

Chapter 20

Traffic Duties

The Basic Traffic Premise

490-1 The functions and responsibilities of Traffic police are to achieve smooth and safe flow of traffic by efficient regulation and enforcement of traffic laws and to ensure prevention of accidents.

2. Efficient road traffic management should aim at striking a just balance among the following three essential factors:
 - i) Satisfactory circulation
 - ii) Absolute safety and
 - iii) Reasonable Cost.
3. In the mechanics of traffic management, Engineering, Education and Enforcement should operate coordinately together for making the roads safe and the passage smooth.

Co-ordination Aspects

491. While regulation and enforcement is the major preoccupation of the traffic police, they have to liaise with the local Municipal authorities, Urban Development Authorities, Roads and Building agencies etc for continuously updating the road surface, geometrics and accessories like signals, islands, railings, dividers, flyovers, underpasses etc. etc.

AIMS & OBJECTIVES

The objectives of the traffic police shall be as follows:

1. Effective enforcement of traffic regulations.
2. Inculcate a sense of discipline amongst the road users and educate the public including school children on road safety.
 1. Prevent and reduce the frequency of Motor Vehicle accidents.
 2. Develop a sense of responsiveness and sensitivity amongst the traffic police personnel towards the needs of the public.
 3. Render assistance to the public in various stressful conditions such as prompt first aid to accident victims.
 4. Train, educate and improve upon the abilities of the personnel attached to the traffic branch, through measures of capacity building.
 5. Assist and advice to various agencies involved urban development especially with regards to infrastructure, with a view to prevent traffic woes in the future.
 6. Ensure protection to the environment and take appropriate steps for prevention of noise and air pollution.
 7. Encourage the participation and involvement of the public in traffic management.
 8. Provide education to beginner drivers and driving license applicants through the road safety cell and certify their competence for holding a valid motor vehicle license.

Duties of Traffic Police

492. The basic duties of the traffic police personnel include:

- i. Manning fixed traffic points in a town.
- ii. Mobile patrol to regulate traffic and clearing the road
- iii. Enforcement of MV Act and Rules and other notifications
- iv. Check and control of rash, dangerous and drunken driving.

- v. Patrolling of highways, enforcement of traffic discipline and maintenance of order on the main roads
- vi. Removing obstructions to traffic flows and organizing traffic diversion whenever necessary, both in the congested areas of the towns and on the highways.
- vii. Prompt arrival at the scenes of road accidents, guarding the scene, rendering first aid and shifting the injured to the hospital, intimating to the Local Police Station and assisting them in the investigation of the cases.
- viii. Communicating information to civil police of any incident or movement of criminals or suspected persons or property, which they come to know
- ix. Observation and apprehension of wanted persons or taking charge of missing persons in course of their duties
- x. Setting up barricades to check vehicles on alert from the police authorities
- xi. Assisting civil police in checking for suspicious persons or properties
- xii. Assistance to police during large gatherings
- xiii. Undertaking Traffic education
- xiv. Maintenance of prescribed records
- xv. Upkeep and maintenance of all traffic equipment including traffic signals
- xvi. Take special care of school children, old or blind or handicapped persons and others at road crossings and peak traffic points
- xvii. Monitoring of traffic on the highways on a full time basis
- xviii. Advice the local bodies and other authorities for erection of road signals, road painting and other matters connected with traffic engineering
- xix. Coordination with local authorities, GREF, Roads & Bridges telephones, PHED, UD & HD, Energy & Power Departments in

the matter relating to free flow of traffic and its regulation, occasioned by maintenance and repair works undertaken by the concerned departments.

- xx. Organize road safety education, awareness and training for drivers, road users, public, students and other stake holders.
- xxi. Set up road safety and education parks.

493. **Organization and Supervision of Traffic Police Stations**

There are two offices of traffic police. The first shall operate room Gangtok for the North and East districts and second traffic will be stationed at Jorethang for the South and West districts. The traffic office located at Gangtok and Jorethang will be under the administrative control and command of SP, East and SP, South respectively.

- i. Each Traffic office shall be equipped with a mobile wireless vehicle for patrolling purposes. The vehicle should be equipped with public address system, searchlights, first aid kit and shall have clear markings indicating the area and identity of the mobile. A certain number of motorcycles with necessary communication equipment shall be provided for each Traffic office to enable mobile patrolling on two wheelers. A traffic police should be normally located in a separate building equipped with all communication facilities in the same manner as ordinary police station. The recovery vans (cranes) and other equipment needed for clearing of obstructions is provided in town and at other important places.
- ii. The Traffic police should be under the control of Addl. SP/ DSP. Adequate staff equipments and facilities looking to the quantum

of work and work load should be made available to the traffic police in accordance with the need, necessity and demands of the traffic duties.

494. Briefings and timings of traffic police men on duty

The traffic police shall be on duty as per following times:

1. SUMMER TIMINGS: The daily briefing shall be done with a view to allow deployment by 0800 hours every morning. The duty hours shall be till 1900 hours. There shall be a lunch break of 1 hour. This break shall be taken by rotation with the prior approval of the sector officer.
2. WINTER TIMINGS: The daily briefing shall be done with a view to allow deployment by 0800 hours every morning. The duty hours shall be till 1800 hours. There shall be a lunch break of 1 hour. This break shall be taken by rotation with the prior approval of the sector officer.
3. EVENING DUTY OFFICER: An officer of the traffic branch along with adequate number of other ranks shall be on duty after the withdrawal of the routine duty personnel. The purpose of this deployment shall be to enable some semblance on traffic management in the late hours of the evening. This deployment shall remain in place till 2000 hours.
4. EMERGENCY/VVIP DEPLOYMENT: In times of

Emergency, Natural Disasters and VVIP movement, the timings of duty of traffic personnel shall be decided by the Superintendent of Police of the concerned district.

5. DAILY BRIEFING: The ASP/Dy.SP Traffic shall mandatorily brief the staff at least once a week in the morning. On other days, the daily briefing shall be done by an officer not below the rank of a Sub-Inspector. The Superintendent of Police of the district shall also regularly brief the staff on routine basis. The briefing of GO's and Section Officers shall be done separately on occasions necessitating special traffic arrangements.

495. ROLE OF TRAFFIC POLICE IN LAW & ORDER SITUATIONS & REGULATION OF PROCESSIONS: In times of law and order situations, the traffic police shall work in tandem with the local police station and as per the directions of the Superintendent of Police/Deputy Superintendent of Police of the concerned district/Sub-division. The purpose of this direction is to achieve synergy between the different wings of the police department.

Work Allocation and Jurisdiction

496. The staff of the Traffic is divided into sections and each section kept in charge of a Head Constable/ASI/SI. The traffic section shall work in accordance with cycles of duty to be fixed with reference to the local conditions.

