other authority has reason to believe to be false, or (b) any person concerned in an offence under Part V of this Act or reasonably suspected to have been so concerned, if the police offcer or other autho- rity has reason to believe that he will abscond or otherwise avoid the service of summons. 88. 89. 40 (2) A police offcer or other authority arresting without warrant the driver ofa vehicle or animal sball, if the circumstances so require, take or cause to be taken any steps he may consider proper for the temporary disposal of the vehicle or animal. (!) A court taking cognizance of an offence under this Act may state upon the summons to be served on the ac- cused person that he— (a) may appear by pleader and not in person, or (b) may be a specified date prior to the hearing of the charge plead guilty to the charge by registered letter and remit to the court such sum as the court may specify. (2) Where an accused person pleads guilty and remits the sum specified no further proceedings in respect of the offence shall be taken against him. (1) The Manipur Highways Ordinance 1979 shall stand

repeated on the day this Act comes into force. (2) Anything done and any step taken (including Order, scheme, rule, form or notice) and any action taken under the repeated Act shall in so far it is not inconsis• tant with the privisions of this Act be treated as to have been done and acted under the provisions of this Act and shall continue to be in force until superseded. THE FIRST SCHEDULE (See Sections 71, 72 & 73) TRAFFIC SIGNS Summary disposal cases. This will be reproduction of the Ninth Schedule to the Motor Vehicles Act, 1939 except as follows : Part A Sign No. Sign No. 7 Sign No. part C No. 3 — To No. M andatory signs. "Speed limit" and "use of sound signals prohibited" to be deleted. "weight limit" for tbe definition plate mar- king "axles over . . tone" signs indicating particular classes of tramc to be substituted. Informatory signs. "end of speed limit" to be deleted. "parking sign", signs indicating particular classes of traffc to te added. THE SECOND SCHEDULE (See Sections 72 & 73) DRIVING REGULATIONS 1. The driver of a vehicle or animal shall drive the vehicle or animal as the case may be, as close to the left hand side of the road as may be expedient and shall allow all tramc which is proceeding in the opposite direction to pass him on his right hand side

2. Except as provided in regulation 3, the driver of a vehicle or animal when passing shall drive to the right of all tramc proceeding in the same direction as himself

3. The driver of a vehicle or animal when passing may drive to the left of a motor vehicle or a vehicle or an animal the driver of which having indicated an intention to turn to the right has drawn to the centre of the road ; Provided that in no case shall be pass a tram-car at a time or in a manner likely to cause danger or inconvenience to other users of the road.4, The driver of a vehicle or animal shall not pass a vehicle travelling in the same direction as himself : (a) if his passing is likely to cause inconvenience or danger to other tramc proceeding in any direction, or (b) where a point or corner or a hill or an obstruction of any kind renders the road ahead not clearly visible

5. The driver of a vehicle or animal shall not, when being overtaken or being passed by any class of tramc, do anything in any way to prevent the other tramc from passing him

6. The driver of a vehicle or animal shall drive slowly when approaching a road intersection, a Road Junction or a road corner and shall not drive into or cross any such intersection or junction until he has become aware that he may do so without endangering the safety of persons thereon

7. The driver of a vehicle or animal shall on entering a road intersection, if the road entering is a main road designated as such, give way to tramc proceeding along that roåd and in any other case give way to all tramc approaching the intersection on his right hand, 8.1. 42 The driver of a vehicle or animal shall : (a) when turning to the left, drive as close as may be to the left hand side of the road from which he is making the turn and of the road which he is entering. (b) when turning to the right, draw as near as may be to the centre of the road along which he is travelling and cause the vehicle or animal to move in such a manner that • (i) (ii) so far as may be practicable it passes beyond, and so as to leave on the driver's right hand a point formed by the intersection of the centre lines of the intersec- ting roads ; and it arrives as near as may be at the left hand side of the road which the driver is entering. THE THIRD SCHEDULE (See Section 74) SIGNALS When about to turn to the right or to drive to the side of the road in order to pass another vehicle or for purpose, the driver of a vehicle shall extend his right arm, if carried, in a horizontal position to his right outside the otherwise so as to be visible from behind

2. When the driver of a vehicle wishes to indicate to right hand any other or a whip vehicle or the driver of a motor vehicle or a vehicle behind him that he desired that driver to overtake him, he shall extend his right arm, or a whip if carried, horizontally to his right outside the vehicle or otherwise so as to be visible from behind and shall swing the arm or the whip as the case may be backwards and forwards in a semi-circular motion. Printed by the Director, Ptg. & Sty., Manipur/400-C/5-12-79.