

Order File

OFFICE OF THE DISTRICT JUDGE; DARJEELING.
MEMO NO: 1252 (10) /E DT. 4.7.2014

Copy forwarded for information and strict compliance to:

1. Additional District and Sessions Judge, 1st./2nd./3rd. Court, Darjeeling.
2. Civil Judge (Sr. Divn.) Darjeeling.
3. Chief Judicial Magistrate, Darjeeling.
4. Judicial Magistrate, Darjeeling.

Violation of the direction contained in the Notification overleaf will amount to violation of Court's order and is liable for consequences thereof.

5. Judge-in-Charge of Nezarath, Darjeeling for information with the direction to instruct the Nazir to remove the unauthorised red/blue light used in the Hired vehicles of this station at once.

6. Judge-in-Charge of Nezarath and Civil Judge (Jr. Divn.) Siliguri for information with the request to circulate the copy of enclosed notification to all Judicial Officers of her station and instruct the Nazir to remove the unauthorised red/blue light used in the Hired Vehicles of her station at once. The Officers may kindly be informed that violation of the direction will amount to violation of Court's Order.

7. Civil Judge (Jr. Divn.) Kurseong/Kalimpong for information with the request to circulate the copy of enclosed notification to all the Judicial Officers of his station for strict compliance and instruct the Nazir to remove the unauthorised red/blue light used in the Hired vehicles of his station at once. The Officer may kindly be informed that violation of the direction will amount to violation of Court's Order.

8. Civil Judge (Jr. Divn.)-cum-J.M., Mirik/Mungpoo/Gorubathan for information and strict compliance. Violation of the direction will amount to violation of Court's Order.



(Uday Kumar)
District Judge, at Darjeeling.

Government of West Bengal
Transport Department,
Paribahan Bhaban,
12, R.N. Mukherjee Road, Kolkata-700001

No.2516-WT/3M-98/2006

Dated : 19th June, 2014

NOTIFICATION

Whereas the Hon'ble Supreme Court of India has issued direction on 10/12/2013 in the matter of S.L.P. (C) No. 23984/2010 and 25237/2010 and directed all State Governments to review the orders /Notifications issued by them authorizing dignitaries, officers and operational agencies for use of red lights on vehicles to bring them in tune with Rule 108 of Central Motor Vehicles Rules, 1989 and the Notification Nos. S.O. 52(E) dated 11.01.2002 and S.O. 1070(E) dated 28.07.2005 issued by the Ministry of Road Transport and Highways, Government of India;

Now, therefore, in compliance of the aforesaid order of the Hon'ble Supreme Court of India and in exercise of powers under Rule 108(1)(iii), Rule 108(2), (3) & (4) of the Central Motor Vehicles Rules, 1989 and as per provisions laid down in the clauses (c) and (e) of the notification no. S.O. 52(E) dated 11.01.2002 and in general pursuance of the Central Rules and Central Notifications, the Governor, in supersession of all previous notifications in this regard, is hereby pleased to notify the following list of high dignitaries, officers and providers of emergency services to use certain specific kind of lights on vehicles in this State, in the manner as detailed below:

1. Red light with flasher on top front of the vehicles in this State:
 - i. Governor;
 - ii. Chief Minister;
 - iii. Chief Justice of High Court;
 - iv. Speaker of Vidhan Sabha;
 - v. Cabinet Ministers of the State Government;
 - vi. Leader of Opposition in the Vidhan Sabha;
 - vii. Judges of the High Court.
2. Red light without flasher on top front of the vehicles in this State:
 - i. Ministers of State of the Government of West Bengal;
 - ii. Deputy Speaker, Vidhan Sabha, West Bengal;
 - iii. Mayor of Kolkata;
 - iv. Chief Secretary, Government of West Bengal.

3. Blue light with flasher on top front of the vehicles in this State:

- i. Parliamentary Secretaries;
- ii. Advocate General, West Bengal;
- iii. Additional Solicitor General;
- iv. State Election Commissioner, West Bengal;
- v. Chairman, State Administrative Tribunal, West Bengal;
- vi. Chairman, West Bengal Minorities Commission;
- vii. Chairman, West Bengal Commission for Backward Classes;
- viii. Chairman, West Bengal State Public Service Commission.

4. It is further notified that any dignitary or officer of any State other than the State of West Bengal formally designated as equivalent in rank, status and privileges to those dignitaries, as referred in the para 1, 2 and 3 above, will also be authorized to use red or blue lights, with or without flasher, as the case may be on vehicles, while they are in West Bengal.

5. In case the vehicle fitted with red/blue light on top front is not carrying the dignitaries, then such light shall not be used and shall be covered by a black cover.

6. Vehicles escorting the aforesaid high dignitaries shall put blue lights without flasher on top front thereof [vide Rule 108(3) of the Central Motor Vehicle Rules, 1989].