1. The location of the traffic police should be determined on the extent of the highway to be patrolled and the regulation of traffic in large

towns. The location should be determined also on the basis of nodal traffic points.

497. **Records to be Maintained and Functioning of Traffic Police Station**

The traffic police station shall maintain all the records relating to personnel and management of station in the same manner as prescribed for ordinary police stations. The important records are:

- (a) General diary,
- (b) Duty roster,
- (c) Traffic point books,
- (d) MV Act challan register,
- (e) Disposition register
- (f) challan book,
- (g) Government property register,
- (h) A map of the area and accident prone areas,
- (i) The general information book etc.

Any person approaching traffic police with a cognizable case should be helped to contact the nearest police station without delay taking such action as may be necessary to safeguard the scene of occurrence and shifting of the injured to the hospital.

- i. All information on traffic offences and offenders shall be maintained in the Traffic Police concerned and necessary information sent directly to District Crime Records Bureau with a copy to the SP. There should be an ideal understanding and interaction between the local civil police and the traffic police

personnel.

TRAFFIC SIGNS AND ROAD MARKINGS

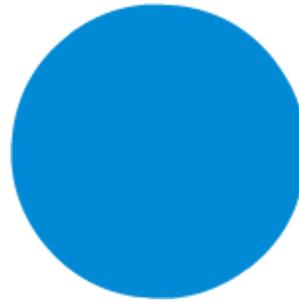
TRAFFIC SIGNS

Traffic signs are divided into 3 main categories

- Mandatory/Regulatory signs
- Cautionary signs
- Information signs



Red circle instructs what should not be done.



Blue circle instructs what should be done.



Triangle cautions

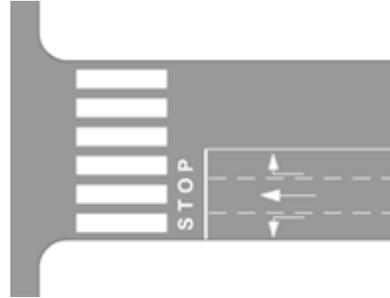


Blue rectangle informs

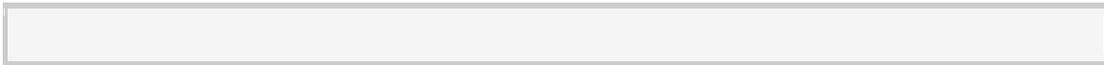
ROAD MARKINGS

Road markings compliment the road signs. Markings are painted on the road to guide and regulate the traffic.

White paint is used for carriageway markings and yellow is used to mark restrictions.



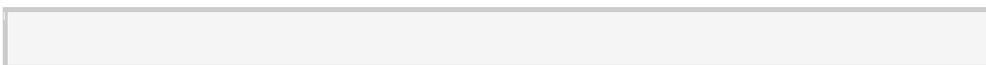
STOP AND GIVE WAY SIGNS



STOP SIGN: This sign is used on roadways where traffic is required to stop before entering a major road. The vehicle shall proceed past the stop line only after ascertaining that this will not cause any damage to traffic on the main road.

GIVE WAY SIGN: This sign is used to assign right-of-way to traffic on certain roadways and intersections, the intention being that the vehicles controlled by the sign must give way to the other traffic having the right-of-way.

PROHIBITORY SIGNS





STRAIGHT PROHIBITED OR NO ENTRY: These signs are located at places where the vehicles are not allowed to enter. It is generally erected at the end of one-way-road to prohibit traffic entering the roadway in the wrong direction and also at each intersection along the one-way road.



ONE WAY SIGN: These signs are located at the entry to the one-way street and repeated at intermediate intersections on that street.



VEHICLES PROHIBITED IN BOTH DIRECTIONS: This sign is used at the approach end of the roads where entry to all types of vehicular traffic is prohibited, especially in areas which have been designed as

HORN PROHIBITED: This sign is used on stretches of the road where sounding of horn is not allowed, near hospitals and in silence zones.

pedestrian malls.



RIGHT/LEFT TURN PROHIBITED: these signs are used at places where vehicles are not allowed to make a turn to the right or left. The signs are also used at the inter-sections of one-way street to supplement the one-way sign.



U-TURN PROHIBITED: This sign is used at places where vehicles are forbidden to make a turn to the reverse direction of travel between the sign and the next inter-section beyond it.

OVERTAKING PROHIBITED: This sign is erected at the beginning of such sections of highways where sight distance is restricted and overtaking will be dangerous.





ALL MOTOR VEHICLES PROHIBITED: This sign is used at places where entry to all types of motor vehicles is prohibited.

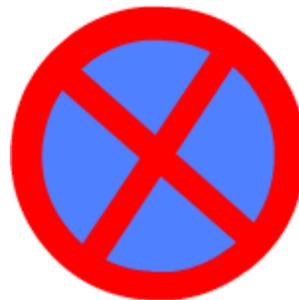


TRUCKS PROHIBITED: This sign is used at the entrance to the road where movement of trucks is prohibited.

NO PARKING AND NO STOPPING SIGNS



NO PARKING: This sign is erected where parking is not allowed but vehicles can stop for short duration to allow passengers to get into or



NO PARKING OR STOPPING: This sign is erected where vehicles are prohibited to stop

get out of the vehicle. The sign even temporarily.
should be accompanied by suitable
kerb or carriageway markings.

SPEED LIMIT AND VEHICLE CONTROL SIGNS



SPEED LIMIT: This sign is erected at the beginning of the section of the road or area covered by a speed restriction, with numerals indicating the speed limit in kilometers per hour.



WIDTH LIMIT: This sign is used where entry of vehicles exceeding a particular width is prohibited.



HEIGHT LIMIT: This sign is erected in advance of an overhead structure where entry is prohibited for vehicles whose height exceeds a certain limit.



LENGTH LIMIT: This sign is used where entry of vehicles exceeding a particular length is prohibited.



LOAD LIMIT: This sign is used where entry of vehicles is prohibited for vehicles whose laden weight exceeds a certain limits.



AXLE LOAD LIMIT: This sign is used where entry of vehicles is prohibited for vehicles whose axle load exceeds a certain limits.

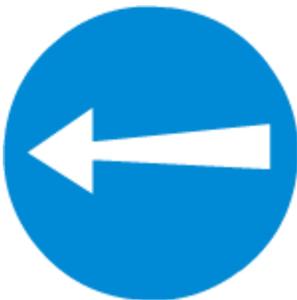
RESTRICTION ENDS SIGN



This sign indicates the point at which all prohibitions notified by prohibitory signs for moving of vehicles cease to apply.



