

D/NO 2286

25/06/24

Government of West Bengal
Transport Department
Paribahan Bhawan

12, R.N. Mukherjee Road, Kolkata - 700 001
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No: 950⁽¹³⁾ WT/TPT-18011/48/2022
From: Secretary to the Government of West Bengal
Transport Department

Dated: 24/06/2024.

To:

1. The Principal Secretary, School Education Department, Government of West Bengal.
2. The Principal Secretary, Health & Family Welfare Department, Government of West Bengal.
3. The Director General & Inspector General of Police, West Bengal.
4. The Secretary, Urban Development and Municipal Affairs Department, Government of West Bengal.
5. The Secretary, Public Works Department, Government of West Bengal.
6. The Secretary, Panchayat & Rural Development Department, Government of West Bengal.
7. The Additional Director General of Police, (Traffic & Road Safety), West Bengal.
8. The Commissioner of Police, Kolkata/Asansol-Durgapur / Barrackpore/ Bidhannagar/ Chandannagar/ Howrah/ Siliguri
9. The Director & Chairman, Lead Agency on Road Safety, Transport Directorate, West Bengal.
10. The District Magistrate (All)
11. The Superintendent of Police (All)
12. Prof. Bhargab Maitra, Department of Civil Engineering, IIT, Kharagpur.
13. The Chief General Manager, National Highways Authority of India.

Sub: Regarding "Advisory on the operation of School Buses and Pool cars".

Madam/Sir,

In reference to the subject mentioned above, I am sending herewith a copy of "Advisory on the operation of School Buses and Pool cars" for information and necessary action at your end.

Yours faithfully,

Encl: As stated above.

(Dr. Saumitra Mohan, IAS)

Secretary to the Government of West Bengal

Additional District Magistrate (Dev.)
Paschim Bardhaman

DI to circulate among all school
CBSR, ICSR, ISE, WBBSR, WBCBSR,
WBPE, WBPMIE etc

ADM (Dev.) Confidential Section

Docket No. 1282 Date 26/6/24

No.....950(13)/1(2)-WT/TPT-18011/48/2022

Kolkata, Dated: 24/06/2024

Copy forwarded for information and necessary action to:

1. The Commissioner, School Education Directorate, West Bengal, with a request to kindly circulate the "Advisory on the operation of School Buses and Pool Cars" among school boards such as CBSE, ICSE, ISC, WBBSE, WBCHSE, WBPE, WBBME, etc.
2. Principal/Head Master/Head Mistress/Teacher-In-Charge,

VP 24/06/24

Additional Secretary to the
Government of West Bengal

No.....950(13)/2(4)-WT/TPT-18011/48/2022

Kolkata, Dated: 24/06/2024

Copy forwarded for information and necessary action to:

1. Private Secretary to HMIC/HMOS, Transport Department, Government of West Bengal.
2. Deputy Director (Enforcement), Transport Directorate
3. Sr. P.S. to Secretary, Transport Department
4. Statistical Officer, Transport Department with a request to upload the Notification in the departmental website

VP 24/06/24

Additional Secretary to the
Government of West Bengal

No.....950(13)/3(8)-WT/TPT-18011/48/2022

Kolkata, Dated: 24/06/2024

Copy forwarded for information and necessary action to:

1. Secretary of Urban Paribahan Services Pvt. Ltd.
2. Contract Carriage Owners' Association
3. Pool Car Owners' Welfare Association
4. North Kolkata Private Transports' Welfare Association
5. Barasat and Madhyamgram Pool Car Operators' Union
6. Jalpaiguri School Bus Association
7. Siliguri School & Chartered Bus Owners' Welfare Association
8. South Calcutta Pool Car Welfare Society.

VP 24/06/24

Additional Secretary to the
Government of West Bengal

Advisory on the Operation of School Buses and Pool Cars

The provisions of Motor Vehicles Act, 1988 and Rules made thereunder as well as the directions passed by the Hon'ble Supreme Court of India as regards operation of School Buses and Pool Cars for carrying school children require, inter alia, a set of guidelines for ensuring the safety and security of school-going children.

