कार्यालय परिवहन आयुक्त, छत्तीसगढ़

इंद्रावती भवन, तृतीय तल, सी–ब्लॉक, अटल नगर, रायपुर
दूरभाष– 0771–2582088, 2582799
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क्रमांक 7062 /योजना/टीसी/2019 अटल नगर रायपुर, दिनॉक 14/02/2019

प्रति,

समस्त
क्षेत्रीय/अति.क्षेत्रीय/जिला
परिवहन अधिकारी छ0ग0

विषयः- **Acceptance of Driving Licence, Registration Certificate and other transport related information inpresented in Electronic form.**

संदर्भः- अवर सचिव, छत्तीसगढ़ शासन, परिवहन विभाग, मंत्रालय, महानदी भवन, अटल नगर रायपुर का पत्र क्रमांक 30/95/भा.स./आठ-परि/2018 दिनांक 08.01.2019

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विषयांतर्गत संदर्भित पत्र में भारत सरकार, सड़क परिवहन एवं राजमार्ग मंत्रालय, नई दिल्ली से प्राप्त पत्र क्रमांक आर.टी.-11036/64/2017-एम.व्ही.एल. दिनांक 17.12.2018 सहपत्रों सहित की छायाप्रति पत्र में दिये गये निर्देशानुसार आवश्यक कार्यवाही हेतु संलग्न प्रेषित किया गया है।

अतः निर्देशित किया जाता है कि आर.सी./डी.एल. को इलेक्ट्रॉनिक फार्म में प्रस्तुत किया जाता है तो वह वास्तविक आर.सी./डी.एल. जैसे ही मान्य होगा, जिस हेतु Standard Operating Procedure (SOP) संलग्न आवश्यक कार्यवाही हेतु प्रेषित है। साथ ही उपरोक्त संबंध में व्यापक प्रचार-प्रसार करना सुनिश्चित करें।

14/02/19
(शैलाभ साहू)
सहायक परिवहन आयुक्त
छत्तीसगढ़, अटल नगर रायपुर

क्रमांक 7062-A /योजना/टीसी/2019 अटल नगर रायपुर, दिनॉक 14/02/2019

प्रतिलिपिः-

1. सहायक पुलिस महानिरीक्षक(यातायात), पुलिस मुख्यालय, अटल नगर रायपुर की ओर सूचनार्थ।
2. अवर सचिव, छत्तीसगढ़ शासन, परिवहन विभाग, मंत्रालय, महानदी भवन, अटल नगर रायपुर की ओर उनके संदर्भित पत्र के तारतम्य में।
3. श्री वाय.व्ही.एस. राव, तकनीकी निदेशक, एन.आई.सी., मंत्रालय, महानदी भवन, अटल नगर रायपुर की ओर सूचनार्थ।

14/02/19
सहायक परिवहन आयुक्त
छत्तीसगढ़, अटल नगर रायपुर

F. No. RT-11036/64/2017-MVL

Government of India

Ministry of Road Transport and Highways

(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated, the 17th of December, 2018

To

1. Principal Secretaries/ Secretaries, Department of Transport of all States/ UTs;
2. Directors General Police of all States/ UTs;
3. Transport Commissioners of all States/ UT Administrations

Subject: Acceptance of Driving Licence, Registration Certificate and other transport related information presented in Electronic form.

Madam/ Sir,

I am directed to refer to this Ministry's letter dated 8th August, 2018 and 19th November, 2018, and to say that this Ministry has received a number of representations about the mechanism to be adopted by traffic/ transport related enforcement agencies to validate or impound documents in case the citizens produce documents in an Electronic Form.

2. In view of the above, a Standard Operating Procedure (SOP), as annexed, may be adopted for ensuring compliance with the provisions of rule 139 of the Central Motor Vehicles Rules, 1989.

3. This issues with the approval of the Competent Authority.

Yours faithfully,

(DharkatR.Luikang)
Under Secretary to the Govt. of India
Tel: 23357125
Email : dharkat@nic.in

Encls: As above

Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated, the 17th of December, 2018

Subject: **Standard Operating Procedure (SOP) for validation of Driving Licence, Registration Certificate and other transport related documents/ information presented in Electronic form thorough IT or mobile app platform**

1. Introduction:

The Ministry of Road Transport & Highways has issued an amendment in Rule 139 of the Central Motor Vehicles Rules vide its Notification bearing No. G.S.R. 1081(E) dated the 2nd November 2018, enabling production of requisite documents such as certificate of registration, insurance, fitness and permit, the driving licence, certificate for pollution under check and any other relevant documents in electronic form with a view to ease of living for the people. It has been considered necessary to prescribe a Standing Operating Procedure (SOP) for the same so as to ensure its seamless implementation.