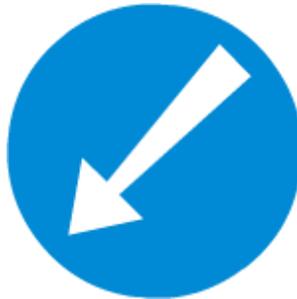
COMPULSORY DIRECTION CONTROL
AND OTHER SIGNS



COMPULSORY TURN LEFT/RIGHT: These signs indicate the appropriate direction in which the vehicles are permitted to proceed.



COMPULSORY AHEAD OR TURN LEFT/RIGHT: These signs indicate the appropriate directions in which the vehicles are permitted to proceed. Vehicles are supposed to move either of the given two directions.



COMPULSORY AHEAD: This sign indicates that the vehicle is only permitted to proceed ahead.

COMPULSORY KEEP LEFT: This sign is most frequently used on bollards or islands and refuges in the middle of the carriageway and at the beginning of central reserves of dual carriageway. The vehicles are obliged to keep left only.



COMPULSORY SOUND HORN: This sign means the motor vehicles shall compulsorily sound horn at the location where the sign

is placed. This sign is mostly put at sharp curves on hill roads.



SLIP ROAD AHEAD: This sign means the vehicles can either go straight or turn left.



MAIN ROAD AHEAD: This sign means the vehicles can either go straight or turn right.



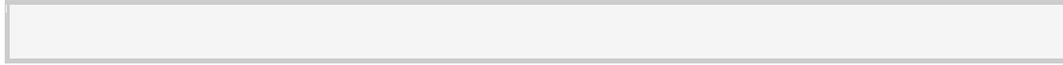
PEDESTRIANS ONLY: This sign means only pedestrians are allowed and the traffic is not allowed on this road.



BUSES ONLY: This sign means that only buses are allowed and other traffic is not allowed on this road.



TYPICAL CAUTIONARY SIGN



RIGHT/LEFT HAND CURVE: This sign is used where the direction of alignment changes. The sign forewarns the driver to reduce the speed and proceed cautiously along the road.



RIGHT/LEFT HAIR PIN BEND: This sign is used where the change in direction is so considerable that it amounts to reversal of direction. The symbol bends to right or left depending upon the road alignment.

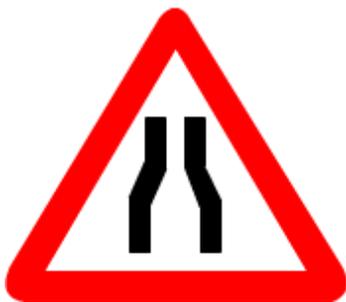




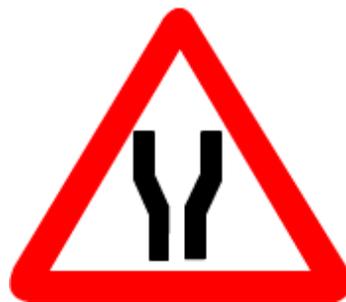
RIGHT/LEFT REVERSE BEND: This sign is used where the nature of the reverse bend is not obvious to approaching traffic and constitutes a hazard. If the first curve is to the right, a right reverse bend shall be used. If the first curve is to the left, a left reverse bend is used.



NARROW BRIDGE: This sign is erected on roads in advance of bridges where the clear width between the kerbs or wheel guards is less than normal width of carriageway.



NARROW ROAD: This sign is normally found in rural areas where a sudden reduction in width of pavement causes a



ROAD WIDENS: This sign is normally found in rural areas where a sudden widening of road causes a danger to traffic,

danger to traffic.

such as, a two-lane road suddenly widening to a four lane road.



PEDESTRIAN CROSSING: This sign is erected in advance of both approaches to uncontrolled pedestrian crossings.



SCHOOL: This sign is erected where school buildings or grounds are adjacent to the road where the traffic creates a hazard to children.



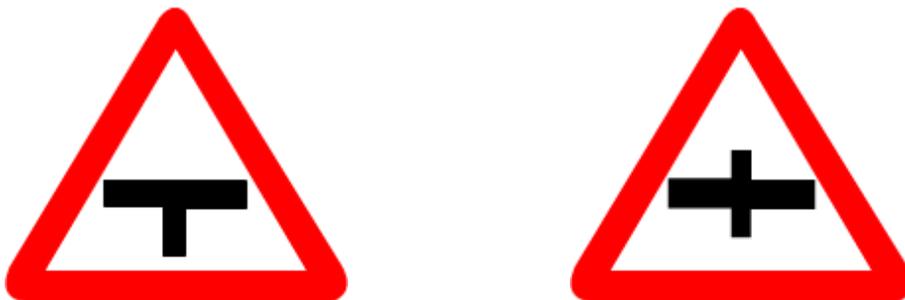
MEN AT WORK: This sign is displayed only when men and machines are working on the road or adjacent to it or on overhead lines or poles. This sign is removed when the work is completed.



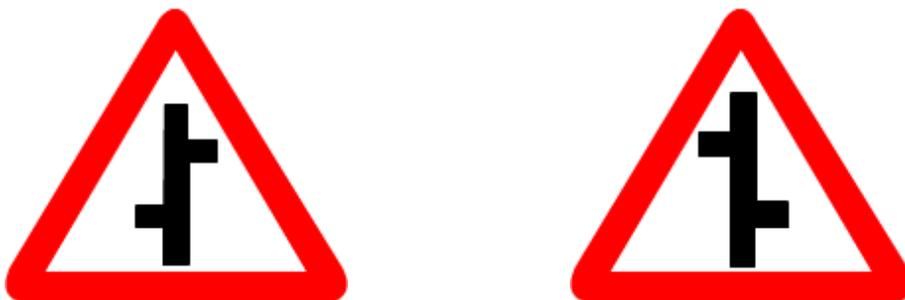
SIDE ROAD LEFT/RIGHT: This sign is displayed in advance of the side road intersections where a large volume of entering traffic together with restricted sight distance is likely to constitute a hazard. The driver is warned of the existence of a junction.



Y-INTERSECTION: These signs are displayed on the approach to a bifurcation of any road. This sign warns of the existence of a junction and no other indication is given.



MAJOR ROAD: These signs are displayed in advance of crossing with the major road, where a sufficiently large volume of traffic together with a sufficiently large volume of traffic together with restricted sight is likely to cause a hazard.



STAGGERED INTERSECTION: This sign is used to indicate junctions where the distance between two junctions is not more than 60 meters.



T INTERSECTION: This sign is displayed in advance of T-junctions where the nature of inter-section is not obvious to approaching traffic. This sign is used to warn the driver of the existence of a junction.



ROUNDABOUT: This sign is used where it is necessary to indicate the approach to a roundabout.