Considering the growing number of school buses and pool cars, it is deemed advisable to further update these guidelines for ensuring the safety and security of the school-going children. It is with this in mind that some basic advisories are being issued for guidance and compliance for the operation of such school buses and pool cars in the State.

Legal/Quasi-judicial basis behind development of this Advisory :

- The Motor Vehicles Act, 1988;
- The Central Motor Vehicles Rules, 1989;
- The West Bengal Motor Vehicles Rules, 1989;
- Standards laid down in AIS:063 Code;
- CBSE Guidelines vide their No. CBSE/AFF/Circular-8/2017/1217401 dated 23.02.2017.
- The directions passed by the Hon'ble Supreme Court of India and the Supreme Court Committee on Road Safety (SCCoRS) from time to time.

Objective

- To sensitize stakeholders like students, guardians, school authorities and bus/pool car operators;
- To strengthen Road Safety measures, thereby reinforcing the 'SAFE DRIVE SAVE LIFE' initiative;
- To ensure safety and security of the school-going children.

The Stakeholders and implementation partners :---

1. Transport Department;
2. School Education Department;
3. Police Authorities;
4. School Authorities;
5. Bus Operators and Pool Cars Operators;
6. Civil Society Organisations/NGOs;
7. Guardians/parents; and
8. Students.

School Buses: Legal Provisions to be followed

- Should be covered under 'Private Service Vehicle Permit' or 'Contract Carriage Permit';
- Bus shall not, at any time, carry children beyond its approved carrying capacity;
- Should be painted in mustard yellow colour with navy blue band and name of the school shall be inscribed on the band in white;
- Inscription of the words 'SCHOOL BUS' should be used on the front, rear and sides of the bus;
- Should be *fitted with* VLTD (Vehicle Location Tracking Device), Panic Button and SLD (Speed Limiting Device) in functioning condition; the maximum allowable speed to be

- 40 kmph;
- Should possess valid documents viz. Certificate of Fitness, Tax, Permit, Insurance and PUCC;
- Should have a copy of registration, valid CF, Permit, Insurance and PUCC;

Other provisions/facilities in the Bus

- Doors shall be fitted with reliable locks, secured bolts and windows (in case of non-AC buses) shall be protected with horizontal bars/rods with mesh-wire;
- The school buses shall not be fitted with curtains or glasses having films;
- The school authorities shall ensure that emergency exit doors are installed in school buses;
- The school buses shall have sufficient white-lighting inside the buses to ensure activities inside the buses are visible from outside;
- Suitable school bag-racks protected with grill should be provided in the bus;
- Fire-extinguisher and First-Aid Box should be made available inside;
- Every seat shall be provided with a seat-belt;
- Contact details of the School Authority including the cell number(s) with designation of the competent person/Transport Manager, Number of the Control Room of the local Police Station(s) and Child Line Helpline Number shall be displayed inside and outside the bus prominently in a conspicuous place.

School Buses: Responsibilities of School Authorities

- Each school should designate one Transport Manager who will be entrusted with the responsibilities to ensure the safety of the school children travelling by school bus;
- Shall not allow the operation of buses without having valid documents where these buses are directly owned/hired;
- Shall possess valid documents viz. Certificate of Fitness, Tax, Permit, Insurance and PUCC;
- Shall carry out regular and proper maintenance of the vehicles (owned/hired by the School Authority), especially brakes, tyres, steering etc. They may approach the local RTO/ARTO for this purpose, if required;
- Should make necessary arrangement for parking the school buses inside the school campus, at least, at the time of boarding and de-boarding for the buses; Otherwise, the buses are advised to be parked in such a way so as not to obstruct free flow of traffic;
- Should have clear route map for the school buses and there should be pre-identified pick up and drop locations for the students;
- Periodical training sessions for the school bus drivers shall be arranged/facilitated by the Transport Department and Police Authority as per the requests received from different stakeholders including school authorities. This would include mock drill of evacuation, emergency medical treatment, DOs & DON'Ts in case of an emergency/untoward incident.
- School authorities and bus and pool car owners are encouraged to extensively campaign on the newly-framed guidelines through school WhatsApp groups, official website as well as flex and posters.
- Publicity of the existing child helpline number 1098 should be made by the relevant Government and school authorities.