7. An ambulance used for carrying patients shall use blinker type of red light with purple glass [vide Rule 108(1) (iv) of the Central Motor Vehicle Rules 1989].

8. Use of multi-coloured lights with red, blue and white combination shall be allowed [in terms of Rule 108(4) of the Central Motor Vehicle Rules, 1989] on the vehicles used for emergency services, like:

- a) Fire Tender Vehicles used by Fire and Emergency Services Department;
- b) Rescue Vans of Civil Defense Department / Disaster Management and emergency services of Police authorities.

[Specification for use of combination of lights: the lights shall be displayed as continuous bar of 3 feet in length, max. 8 inches in width and max. 8 inches in height. Each compartment of light shall be of 1 foot in length. Non-blinking white light shall be in the middle. Red light shall be on the right side of the bar and the Blue on the left side of the bar. The Red and Blue lights shall blink alternatively. The bar shall be made of transparent plastic and shall taper suitably from the base to the top having width of max. 6 inches.]

9. As the Hon'ble Supreme Court has directed, inter alia, "...the men in uniform; operational agencies which require unhindered access to the roads for performance of their duty; those engaged in emergency duties..... emergency maintenance etc., and Police Vehicles used as..... Pilots or for law and order duties" will be entitled to lights of other (than red) colours, the Governor is pleased to direct that dignitaries and officials, who are listed in Notification No.2998-WT/3M-118/2001 Pt. IV dated 07.09.2007, Notification No. 4425-WT/3M-118/2001 Pt. IV dated 28.10.2009, Notification No. 3846-WT/3M-118/2001 Pt. IV dated 12.12.2011 and Notification No. 1067-WT/3M-118/2001 Pt. IV dated 26.03.2012 issued by Transport Department, Government of West Bengal till this date but not listed herein above, will be entitled to have blue lights without flasher on top front of the vehicles used by them. Secretaries to Government of West Bengal, Heads of Police Agencies/ Directorates/ Commissionerates, District Magistrates, District Superintendents of Police, etc., will have this entitlement.
10. Any violation of the above shall be considered as violation of law and liable for prosecution accordingly.
11. If red or blue light is affixed to a hired vehicle in terms of the principles mentioned above, then such hired vehicle shall be used only for official purposes and only when the concerned dignitary /official concerned is using such vehicle himself or herself. Use of such hired vehicles with red or blue lights beyond office hours for non-official purposes is strictly prohibited.

This Notification shall take immediate effect.

By Order of the Governor



(AVANINDRA SINGH)
Joint Secretary
to the Government of West Bengal

No.2516/1(1)-WT/3M-98/2006

Dated : 19th June, 2014

Copy of the notification forwarded to the Superintendent, West Bengal Government Press, 38, Gopal Nagar Road, Alipore, Kolkata – 700 027, with request to publish in Extra Ordinary Gazette and send 50 (fifty) copies of the same to this Department for official use.

Joint Secretary
to the Government of West Bengal

No.2516/2(4)-WT/3M-98/2006

Dated : 19th June, 2014

Copy forwarded for kind information to:

1. Chief Secretary to the Government of West Bengal,
2. Additional Chief Secretary,..... Deptt.,GoWB
3. Principal Secretary,.....,Deptt. (All), GoWB,
4. Secretary,..... Deptt., (All), GoWB,

Joint Secretary
to the Government of West Bengal

No.2516/3(16) -WT/3M-98/2006

Dated : 19th June, 2014

Copy forwarded for information and urgent action to:

1. A.D.G. (Traffic), West Bengal,
2. Commissioner of Police,.....(All),
3. OS.D. & Joint Secretary(DPC), Finance Department, GoWB, with request to upload
4. Director, Public Vehicles Department, 38, Beltala Road, Kolkata – 700020,
5. and publish on Finance Department's Website,
6. Director, Information, I&CA Department with request to upload on Banglarmukh website,
7. District Magistrate & Chairman, RTA (All).....District.,
8. Superintendent of Police (All)..... District.,
9. O.S.D. & Under Secretary, Home Department, Nabanna, with request to circulate through group e-mail of West Bengal officers,
10. Administrative Officer, Pool Car,7&11/1, Ashutosh Mukherjee Road, Kolkata-20
11. S.D.P.O..... (All),
12. Regional Transport Officer,.....(All),
13. Additional Regional Transport Officer,..... (All),
14. P.S. to the Hon'ble MIC, Transport Department, Government of West Bengal,
15. Sr. P.S. to the Principal Secretary, Transport Department, Government of West Bengal,
16. Dr. Tapas Das, Technical Director, NIC, WBSC, with a request to upload this notification in the Transport Department's website.

Joint Secretary
to the Government of West Bengal