TWO WAY OPERATION: This sign is used to caution the driver of a changed pattern of traffic operation of the carriageway expected to carry traffic in one direction only.



CROSS ROAD: This sign is displayed in advance of the cross road where a sufficiently large volume of crossing or entering traffic with restricted sight distance is likely to constitute a hazard.

<http://www.chandigarhtrafficpolice.org/cautionary1.php><http://www.chandigarhtrafficpolice.org/cautionary.php> - top

FACILITY INFORMATION SIGNS



PUBLIC TELEPHONE: This sign is displayed on long stretches of roads in rural area indicating the distance to the nearest public telephone on supplementary plate, where it



FILLING STATION: This sign is displayed on long stretches of roads in rural area at the entry to the road leading to the facility.

is in inconspicuous position.



HOSPITAL: This sign is used to notify drivers of vehicles that they should take the precautions required near medical establishments and in particular that they should not make any unnecessary noise.



FIRST AID POST: This sign is used to notify drivers on long stretches of roads in rural area of the first aid facility which may be helpful in case of emergency.



EATING PLACE: This sign is used to indicate where a regular eating place is located.



LIGHT REFRESHMENT: This sign is used to indicate a place where light refreshment is available.

OTHER USEFUL INFORMATION SIGNS



RESTING PLACE: This sign is used to indicate where facilities for resting and lodging are available. It is normally combined with a separate definition plate, indicating whether the place is a Rest House, Hotel etc.



NO THROUGH ROAD: This sign is used at the entrance to a road from where there is no exit.



NO THROUGH SIDE ROAD: This sign is used on the main road, with appropriate variations to the symbol so as to show the road layout, where it is considered essential to give advance indication of a "No Through Side Road."



REPAIR FACILITY: This sign is installed at the places where repair facility is situated.



POLICE STATION: This sign is installed at the places where the Police Station is situated nearby.



BUS STOP: This sign is installed at the places where buses are designated to stop.



TAXI STAND: This sign is installed at the places where the taxis are expected to wait when not engaged/hired.

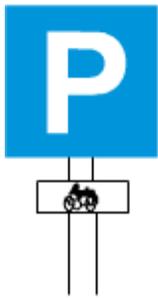
PARKING SIGNS



PARKING THIS SIDE



PARKING BOTH SIDES



SCOOTER & MOTOR
CYCLE STAND

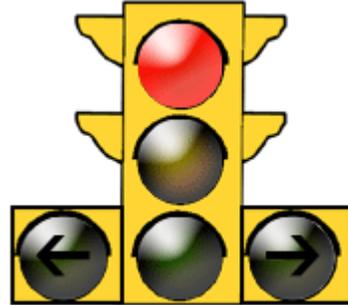


TAXI STAND

Traffic Lights

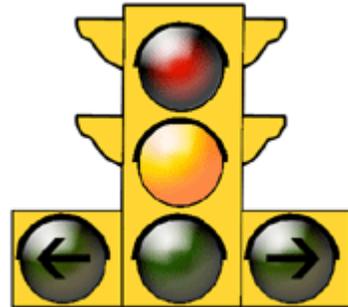
Red - To stop the traffic

Bring your vehicle to a complete halt behind the stop line or cross walk. Wait until the light turns green.



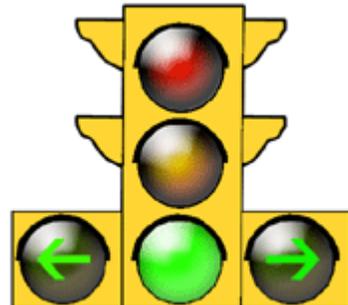
Amber - Caution

If you have entered the intersection and the light turns to amber, move on very carefully. If you see the amber light before entering the crossing, stop the vehicle behind the stop line or cross walk.

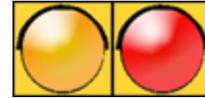


Green - Go on

Go through the crossing carefully. You can turn in the direction of the arrow by giving indicator.



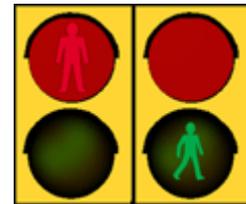
Flashing signals



A flashing red signal means you should come to a complete stop and move through the intersection where in it safe to do so.

A flashing amber signal warns to drive with caution.

Pedestrian signals



These signals help pedestrians cross intersections safely. If you face a steady red human figure, do not enter the road. If the signal starts flashing, cross the road quickly if you are already on the road. Stop, if you are about to join the road.

Walk cautiously if you face a steady green human figure.

DISPLAY OF THE STATE EMBLEM OF INDIA ON VEHICLES



As per the provisions of Chapter VI of the Orders relating to the State Emblem of India issued by the Ministry of Home Affairs, Government of India, the State Emblem may be displayed on -

- i. Cars of the Rashtrapati Bhavan when the President or his wife is travelling by such vehicles and the spare car following the car of the President;
- ii. Car of the Vice-President when he or his wife is travelling;
- iii. Cars of Raj Bhavans or Raj Niwases when the following dignitaries or their wives are travelling by such vehicles *within the State or Union Territory concerned*:-
 - a. President,
 - b. Vice-President,
 - c. Governor of the State,
 - d. Lt. Governor of the Union Territory;
- iv. Cars of Rashtrapati Bhavan when the following dignitaries or their wives are travelling by such cars:-
 - a. Visiting Heads of Foreign States,
 - b. Visiting Vice-Presidents of Foreign States or dignitaries of equivalent status,
 - c. Visiting Heads of Foreign Governments or dignitaries of equivalent status like Crown Prince and Princess of Foreign States;
- v. Cars of Raj Bhavans or Raj Niwases when the following dignitaries or their wives are travelling by such vehicles within the State or Union Territory concerned:-
 - a. Visiting Heads of Foreign States,
 - b. Visiting Vice-Presidents of Foreign States or dignitaries of equivalent status,
 - c. Visiting Heads of Foreign Governments or dignitaries of equivalent status
- vi. Cars and other means of transport used by the Heads of India's Diplomatic Missions in the countries of their accreditation;
- vii. Cars and other means of transport used by the Heads of India's Consular posts abroad in the countries of their accreditation subject to the laws, regulations and usages of the countries concerned;
- viii. Cars maintained by the Protocol Division of the Ministry of External Affairs when in use for

duty with the foreign dignitaries of the rank of Cabinet Ministers and above visiting India and escorting the Ambassadors accredited to India on ceremonial occasions.