2. Legal Provisions under the Motor Vehicles Act 1988 and the Information Technology Act, 2000

(i) As per recent amendment dated 2nd Nov 2018 of Rule 139 of the CMVR, 1989 - **Production of licence and certificate of registration** -

> *'The driver or a conductor of a motor vehicle shall produce certificates in physical or* ***electronic form*** *certificate of registration, insurance, fitness and permit, the driving licence, certificate for pollution under check and any other relevant documents on demand by any police officer in uniform or any other officer authorised by the State Government in this behalf, and if any or all of the documents are not in his possession, he shall produce in person an extract or extracts of the documents duly attested by any police officer or by any other officer or send it to the officer who demanded the documents by registered post within 15 days from the date of demand'.*

(ii) As per section 4 of the IT Act 2000 i.e. **Legal recognition of electronic records**-

> *'Where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied if such information or mater is - (a) rendered or made available in an electronic form; and (b) accessible so as to be usable for a subsequent reference'.*

(iii) Further, **'electronic form'** has been defined in Section 2 (r) of the IT Act 2000 as:

> *"electronic form" with reference to information, means any information generated, sent, received or stored in media, magnetic, optical, computer memory, micro film, computer generated micro fiche or similar device.*

3. Clarifications:

(i) As per the provisions of the Motor Vehicles Act 1988, and the Central Motor Vehicles Rules 1989, the owner/ driver has to produce the documents to the authority on

demand.

(ii) The data related to the insurance of new vehicles and renewal of insurance of vehicles is being uploaded by the Insurance Information Board (IIB) on the VAHAN database on a daily basis now and the validity of the insurance is reflected on the **mParivahan/ eChallan app.**

(iii) The **mParivahan** mobile app is being provided by this Ministry through NIC. The Driving Licence, Registration certificate, Fitness validity, Insurance validity, Permit validity of the citizen are available on real time basis on this mobile app by entering the Driving Licence Number in case of the Driving Licence details or the Registration Number for Details pertaining to the vehicles.

(iv) **mParivahan** is available to each citizen and **eChallan** to only enforcement officers from the Transport Department or the Police Department.

(v) The **DigiLocker** platform of the Ministry of Electronics and Information Technology, Government of India, has the facility to pull a citizen's Driving Licence or the Certificate of Registration details from VAHAN and make it available in the **Digilocker App** in an electronic form.

(vi) These electronic records available on **DigiLocker** or **mParivahan** are deemed to be legally recognised at par with the original documents as per the provisions of the Information Technology Act, 2000.

(vii) If the online virtual copy of DL/RC (along with QR Code) or any other updated validity status (like Insurance, Tax, Permit, PUC etc.) is not available on **mParivahan** or **DigiLocker app** carried by the user, then the relevant paper documents will be required to be carried.

4. Standard operating Procedure (SoP) for validating information or impounding the document(s) in Electronic Form by the enforcement agencies:

4.1 Validation of documents produced in an Electronic form:

(i) The citizens can produce the documents or other information either through the **Digilocker app** or the **mParivahan app.**

(ii) The citizen can download the Driving Licence or the Certificate of Registration through these apps and store on their mobile devices.

(iii) The Citizen can also show particulars relating to the Driving Licence or the Vehicle through the mParivahan app on the mobile through the Internet Connectivity.

(iv) In **eChallan app** facility, two modes of login credentials have been made available to the enforcement officers. The login authentication is decided by the concerned

competent authority in the State Government/ UT Administration.

(a) In one mode, only limited privilege of on-line verification of vehicle / license status and also off-line verification of mParivahan QR Code are available. Transport Enforcement/ Traffic Police officer can use normal android mobile apps for this purpose. This is irrespective of whether the state has implemented Vahan/ Sarathi or not, provided the data from these states are regularly updated in the National Register.

(b) In the other mode, the officer can carry out complete challaning operation including tagging of the Driving Licence or the Certificate of Registration for impounding or suspension.

(v) The Enforcement officer can enter the details of driving licence (DL) or the Certificate of Registration (RC) in their eChallan or mParivahan application to validate the information provided for the Driving Licence, Certificate of Registration, Fitness, Insurance, Tax etc. This would be done on an online basis using the Internet.

(vi) The Enforcement officer can scan the QR code of the documents produced through the Digilocker based app by scanning through the QR code scanner in the Digilocker app to verify the document. The QR code in Digilocker document is encrypted and can be validated only by Digilocker app. Internet connectivity is not required for scanning the QR code and validating the documents.

(vii) The Enforcement officer can scan the QR code of the documents produced through the mParivahan based app by scanning through the QR code scanner in the eChallan app to verify the document. The QR code in mParivahan base document is encrypted and can be validated only by eChallan app. This is an additional security feature provided by the Ministry of Road Transport and Highways. Internet connectivity is not required for scanning the QR code and validating the documents.

