

3.CONDUCTOR LICENSE

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3. CONDUCTOR LICENSE

3.1 Conductor (MVA S 2(5))

A person engaged in collecting fares from passengers, regulating their entrance into, or exit from the stage carriage is known as conductor.

3.2 Conductor License (MVA S 2(6))

A license issued by a licencing authority, authorising a person act as a conductor is known as conductor license.

3.3 Necessity for conductor's license (MVA S 29)

(1) A person should not act as a conductor of a stage carriage unless he holds an effective conductor's license.

(2) A person should not employ or allow any person to act as a conductor unless he holds an effective conductor's license.

3.4 When driver or any person can act as conductor without license (MMVR 27)

(1) If permit-holder is unable to provide a conductor for his stage carriage in an emergency, or when a conductor on duty, cannot perform his duties, for reasons beyond his control, the driver of a stage carriage or any other person can act as a conductor for a period not exceeding one month, without holding a conductor license, subject to following conditions namely,

(a) the person or driver has to intimate to the licensing authority within whose jurisdiction he intends to act as a conductor in Form L. Con. Int.

(b) the person or driver should not be disqualified for holding a conductor's license;

3.5 Application for grant of conductor's license

(MVA S 30, MMV R 28)

An application for a conductor's license is required to be made in Form L.Con.

A. accompanied by,

(i) a medical certificate issued by a Registered Medical Practitioner, in Form M. C. Con. A

(ii) the fees specified under MVA S 30 (5) .

3.6 Grant of conductor license (MVA S 30)

(1) The licensing authority after receiving an application, is empowered to make enquiries to establish the identity of the applicant and on ascertaining that the applicant is not disqualified under MVA S 31 , issue license in Form L. Con. for a period of three years.

3.7 Qualification for grant of conductor's license (MMVR 29)

(1) A conductor's license is granted to a person,

(i) having adequate knowledge of the duties and functions of a conductor.

(ii) possessing a good moral character.

(iii) passed Secondary School Certificate examination or an equivalent or higher examination

(iv) possessing working knowledge of the Marathi language.

(v) having completed the age of eighteen years.

(2) The qualification at Sr.No (iv) is above is not applicable to persons who have obtained conductor's license before the date of coming into force of the MMVR , 1989.

3.8 Refusal to grant of conductor's license (MVA S 31)

A conductor license is refused if,

- (a) the applicant does not possess the minimum educational qualification;
- (b) the medical certificate produced by the applicant discloses that he is physically unfit.
- (c) his previous conductor's license is revoked.

3.9 Revocation of a conductor's license on grounds of disease or disability (MVA S 32)

- (1) A conductor's license is revoked if the holder of the license is suffering from any disease or disability which is likely to render him permanently unfit to hold such a license.
- (2) If the authority revoking a conductor's license is not the authority which issued the same, it has to intimate the fact of such revocation to the original authority.
- (3) The licensing authority before revoking the license, is required to give a reasonable opportunity of being heard.

3.10 Power of licensing authority to disqualify (MVA S 34)

- (1) A licensing authority is empowered to disqualify the holder of a conductor's license on account of his previous conduct as a conductor.
- (2) The licensing authority has to give reasons in writing and is empowered to disqualify person for a specified period, not exceeding one year.

(3) Before disqualifying the holder of a license, the licensing authority has to give a reasonable opportunity of being heard.

(4) The holder of the conductor's license has to surrender his license to the authority and the authority has to keep the license until the disqualification period is expired or removed.

(5) If the authority disqualifying the holder of a conductor's license is not the authority which issued the license, it has to intimate the same to the authority which issued the same.

3.11 Power of Court to disqualify (MVA S 35)

(1) The court is empowered to disqualify a person holding a conductor's license, if he is convicted of an offence under the M.V.Act.

(2) The appellate court is empowered to set aside or vary any order of disqualification made by the court below .

3.12 Appeals (MVA S 33, MMVR 32, 33)

(1) When a licensing authority refuses to issue or renew, or revokes any conductor's license, it has to communicated to the applicant in writing for such refusal or revocation.

(2) The aggrieved person is required to make an appeal within thirty days to the Transport Commissioner in Mumbai and else where the District Magistrate of the district.

3.13 Conduct and hearing of appeals (MMVR 33)

(1) An appeal have to made in duplicate in the form of a memorandum, stating the grounds of objection to the order of the licensing authority, accompanied by a fee specified in MMVR 33 and a certified copy of the order.