Triangular metal plaques showing the **Ashoka Chakra** (i.e. Dharma Chakra which is a part of the State Emblem) may be displayed on

- a. Cars of the following dignitaries when they are travelling *anywhere in India*:
Cabinet Ministers of the Union;
Ministers of State of the Union;
Speaker and Deputy Speaker of the Lok Sabha;
Deputy Chairman of the Rajya Sabha;
- b. Cars of the following dignitaries when they are travelling *within their State or Union Territory*, as the case may be:-
Cabinet Ministers in States,
Ministers of State in States,
Speakers and Deputy Speakers of the State Legislative Assemblies,
Chairman and Deputy Chairman of the State Legislative Councils,
Ministers (other than Deputy Ministers) of Union Territories with Legislature
Speakers and Deputy Speakers of Legislative Assemblies in Union Territories.

PENALTY FOR MISUSE: Section 3, of the Emblems and Names (Prevention of Improper Use) Act, 1950 prohibits the use of the State Emblem or any colourable imitation thereof 'for the purpose of any trade, business, calling or profession, or in the title of any patent, or in any trade mark or design...except in such cases and under such conditions as may be prescribed by the Central Government.' Contravention of this provision is punishable with fine which may extend to five hundred rupees. Prosecution can, however, be instituted, only with the previous sanction of the Central Government or of any officer, authorized in this behalf by general or special order of the Central Government.

FREE PASSAGE FOR EMERGENCY VEHICLES

Introduction: Everyday, somewhere around you, police, ambulance and fire service vehicles are responding to emergencies. It is critical for all emergency services to keep the response time to a minimum. Seconds can be lost if drivers don't make way for emergency vehicles - precious time that could mean the difference between life and death. Remember, it's the law for any driver who sees and hears an emergency vehicle approaching to get out of the way.

RULES AND REGULATIONS

1. As per the Rules Of The Road Regulations, 1989 every driver must give free passage to fire service vehicles & ambulance by drawing to the side of the road. An ambulance, as per the Motor Vehicle Act, is a motor vehicle specially designed, constructed or modified and equipped and intended to be used for emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated.
2. Rule 108 (1)(iv) of the Central Motor Vehicles Rules, 1989 permits the use of the blinker type of red light with purple glass by an ambulance van used for conveying patients. Use of similar multi-coloured red, blue & white light can be specifically permitted by the State Government for the vehicles that have been specially designated for emergency duties under rule 108 (4) of the Central Motor Vehicles Rules, 1989. Rule 119 (3) of the Central Motor Vehicles Rules, 1989 permits such vehicles to use multi-toned horns etc. that have been approved by the registering authority in whose jurisdiction such vehicles are kept.

Steps to be taken when **one** hear or see an Emergency Vehicle coming behind you

- Do not slam on the brakes or pull over suddenly. Check your rear-view mirror; look in front and on both sides of your vehicle. React quickly, but calmly before pulling over and use your turn signals.
- On a two-way road, traffic travelling in both directions must pull over and stop as close as possible to the left-hand side of the road and clear of any intersection.
- On a one-way road with more than two lanes, stop as close as possible to the nearest edge of the road and clear of any intersection.
- Wait until the emergency vehicle has passed. Stay alert and look for more than one emergency vehicle approaching. Check to make sure the way is clear and signal before merging back into traffic.
- Never follow or try to outrun an emergency vehicle.

Pedestrians on or crossing the road must get off the road as quickly as possible. Do not cross in front of an emergency vehicle - stay on the sidewalk or at the side of the road until the emergency vehicle has passed.

LAW ON USE OF HORNS

Law relating to use of horn/siren

1. Every motor vehicle manufactured shall be fitted with an electric horn or other devices (conforming to the requirements of is: 1884-1992 specified by the bureau of Indian standards) for use by the driver of the vehicle and capable of giving audible and sufficient warning of the approach or position of the vehicle. (Rule 119(1), The Central Motor Vehicles Rules 1989).

Note: Not having a functional horn would be violative of the above-mentioned rule and would thus be an offence.

2. No motor vehicle shall be fitted with any multi-toned horn giving a succession of different notes or with any other sound-producing device giving an unduly harsh, shrill, loud or alarming noise. (Rule 119 (2) The Central Motor Vehicles Rules 1989, Rule 160 (2) Sikkim Motor Vehicles Rules 1989).
3. Vehicles used as ambulance or for firefighting purpose or salvage purpose or vehicles used by police officers or officers of the motor vehicles department in the course of their duties or on construction equipment vehicles, may use such sound signals as may be approved by the registering authority in whose jurisdiction such vehicles are kept. (Rule 119(2) (3), The Central Motor Vehicles Rules 1989), Rule 160(3) Sikkim Motor Vehicles Rules 1989.

A driver of a vehicle shall not

- Sound the horn needlessly or continuously or more than necessary to ensure safety;
- Sound the horn in silence zones;
- Fit or use any multi-toned horn giving a harsh, shrill, loud or alarming noise;

Regulation 21(i) (ii) (iv) the Rules of the Road Regulations, 1989

Horn prohibited: The regional transport authority may, by notification published in the official gazette or in one or more newspaper in circulation in the area and by the erection of suitably placed traffic sign no. M18 as set forth in the part a of the first schedule to the MVA'88, prohibit the use by drivers of motor vehicles of any horn or any other device for giving audible warning in any area during such hours as may be specified by him in the notification:

LAW ON PARKING



Section 122, Motor Vehicles Act, 1988, Rule 234 Sikkim Motor Vehicle Rules 1989

Leaving Vehicle in Dangerous Position:

No person in charge of a motor vehicle shall cause or allow the vehicle or any trailer to be abandoned or to remain at rest on any public place in such a position or in such a condition or in such circumstances as to cause or likely to cause danger, obstruction or undue inconvenience to other users of the public place or to the passengers.

Section 15, Rules of the Road Regulations-1989 Parking of the Vehicle:

1. Every driver of a motor vehicle parking on any road shall park in such a way that it does not cause or is not likely to cause danger, obstruction or undue inconvenience to other road users and if the manner of parking is indicated by any sign board or markings on the road side, he shall park his vehicle in such manner.
2. A driver of a motor vehicle shall not park his vehicle:-
 - i. At or near a road crossing, a bend, top of a hill or a humpbacked bridge.
 - ii. On a foot-path.
 - iii. Near a traffic light or pedestrian crossing.
 - iv. On a main road or one carrying fast traffic.
 - v. Opposite another parked vehicle or as obstruction to other vehicle.
 - vi. Alongside another parked vehicle
 - vii. On roads or at places or roads where there is a continuous white line with or without a broken line.
 - viii. Near a bus stop, school or hospital entrance or blocking a traffic sign or entrance to a premises or a fire hydrant.
 - ix. On the wrong side of the road.
 - x. Where parking is prohibited.
 - xi. Away from the edge of the footpath.