- Periodic feedback from school children using school transport facilities with regards to drivers/conductor should be taken and recorded for future reference.

School Buses: Prerequisites for Personnel engagement - Responsibilities of the Operators:

- Drivers should have enough experience of driving transport vehicles;
- Should have one well-trained attendant, *preferably a lady*;
- Should ensure capacity-building of the attendants/conductors;
- The attendants/conductors should accompany the students while crossing the roads;
- Police verification of the antecedents of the staff of the school bus drivers and attendants should be done before appointing them;
- Medical check-up of the fleet personnel including eye-testing (every six months), shall be done every year by registered medical practitioners. These medical reports should be preserved for the last five years.
- Should ensure that they have not been booked or challenged by the authorized law/traffic enforcing authorities -
 - a. Even once for offences like over-speeding, drunken driving and driving dangerously;
 - b. *More than twice* for offences like overtaking, violating stop-line, driving beyond the limits of bus-lane and allowing unauthorized person to drive.

Pool Cars: Legal Provisions to be followed

- Should be covered under 'Contract Carriage Permit' operational in the area concerned;
- Should possess valid documents viz. Certificate of Fitness, Tax, Permit, Insurance and PUC;
- Should have a copy of the certificate of registration, validity of CF, Permit, Insurance, PUC, carrying capacity of the vehicle, and Registered Owner's Cell Number;
- Fixation of additional seats, other than the approved capacity on a pool-car, shall not be allowed;
- No soft-top vehicle shall be allowed to be used as a pool car;
- Should be fitted with VLTD (Vehicle Location Tracking Device), Panic Button and SLD (Speed Limiting Device) in-functioning condition; the maximum allowable speed to be 40 kmph.

Other provisions

- Doors shall be fitted with reliable locks, secured bolts and windows (in case of non-AC vehicles) shall be protected with horizontal bars/rods;
- Fire-extinguisher and First-Aid Box shall be made available inside the vehicle;
- Every seat shall be provided with a seat-belt;
- Insignia specified for the school children and inscription of the words 'ON SCHOOL DUTY' should be used on the front, rear and sides of the pool-car, when used for carrying school children;
- The owner of the vehicles, engaging the vehicles for carrying school children, may use their vehicles beyond school hours within the area covered by the permit, subject to a written consent to this effect by the concerned school authorities. In this case, the RO (Registered Owner) will be required to display the school insignia by the way of detachable or electronic board;

- Contact details of the School Authority including the cell number(s) with designation of the competent person/Transport Manager, contact number of the Control Room of the local Police Station(s) and Child Line Helpline Number shall be displayed inside and outside the vehicle prominently in a conspicuous place.

Pool Cars: Prerequisites for Personnel engagement - Responsibilities of the Operator

- Only drivers having authorization for driving the required class of vehicle should be allowed to drive a pool car;
- Preferably, to have one trained attendant, *preferably a lady*, to help the children with boarding, de-boarding and crossing the road;
- Shall ensure that the driver follows a clear route map for the vehicle and the vehicle picks up and drops the students from the identified/earmarked stops;
- Shall ensure they have not been booked or challenged by the authorized law/traffic enforcing authorities -
 - a. Even once for offences like over-speeding, drunken driving and driving dangerously;
 - b. *More than twice* for offences like overtaking, violating stop-line, driving beyond the limits of bus-lane and allowing unauthorized person to drive.
- Periodical capacity-building and suitable sensitization for the pool car drivers/attendants shall be arranged/facilitated by the Transport Department as per the requests received from different stakeholders including school authorities. This would include mock drill of evacuation, emergency medical treatment, DOs & DON'Ts in case of an emergency/untoward incident.

Pool Cars: Responsibilities of School Authorities

- The school authorities are advised to keep pool car advisories and relevant matters of road safety as one of the agenda points in the parent-teacher meetings;
- The parents/guardians may be encouraged to exercise due caution and checks while hiring pool cars for their children;
- The school authorities are advised to keep a fleet of duly verified vehicles as empanelled, for hiring as a pool car, if so requested by the parents/guardians;
- If not empanelled, basic vehicle-related details and documents including name, address, contact information of owner of each pool car, Driving License of the Driver(s), their phone numbers and vehicle registration number may be collected from the parents and forwarded to the local Police Station having jurisdiction.


