UTTAR PRADESH SHASAN
PARIVAHAN ANUBHAG-4

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 3/2021/1076/XXX-4-2021, dated 14 September, 2021

Notification

No. 3/2021/1076/XXX-4-2021

Lucknow: Dated 14 September, 2021

In exercise of the powers under sub-section (1) of section 114 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988) and in pursuance of the order dated 23 June, 2021 passed by the Hon'ble High Court of Judicature at Allahabad in Civil Misc. Writ Petition No 4855/2020 (Truck Operator Association through its President Rajesh Rupani and others versus State of Uttar Pradesh and others), the Governor is pleased to authorize all Assistant Regional Transport Officers or higher officers of the Motor Vehicles Department, Police Inspector or higher officers of Police Department on duty and designated persons of National Highways Authority of India (NHAI), Uttar Pradesh Expressways Industrial Development Authority (UPEIDA), Uttar Pradesh State Highways Authority (UPSHA) and Yamuna Expressway Industrial Development Authority (YEIDA), if he has reason to believe that a goods vehicle or trailer is being used in contravention of Section 113 of the aforesaid Act, to require the driver to convey the vehicle for weighment to any weighing device, if any, which is within a distance of ten kilometers from any point on the forward route or within a distance of twenty kilometers from the point of destination of the vehicle; and if on such weighment it is found that the vehicle has, in any way, contravened the provisions of section 113 of the aforesaid Act regarding weight, he may, by order in writing, direct the driver to off-load the excess weight at his own risk and not to remove the vehicle or the trailer from the place until the laden weight has been reduced or the vehicle or the trailer has otherwise been dealt with so that it complies with section 113 of the aforesaid Act and on receipt of such notice, the driver shall comply with such directions.

The authorized person who makes the order in writing under sub-section (1) of section 114 of the aforesaid Act, shall also endorse the details of the overloading on the goods carriage permit, and also intimate the fact of such endorsement to the authority which issued that the permit.

This notification shall come into force with effect from the date of its publication in the Gazette.

By Order,

Rajesh Kumar Singh
Principal Secretary

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नही है ।
2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.gov.in से सत्यापित की जा सकती है ।