Section 201, Motor Vehicles Act, 1988 Penalty for Causing Obstruction to Free Flow of Traffic:

1. Whoever keeps a disabled vehicle on any public place, in such a manner, so as to cause impediment to the free flow of traffic, shall be liable for penalty up to fifty rupees per hour, so long as it remains in that position. Provided that the

- vehicle involved in accidents shall be liable for penalty only from the time of completion of inspection formalities under the law; Provided further that where the vehicle is removed by a Government agency, towing charges shall be recovered from the vehicle owner or person in-charge of such vehicle,
2. Penalties or towing charges under this section shall be recovered by such officer or authority as the State Government may, by notification in the Official Gazette, authorize.

Section 127, Motor Vehicles Act, 1988
Removal of Motor Vehicles Abandoned or Left Unattended on a Public Place.

1. Where any motor vehicle is abandoned or left unattended on a public place for ten hours or more or is parked in a place where parking is legally prohibited, its removal by a towing service or its immobilization by any means including wheel clamping may be authorized by a police officer in uniform having jurisdiction.
2. Where an abandoned, unattended, wrecked, burnt or partially dismantled vehicle is creating a traffic hazard, because of its position in relation to the (public place), or its physical appearance is causing the impediment to the traffic, its immediate removal from the (public place) by a towing service may be authorized by a police officer having jurisdiction. (Rule 234 (I) Sikkim Motor Vehicles Rules 1989, Rule 127 (2) The Motor Vehicles Act 1988.
3. Where a vehicle is authorized to be removed under sub-section (1) or sub-section (2) by a police officer, the owner of the vehicle shall be responsible for all towing costs, besides any other penalty.
4. If a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by a competent authority in respect of the said place or, if no such period has been specified, for a period exceeding 6 hours, any police officer may remove the vehicle to the nearest place of safe custody (Rule 234 (2) Sikkim Motor Vehicles Rules 1989).

Speed limit

1. The Motor Vehicle Act '88 has stipulated that no person shall drive a motor vehicle or cause or allow a motor vehicle to be driven in any public place at a speed exceeding the maximum speed or below the minimum speed fixed for the vehicle under the Act or by any other law for the time being in force. The Central Government has been authorized to fix National Maximum Speed Limits for different classes of vehicles. The State Governments have been authorized to fix the Minimum & /or Maximum Speed Limits provided that such maximum speed shall in no case exceed the maximum fixed for any motor vehicle or class or description of motor vehicles by Central Government by notification in the Official Gazette



2. The speed limits for various categories of vehicles on National Highways, State Highways and other motorable roads in Sikkim have been fixed keeping in view parameters like public safety, road conditions, traffic congestion, presence of Bazaar areas, Schools in the vicinity etc. The traffic police shall therefore undertake periodic, regular and surprise checking on these motor ways for over speeding vehicles with a view to prevent motor vehicle accidents.
3. The Traffic Branch shall make use of Radar Guns/Video Cameras for the purpose of challenging over speeding vehicles. A picture record of the offending vehicle shall be maintained for a period of one week, for the purpose of showing it to the offender or to court, in case so desired.
4. The State Transport Authority, Government of Sikkim, have vide notification 50/MVT dated: 25.09.06 have fixed the maximum speed limits on different categories of roads in the State.

Speed limit (Kms/Hour)

Sl	Type of vehicle	Category	Category	Category	Category
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No		A	B	C	D
1	Light vehicle, commercial & non commercial vehicles	60	50	40	15
2.	Two wheeler	60	50	40	15
3.	Goods vehicles without load	30	30	30	15
4.	Goods vehicles with load & other vehicles on a steep incline/slope etc.	20	20	20	15

Note: the categories of roads specified above are as follows

Category A: National Highway

Category B: State Highway

Category C: Roads other than State highway

LAW ON USE OF SUN FILM

As per the provisions of sub-rule (2) of Rule 100 of the Central Motor Vehicles Rules, 1989 the glass of the windscreen and rear window of every motor vehicle has to be such and be maintained in such a condition that the visual transmission of light is not less than 70%. The glasses used for side windows have to be such and be maintained in such condition that the visual transmission of light is not less than 50%.

LAW ON ALCOHOL/DRUG IMPAIRED DRIVING

1. In India, any person having in his blood, **alcohol exceeding 30 mg per 100 ml. of blood** as detected in a test by a **Breath Analyzer**, or being under the influence of a drug to such an extent as to be incapable of

exercising proper control over the vehicle, is liable to be charged for impaired driving under Section 185 MVA'88. The punishment for the same can extend **upto 2 years imprisonment** and/or **fine up to Rs. 3000/-**. More significantly the court convicting a person for the offence of alcohol/drug impaired driving shall **disqualify him from driving** for a period of at least 6 months. The court **shall cancel his driving license** in case he is again convicted for the same offence. The Licensing Authority may also likewise suspend/revoke his driving license.

2. The driver of the transport vehicle while on duty shall not be under the influence of any intoxicating drink or drug. (Rule 20 (XVI) of Sikkim Motor Vehicles Rules 1989). Further the conductor of stage carriage shall not be under the influence of any intoxicating drink or drug. (Rule 35 (XVI) of Sikkim Motor Vehicles Rules 1989).

3. The drugs that are deemed to render a person incapable of exercising proper control over a motor vehicle as specified by the Central Government include - Central Nervous System Depressants (Cocaine & Cannabis), Hypnotic Sedatives, Narcotic Analgesics (Morphine etc.), Psychotropic drugs (LSD), Stimulants & Tranquilizers (Diazepam etc.).

4. **Who can ask you to take a Breath Test?** A police officer in uniform or an officer of the Motor Vehicles Department, as may be authorized in this behalf by that department, may require any person driving or attempting to drive a motor vehicle in a public place to provide one or more specimens of breath for breath test there or nearby, if such police officer or officer has any reasonable cause to suspect him of driving under the influence of alcohol/drug. In case the motor vehicle being driven by such a person is involved in an accident in a public place he may be asked to provide one or more specimens of breath for breath test at the hospital (in case he is hospitalized) or otherwise on the spot or at the nearest Police Station. If it appears to the police officer in uniform, in consequence of a breath test so carried out by him on any such person that he has alcohol in his blood beyond the permissible limit, he may **arrest** that person **without warrant** except while that person is hospitalized. The police officer can also arrest such a person if he refuses to or fails to take the breath test. In case of heavy intoxication the suspect may actually 'fail to' provide a specimen of his breath, as most devices require a fairly long and continuous blowing of breath into the mouthpiece. Any person so arrested must, within two hours of his arrest, be subjected to a medical examination by a registered medical practitioner (described below) failing which; he must be released from custody.

