

MUMBAI PORT TRUST
(TRAFFIC DEPARTMENT)

No.TM/M/9-6/9 of 2005-06

2nd May, 2012

C I R C U L A R

All Transport Associations/Sanghs

Dear Sirs,

Sub : Overloading of trucks/trailors in the Dock area.

Regional Transport Officer, Mumbai (East) has brought to the notice of Mumbai Port that they are in receipt of many complaints regarding over loading of vehicles from Wadi Bunder, P.D'Mello Road to ID and P&V Docks. The Regional Transport Officer has further while inviting attention to Section 113 of Motor Vehicles Act, 1988 and the Judgement of Hon'ble Supreme Court of India on the issue of overloading of vehicles has requested to ensure that no overloaded trucks/trailors enter/exit the Docks.

2. Section 113 of Motor Vehicles Act, 1988 is reproduced below :

- (i) "113 – Limits of weight and limitations on use – (1) The State Government may prescribe the conditions for the issue of permits for (transport vehicles) by the State or Regional Transport Authorities and may prohibit or restrict the use of such vehicles in any area or route.
- (ii) Except as may be otherwise prescribed, no person shall drive or cause or allow to be driven in any public place any motor vehicle which is not fitted with pneumatic tyres.
- (iii) No person shall drive or use or allow to be driven in any public place any motor vehicle or trailer -
 - (a) the unladen weight of which exceeds the unladen weight specified in the certificate of registration of the vehicle, or
 - (b) the laden weight of which exceeds the gross vehicle weight specified in the certificate of registration.
- (iv) Where the driver or person in charge of a motor vehicle or trailer driven in contravention of sub-section (ii) or clause (a) of sub-section (iii) is not the owner, a Court may presume that the offence was committed with the knowledge of or under the orders of the owner of the motor vehicle or trailer.

3. In view of the above, it will be the responsibility of the consignor/consignee/transporter to ensure that no vehicle is over loaded while entering/exiting Docks and to abide by Section 113 of Motor Vehicle Act, 1988 strictly.

4. All members of the Association be informed to comply accordingly.

Yours faithfully,

Sd/-
(S.S. SHIRALKAR)
SR.DY.TRAFFIC MANAGER

c.c.: Regional Transport Officer, Mumbai (East) – for information.
With reference to his letter No.RTO/MUM/E/Prose./2012/ON 2800
dated 03.04.2012.