Pool Cars: Responsibilities of Parents/Guardians

- No non-transport cars/vehicles should be engaged/hired for transportation of school children.
- Name, address and contact information of the vehicle owner should be noted;
- Driving license, Phone number of the driver(s) and Pool Car owner may be obtained and a copy of all documents be kept with them for future reference;
- A copy of the relevant vehicle/driver-related documents should be shared with the school authority and local police station for necessary action from their end.
- The local Police Station having jurisdiction may check/verify these documents including verifying the antecedents of drivers/attendants driving these vehicles.

Prakash

- Parents are encouraged to download mParivahan Mobile App to collect and verify the validity of the documents shared;
- Important vehicle parts including brakes, horns, lights, etc. may be checked to satisfy that the vehicle is in good working condition.
- They may inform the vehicle owner and/or Police if any major problems including absence of seat belt for all children, overloading of vehicle, use of defective tyre, etc as prima facie noticed and detected;
- Should verify for themselves that the hired vehicle has updated requisite documents including a copy of the certificate of registration, validity of CF, Permit, Insurance, PUC, carrying capacity of the vehicle, and Registered Owner's Cell Number;
- Should have the requisite information related to the route followed by the pool car and verify with the child/children if the driver is following the same;
- They may note the schedule for pick-up and drop off points and make sure that the child is ready and available at the pick-up point before the scheduled time for pick up. Also, it should be ensured that someone from home is available to receive the child when the pool car is returning from the school;
- The child should be advised to always tie the seat belt as available in the vehicle. The same should be verified at a regular interval.
- There should not be any students in excess of the registered/approved seating capacity of the vehicle.
- Regular and proper maintenance of these vehicles (owned/hired by the parent /guardian), especially brakes, tyres, steering etc. are to be checked. For this, guardians/parents should ensure that the hired vehicle has valid/updated Certificate of Fitness.
- Participation in periodical mock drill of evacuation and DOs & DON'Ts in case of un-towards incidents has to be ensured for the fleet personnel of these vehicles.
- Keeping close contact with the vehicle owner/driver, preferably by WhatsApp etc, to ensure safe pick-up/drop of their ward at pre- identified boarding/de-boarding points.
- Parents/guardians should have the relevant contact numbers of police stations/traffic guards/Child Help Line/dedicated person of the school authority/pool car owner(driver) for necessary coordination as and when required.
- Parents should check on the necessary compliance of the stipulated/prescribed norms, as prescribed in the foregoing pages, with respect to school bus or pool car, as may be hired by them or the school.

These advisories have been framed in consultation with different stakeholders. The compliance with the same is expected to reinforce the safety and security of the school going children.


 Dr. Saumitra Mohan, IAS
 Secretary
 Transport Department
 Govt. of West Bengal

ANNEXURE

Violations and penal sections as per the *Motor Vehicles Act, 1988*

The owners and drivers shall remain aware that :

- i. Driving a motor vehicle at excessive speed as provided under Section 112 is punishable under Section 183 of the *Motor Vehicles Act, 1988*.
- ii. Driving a motor vehicle dangerously is punishable under Section 184 of the *Motor Vehicles Act, 1988*.
- iii. Using a vehicle in unsafe condition is punishable under Section 190 of the *Motor Vehicles Act, 1988*.
- iv. Using a vehicle without valid a permit is punishable under Section 192A of the *Motor Vehicles Act, 1988*.
- v. Using a vehicle without valid registration is punishable under Section 192B of *Motor Vehicles Act, 1988*.
- vi. Carrying excess passenger is punishable under Section 194A of the *Motor Vehicles Act, 1988*.
- vii. Driving motor vehicles without wearing safety belts or carrying passengers not wearing seat belts is punishable under Section 194B of the *Motor Vehicles Act, 1988*.
- viii. Using a vehicle without valid insurance is punishable under Section 196 of the *Motor Vehicles Act, 1988*.

In case of repeated offence, stringent penal actions shall be taken.