5. **What is a Breath Test?** A 'breath test', means a test for the purpose of obtaining an indication of the presence of alcohol in a person's blood carried out on one or more specimens of breath provided by that person, by means of a device of a type approved by the Central Government.

6. **When does one take a Laboratory Test?** The breath test is, however, basically a preliminary screening test of the suspect to be followed by a more reliable and confirmatory Laboratory Test. The preliminary screening is necessary as it is not practicable to administer a full-fledged laboratory test in the field conditions. The preliminary screening makes the basis for the police officer's suspicion more scientific, objective and credible, thus minimizing the possibility of any innocent of being unnecessarily subjected to the inconvenience of a laboratory test. The police officer may thus require any person, who has been arrested for alcohol/drug impaired driving, while he is at the police station, to provide to such registered medical practitioner as may be produced by such police officer, a specimen of his blood for a laboratory test.

7. **Presumption Of Unfitness To Drive:** If it is proved that the accused, when requested by a police officer at any time to do so, had refused, omitted or failed to consent to the taking of or providing a specimen of his breath for a breath test or a specimen of his blood for a laboratory test, his refusal, omission or failure would be presumed to be proof of the fact that he/she was indeed driving in an alcohol/drug impaired condition.

8. The **Breath Alcohol Testing Devices** provide one such non-invasive technique of estimating the BAC with great accuracy.

9. **Types of Breath Alcohol Testing Devices:** There are three major types based on different principles of working. Regardless of the type, each device has a mouthpiece, a tube through which the suspect blows air, and a sample chamber where the air goes. The rest of the device varies with the type.
 - (A) **Breathalyzer** - uses a chemical reaction involving alcohol that produces a color change. To measure alcohol, a suspect breathes into the device. The breath sample is bubbled in one vial through a chemical mixture which changes colour when it reacts with the alcohol; the degree of the color change is directly related to the level of alcohol in the expelled air. To determine the amount of alcohol in that air, the reacted mixture is compared to another vial of unreacted mixture in the photocell system, which produces an electric

current that causes the needle in the meter connected to the photocells to move from its resting place. The operator then rotates a knob to bring the needle back to the resting place and reads the level of alcohol from the knob -- the more the operator must turn the knob to return it to rest, the greater the level of alcohol.

(B) Intoxilyzer - detects alcohol by Infrared (IR) Spectroscopy that identifies molecules based on the way they absorb IR light. Molecules are constantly vibrating, and these vibrations change when the molecules absorb IR light. The changes in vibration include the bending and stretching of various bonds. Each type of bond within a molecule absorbs IR at different wavelengths. So, to identify ethanol in a sample, you have to look at the wavelengths of the bonds in ethanol (alcohol) and measure the absorption of IR light. The absorbed wavelengths help to identify the substance as ethanol, and the amount of IR absorption tells you how much ethanol is there.

(C) Alcosensor III or IV - detects a chemical reaction of alcohol in a fuel cell. The fuel cell has two platinum electrodes with a porous acid-electrolyte material sandwiched between them. As the exhaled air from the suspect flows past one side of the fuel cell, the platinum oxidizes any alcohol in the air to produce acetic acid, protons and electrons. The electrons flow through a wire from the platinum electrode. The wire is connected to an electrical-current meter and to the platinum electrode on the other side. The protons move through the lower portion of the fuel cell and combine with oxygen and the electrons on the other side to form water. The more the alcohol that gets oxidized, the greater the electrical current that is produced. A microprocessor measures the electrical current and calculates the BAC.

- 10. Roadside Sobriety Tests:** The common physical/mental manifestations of alcohol/drug impairment may be assessed through standardized roadside tests to identify impaired persons. The commonly used tests in the U.S. include- HGN Test & Divided Attention Tests. **HGN Testing-** Horizontal Gaze Nystagmus is an involuntary jerking of the eyeball which occurs naturally as the eyes gaze to the side. Under normal circumstances, nystagmus occurs when the eyes are rotated at high peripheral angles. However, when a person is impaired by alcohol, nystagmus is exaggerated and may occur at lesser angles. An alcohol-impaired person will also often have difficulty smoothly tracking a moving object. In the HGN Test, the officer observes the eyes of a suspect as the suspect follows a slowly moving object such as a pen or small flashlight, horizontally with his eyes. The

examiner looks for three indicators of impairment in each eye: if the eye cannot follow a moving object smoothly, if jerking is distinct when the eye is at maximum deviation, and if the angle of onset of jerking is within 45 degrees of center. If, between the two eyes, four or more clues appear, the suspect likely has a BAC of 0.10 or greater.

11. **Divided Attention Tests**- require a suspect to listen to and follow instructions while performing simple physical movements. Impaired persons have difficulty with tasks requiring their attention to be divided between simple mental and physical exercises that are easily performed by most sober people.

12. **Walk-And-Turn Test:** The subject is directed to take nine steps, heel-to-toe, along a straight line. After taking the steps, the suspect must turn on one foot and return in the same manner in the opposite direction. The examiner looks for seven indicators of impairment: if the suspect cannot keep balance while listening to the instructions, begins before the instructions are finished, stops while walking to regain balance, does not touch heel-to-toe, uses arms to balance, loses balance while turning, or takes an incorrect number of steps.

13. **One-Leg Stand Test:** The suspect is instructed to stand with one foot approximately six inches off the ground and count aloud by thousands (one thousand-one, one thousand-two, etc.) Until told to put the foot down. The officer times the subject for a 30 seconds. The officer looks for four indicators of impairment, including swaying while balancing, using arms to balance, hopping to maintain balance, and putting the foot down.

Category D: Road in bazaar/School/hospital/temple crossing/army cantonment/check post etc. Where traffic congestion and pedestrian interaction high and on those areas where the roads are damaged.

Motor Vehicle Offences and Compounding amounts

1. There shall be a uniform occurrence slip cum seizure memo, compounding of offences book and the cash receipt book for all traffic offences within the State of Sikkim.
2. The seized documents shall be kept for a period of one week in the traffic branch office, pending the process of compounding. If an offender fails to present the documents in this period, they shall be forwarded to the appropriate court for necessary legal action.

Power to Challan: All police officers of Traffic branch and those posted in the Police station of the concerned jurisdiction, above the rank of ASI/HC shall have the power to challan vehicles and drivers, found violating traffic rules and regulations or committing any of the violations mentioned above.

Power to Compound:

1. The power to compound motor vehicle offences shall lie with officers of and above the rank of Police Inspector, Traffic Branch in the Police department and Sub-Divisional Police Officer and Superintendent of Police of Districts.
2. Every case of composition of cases shall be entered in the certificate of registration, driving license of the Driver and permit, if any of the concerned vehicles by the officer compounding such offences. Such entry should clearly indicate if the offences compounded are a first or any subsequent offence.
3. A register shall be maintained in the following proforma containing all relevant particulars about composition of such offences.

