

INSTRUCTIONS CONCERNING ROAD SAFETY IN MATTERS CONCERNING
TRANSPORTATION ON ROAD

Following instructions are issued to all Truck Owners, Machinery Owners, Leaseholders, Traders, Endusers, etc. for strict compliance in exercise of powers under the Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013 and all other powers enabling in this behalf:

1. Since Hon'ble Supreme Court of India in Writ Petition No. 435/2012 in order dated 21/04/2014 directed the State Government to strictly enforce the Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013, as such in exercise of power under Rule **17(10)** of Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013, the speed limit for vehicles used for transportation of minerals is fixed at **40 km/hr.**
2. The upper speed limit is applicable to the trucks registered with department irrespective of the facts whether it is involved in transportation of minerals or is driven for any other purpose. The speed limit shall be applicable to all such registered vehicles throughout the State of Goa and throughout the year so that confidence is reposed in the citizen that such vehicles shall not endanger the lives of other commuters on road.
3. The software with the help of VTS device fitted on transportation vehicles shall automatically debar all the trucks found to be exceeding the speed limit for the period mentioned as under:
 - (1) 1st Violation : Debarred upto 1 day
 - (2) 2nd Violation : Debarred upto 3 days
 - (3) 3rd Violation : debarred upto 7 Days
 - (4) 4th Violation : Debarred upto 10 days
 - (5) 5th Violation : Debarred upto 15 days
 - (6) 6th Violation : Debarred upto 30 days
 - (7) 7th Violation : Debarred upto 60 days
 - (8) 8th Violation : Debarred upto full season



4. If in exigency of situation if the truck exceeds the speed limit beyond 40 km/hr. upto 50 km/hr., it shall not be treated as wilful violation of the speed limit. For this purpose any increase in speed of vehicle above 40 km/hr. up to 60 second at a time shall be presumed to be such exigency and shall not be treated as wilful violation of speed limit.
5. The list of violators shall be displayed on the website in the late evening of the same day or on next day.
6. It shall be the duty of the Leaseholder/Trader/end User, Transportation Contractors etc. not to employ such debarred vehicles' for any activities concerning Major Minerals like using such vehicles for internal movements within lease or jetty or storage points.
7. If the debarred vehicle is used for transportation of the minor minerals like sand, laterite stones, rubbles, murram etc. during when it was debarred, such vehicle may be made liable for exorbitant fines' so also person who employed such vehicles.
8. Since debarring of trucks is done by use of software, the Social Status, Political Status or Economical Status either of the truck owner or driver shall not influence either monitoring or process of debarring trucks.
9. The registration of vehicles with the department is voluntary, as such once registered with the department, the owner and driver of the truck or machinery shall be governed by provisions of the MMDR Act, 1957 and rules made therein, so also administrative instructions issued by Department from time to time.
10. Irrespective of financial arrangements or other commercial decision with regards to employing of vehicle between Lease Holders, traders and endusers etc. and owner of vehicles or machinery, the department shall take serious note if any attempt by owner of vehicle or through others' to illegal stop the transport. The department reserves the right to take stern action against such person if they are found to have stopped or abated legal transportation in accordance with law which is authorised by this department.



11. The department shall monitor all the vehicles registered with it throughout the year, as such VTS device of all the vehicles registered with department shall be active throughout the year irrespective of the fact whether it is mining season or otherwise.
12. The choice of vehicles to be used for transportation concerning the particular lease holder, traders or end users shall be exclusively left to the choice of lease holders, traders or end users. As such mere registration of vehicle with department shall not give any rights to any of the vehicle owner to get business of transportation as a matter of right from the department/ lease holder, end user etc.
13. The vehicle engaged for one lease hold area/end user shall be expressively barred for undertaking transportation or other allied activities for other lease holder/end user on the same day.
14. The time for transportation of minerals though starts from **6 a.m. to 10 p.m.** the same may be modified from time to time at different locations' taking into accounts the usage of infrastructure facilities by members of public, so also all school going children etc.
15. To decongest the roads it is hereby ordered that there shall be equal way bridges at loading and unloading points.
16. Proper care shall be taken by the owner and driver of the vehicle to cover the minerals with turpentine etc. so that no wastage of mineral takes place at the same time dust pollution is avoided.
17. The Lease Holders or transportation contractors, end users shall ensure that before vehicles leaves their premises, the tyres of the vehicles are washed properly so that dust pollution on the road due to tyres 'can be avoided.
18. The trucks owners shall ensure that speedometer of vehicles are in good condition so as to enable the driver to control the speed of the vehicle and drive within the speed limit.



19. When any violation shall be noticed, the message of debarring of the truck shall be sent to all the owners/drivers on mobile numbers provided by them to department for over speeding. The duration for which they are debarred shall be intimated by auto generated SMS and when such message is received, it shall be the duty of such owner/driver not to use vehicle for any mining related activity during such period, any wilful defiance of such instruction shall be solely attributed to such owner/driver and employing of such debarred vehicle shall be liable for further grievous action both monetary and otherwise.


20. In case when vehicle registered with the department meets with an accident, it shall be presumed to be at fault and strict action shall be initiated against such vehicle. It shall be the duty of the vehicle owner to prove his innocence.

21. It is hereby clarified that whenever the old vehicles shall be replaced, they shall be replaced with new vehicles of capacity of at least 15 tons.

The above instructions are issued not only for implementation of the Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013 but also for honouring directions of the Hon'ble Supreme Court of India. The said action is initiated so that confidence is reposed in the minds of general public that the transportation of ore is not only in compliance with legal requirements but also keeping in mind safety of the general public, which is of paramount importance.

Since these actions are initiated by the help of software with electronics monitoring devices there is no scope of human intervention for favouring any person or against any person as such should be taken into right spirit so that necessary corrective majors are taken.

Place : Panaji
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