(2) A notice is required to be issued to the authority against whose order the appeal is preferred.

(3) The appellate authority if may , on an application made , give to the parties copies of any document, on payment of fee at the rate specified in MMVR 33.

(4) The appellate authority after hearing, pass such order as it thinks fit and such order is binding on the parties.

3.14 Change of residence (MMVR 30)

The holder of a conductor's license is required to apply for change of address, if his change of residence exceeds three months.

3.15 Renewal of conductor's license (MMVR 31)

(1) An application for the renewal of a conductor's license is required to be made in Form L. Con.R. accompanied by conductor's license, and the fees specified in MVA S 30 (5) .

(2) The licensing authority is empowered to make enquiries as it deem fit before renewing the license.

(3) A licensing authority renewing conductor's license has intimate the fact of renewal in Form L. Con. RR. to the licensing authority by whom the license is issued.

3.16 Prohibition against holding more than one conductor's license (MMVR 35)

A person should not hold more than one conductor's license.

3.17 Production of conductor license (MMVR 35)

(1) A conductor of a stage carriage have to produce his conductor's license for inspection on demand by any,

(i) Police Officer in uniform not below the rank of a Sub-Inspector

(ii) Officer of Motor Vehicles Department not below the rank of Assistant Inspector of Motor Vehicles in uniform

(iii) Member of the State Transport Authority or a Regional Transport Authority.

(2) If at the time of demanding license, the person is displaying his badge, he is allowed to produce the conductor's license within forty-eight hours.

3.18 Requirement as to photographs (MMVR 36)

(1) The size of photographs required for a conductor's license is specified in MMVR 36.

(2) The photograph should bear the seal of the licensing authority in such a manner that part of the impression of the seal is upon the photograph and part on the margin.

(3) If at any time the photograph affixed to the conductor's license has ceased to be a clear likeness of the holder, he has to furnish two clear copies of a recent photograph.

(4) After receiving the photograph, the licensing authority should remove the old photograph from the conductor's license and seal thereto one copy of the new photograph and return the conductor's license to the applicant.

3.19 Conductor's license lost or destroyed (MMVR 37)

(1) If a conductor's license is lost by the holder or is destroyed, the holder is required to intimate the facts, in Form C.L.D. to the licensing authority.

(2) After receiving the intimation, the licensing authority is empowered to issue duplicate license after making enquiries as deems fits.

(3) If it is not the original authority, make an endorsement on the license after making enquiry and send intimation to the original authority.

3.20 Defaced or torn conductor's license (MMVR 38)

The licensing authority is empowered to impound a defaced or torn license and issue duplicate in accordance with MMVR 39.

3.21 Issue of duplicate of conductor's license (MMVR 39)

(1) A duplicate conductor's license issued under MMVR 36, 37 and 38 should be clearly stamped "Duplicate" in red and the date of issue.

(2) If the licensing authority who affixes a new photograph to a duplicate conductor's license is not the authority by whom the conductor's license was issued, it has to forward the second copy of the photograph to the original authority.

(3) The fee for a duplicate conductor's license is specified under MMVR 39.

3.22 Conductor's badge (MMVR 40)

The licensing authority has to issue a metal badge after accepting fee specified in MMVR 40, inscribed with the name of authority, the word "Conductor" and an identification number.

3.23 Duplicate Conductor's badge (MMVR 40)

An application for duplicate conductor badge has to be made in form D.C.B. accompanied by fee specified in MMVR 40.

3.24 Duty to display conductor's badge and name plate (MMVR 40)

(1) While on duty a conductor is required to display badge on his left chest and above the badge a plastic name plate having size specified in MMVR 40, indicating his full name in Marathi.

(2) A conductor should not lend or transfer his badge to any other person, or permit the use by any other person.

3.25 The effectiveness of conductor's license issued by any other State other than the State of Maharashtra (MMVR 41)

(1) The permit-holder of the stage carriage should not employ a person as a conductor having a conductor's license issued by any licensing authority located outside the State of Maharashtra.

(2) A person can act as a conductor having a conductor's license issued in any other State in respect of stage carriage operation in the State of Maharashtra on the routes included in the reciprocal Transport Agreement as well as on the routes mutually agreed by both the State Transport Undertaking.