Date	Nature of offence with specific sections compound	Registration no. of the vehicle & name of the owner	Name of the driver & his D.L No	Details of permit issuing authority etc.
1	2	3	4	5

If it is a 1 st /subsequent offence; amount of composition money/ordered	Name & signature of the compounding officer	If the amount has been realized; If not referee of court case sent etc.
6	7	8

Instructions to Challaning and Compounding Officers

1. A motor vehicle shall be stopped for challaning only on the commission of a visible traffic offence. A motor vehicle can be stopped for checking of documents only under the specific instructions of senior supervisory officers.
2. While stopping the vehicle due care shall be taken that no hindrance is caused to the smooth flow of traffic. The vehicle shall under no circumstances be stopped on the road intersection/rotary.
3. The challaning officer shall walk to the point where the vehicle is stopped and tell him the reasons for his vehicle having been stopped in police language. The conversation with driver should be polite and brief.
4. The demand for the production of the driving license and other documents shall be made politely. It is the duties of every motor vehicle driver to carry the original driving license at all times and produce the same on demand by the police officer in uniform.
5. The production of blue book, registration certificate, route permit, and fitness certificate can be done within 14 days and the production of insurance and pollution under control certificate within 7 days. In case of failure to produce the driving license, the driver shall be challaned for the same. In case of failure to produce

the registration certificate, insurance etc. the driver shall be given a notice to produce the same for inspection (the driving license shall be seized to ensure compliance to the notice).

6. The challaning officer shall seize the driving license of the driver under section 206 of the MV Act to ensure appearance of the offender before the Court. In case of failure of the driver to produce the driving license the registration certificate shall be seized under section 207 of the MV Act. In case the driver fails to produce both documents the vehicle shall be impounded under section 207 of MV Act. No other documents, personal bond etc shall be seized at the time of challaning.
7. When a driver is challaned he shall be permitted to record his brief comments, if so desired, before signing the challan receipt. In case the driver provides resistance to the challan the challaning officer shall politely caution him that this shall lead to an enhancement of the penalty under section 179. In case the driver tries to intimidate or influence the challaning officer in any manner the challaning officer shall record the same on the reverse of the original challan form and also inform the traffic control room where an entry shall be made in the log book.
8. In case the driver uses abusive language and uses or threatens to use physical violence, which shall in turn call for a reserve officer from the traffic branch or the nearest police station having jurisdiction for initiating legal action. The nearest traffic interceptor shall also be directed to reach the spot for assistance. The voice recorder & video recorder shall be employed to record evidence of the misbehavior shown by the traffic offender.
9. In case any physical violence is actually affected upon the challaning officer a criminal case shall be lodged at the Police Station having jurisdiction.
10. In case the driver wants to lodge a complaint against the

challaning officer he shall politely informed that he can lodge a complaint with the office of the Superintendent of Police concerned.

11. The driver shall also be informed that he can contest against the challan by appearing in the court on the date and time mentioned by the challaning officer on the challan form. The challaning officer shall promptly give his name and identification number to the driver wanting to know the same.

TRAFFIC WARDEN

1. The Traffic Wardens are appointed to achieve public cooperation in road safety and traffic management. The concept of appointing traffic wardens shall be done primarily to encourage the general public to interact more with the traffic police and thereby involving them in all facets of traffic management and road safety.
2. The traffic wardens shall be appointed by the concerned SP from the local area on purely voluntarily basis. The traffic wardens shall not be entitled to any monetary re-numeration and would also have not any statutory powers.

DUTIES AND RESPONSIBILITIES OF TRAFFIC WARDENS

The following are the duties and responsibilities of the Traffic Wardens:

1. To serve as a bridge between the traffic police and the community for better understanding of local and general traffic problem.
2. Monitor traffic movements and road situations

3. Reporting irregularities and violation of the law
4. Operational involvement in traffic regulations as and when needed
5. Involvement in communication or educational drives launched by the traffic police from time to time To make suggestions for improvement of various traffic problems
6. To continuously promote road safety awareness in public and school children
7. To render assistance to victims of road accidents
8. To help and guide pedestrians to cross road and walk on footpaths safely
9. Guide road users to observe traffic rules.
10. Prevent violation of traffic rules and regulations
11. Help police to maintain order on festivals and other occasions
12. To assist the police in regulating traffic and to inculcate better traffic sense in the public.
13. Traffic wardens should have sufficient time to regulate traffic at the given main crossing at least two days in a week for 3 hours at peak hours. However they will be contacted by traffic police as and when the situation warrants.
14. If any traffic warden is found misusing his powers at any time by the concerned PI/Dy.SP/Addl. SP of the Traffic Police or other officers of Traffic Police the matter can be put up to concerned SP and he can cancel the appointment of the Traffic Warden without prior intimation and communicating reason thereof. In case of misuse of serious nature it will be dealt with as per law.
15. Being voluntary service Traffic Wardens shall not have any statutory powers.
16. Their reports on traffic violations and conditions shall, however, be considered by the Traffic Police.

17. Traffic Wardens may also suggest measures for improvement of road situations.
18. Traffic Wardens are not expected to violate traffic rules or commit any such acts which reflect adversely on the institution and should also refrain from exploiting their privileges by false reporting or other impropriety.
19. Traffic Warden should be motivated by a spirit of service and dedication.
20. Traffic Wardens could volunteer themselves even without being called upon to advance the objectives of road safety by harnessing their personal and professional resources.

Road safety cell

Road Safety Cell in Traffic Police is to generate awareness among road user. It is an educational wing of the Sikkim Traffic Police and its main function is **to educate the road users** as regards the proper and safe use of roads as well as **to develop the human resources** who are responsive to public and are technically competent. The training programme is meant to encompass the whole range of road using citizens, from a common pedestrian to a vehicle driver.

Target Groups

1. Drivers of Commercial Vehicles including Bus, Trucks etc.
2. School Children
3. Pedestrians
4. Motor Cyclists
5. Taxi drivers
6. Government vehicle drivers

Educational Programmes

1. Regular programmes for the entire target groups including school children.
2. Road Safety March
3. Street play
4. Painting/Quiz/Essay Competitions
5. Distribution of Road Safety Literature

Mode of Education

Various tools have been adopted to impart road safety education to various categories of road users

1. Lectures
2. Film Shows
3. Exhibitions through Mobile Exhibition Vans
4. Distribution of Road Safety Literature
5. On the spot help to the road users like OPD Patients, pedestrians etc.
6. Organizing Road Safety Awareness programmes in Association with NGO's
7. Road Safety Awareness involving Transport unions and Trade unions
- 8. Education through PA System**