(viii) If the vehicle registration details on the mParivahan / eChallan app contain the date of the validity of the insurance policy, fitness, tax etc. which is in-force then the requirement of a physical copy of the insurance certificate or other such document is not required.

(ix) There would be no requirement of seizure / impounding of the documents in cases where there is no traffic related violation but validation of information can be ensured through mParivahan or eChallan or Digilocker.

4.2 The process flow under the eChallan app for generating challan and further action:

(i) In cases where there is an offence made out necessitating seizure/ impounding of such documents in available electronic form, the States have been provided with the facility to make appropriate updation in VAHAN/ SARATHI database, on an on-line basis, against the Driving Licence or the Vehicle Registration details through eChallan system of this Ministry.

(ii) In cases where the States are using any other database or web/mobile utility of their own, then they need to update the VAHAN/ SARATHI database through a weblink.

4.3 Generating Challans for violations:

The competent authority should have provided the authorisation in the eChallan app for the facility to the concerned enforcement officer to make a challan.

(i) When an offence is made out against the citizen, the enforcement officer can create a challan using an on-line Point of Sale (PoS) or CCTV eChallan facility. An option to create a challan using the real-time database of VAHAN and SARATHI has been provided.

(ii) After creating a challan, offence history will get registered in the database in VAHAN for the vehicle and SARATHI for the driver respectively.

(iii) All offence data is available in real time online basis and easily available to the enforcement officers throughout the country.

(iv) Enhanced penalties for repeat violations is reflected and the action against the violator can be initiated accordingly as the past offence history is available to the enforcement officers through the database.

(v) Violator can pay the penalty or the compounding amount on-line and the citizens need not worry for physical document collection. After the payment or compounding, the case is disposed and data reflected in the Database.

(vi) If a challan is pending or has not been disposed, then all transactions involving the vehicle i.e. NOC, Fitness, Tax etc. and for the Driving License i.e. the renewal, address change etc. are not permitted and are reflected to the traffic enforcement agencies across India.

(vii) The violators are required to compound and close pending cases as early as possible to start or avail services like tax payment, NOC, fitness etc.

4.4 Online recommendation for suspension

(i) The Driving Licence or the Certificate of Registration can be recommended for suspension/ blocking by the competent enforcement officer.

(ii) This recommendation will be reflected in the home page of the competent officer i.e. the Licensing Authority/ Regional Transport Authority page on real time basis and based on law, further decision for suspension/ blocking can be taken.

(iii) This will reflect in all echallan app implemented across all States/ UTs enforcement officer's device in real time. Based on the information they can take suitable action as enshrined in Law.

5. Benefits of adopting eChallan:

(i) Enforcement agencies need not physically handle any document.

(ii) Office need not maintain any inventory or record.

(iii) No harassment for citizens to collect document after the payment of compounding fees as the challan when disposed would automatically update the record in the Database.

(iv) Real time offence status is available to the transport and traffic enforcement officers and to the citizens.

(v) Fast, transparent and accountable system.

0-0-0-0-0

No. RT-11036/64/2017-MVL

भारत सरकार

Government of India

सड़क परिवहन और राजमार्ग मंत्रालय

Ministry of Road Transport and Highways

(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the, 8th August, 2018

To,

The Principal Secretaries /The Secretaries of the Department of Transport,
The DGP / ADGP (Traffic),
The Transport Commissioners
of all the States/UTs.

Subject: Acceptance of Driving Licence, Registration Certificate or other documents presented through DigiLocker or mParivahan platform - reg.

Madam/Sir,

This Ministry has received a number of Grievances/RTI applications where the citizens have raised the issue that the documents available in DigiLocker or the mParivahan app of this Ministry are not considered valid by the traffic police or the motor vehicles department, when asked to produce.

2. The DigiLocker platform of the Ministry of Electronics and Information Technology, Government of India and the mParivahan mobile app of this Ministry has the facility to pull a citizen's Driving Licence or the Registration Certificate or any other certificate in an electronic form. These electronic records available on DigiLocker or mParivahan are deemed to be legally recognised at par with the original documents as per the provisions of the Information Technology Act, 2000.

3. As per the provisions of the Motor Vehicles Act 1988, and the Central Motor Vehicles Rules 1989, the owner / driver has to produce the documents viz. licence or certificate of registration etc. to the authority on demand.

4. The data related to the insurance of new vehicles and renewal of insurance of vehicles is also being uploaded by the Insurance Information Board (IIB) on the VAHAN database on a daily basis now and the same is reflected on the mParivahan / eChallan app of the Ministry. If the vehicle registration details on the mParivahan / eChallan app contain the details of the policy which is in-force, then the requirement of a physical copy of the insurance certificate is also not to be enforced.

5. In light of the provisions of the Information Technology Act 2000, it is requested to consider the documents available in the 'electronic form' in the DigiLocker platform

or the mParivahan mobile app as valid under the Motor Vehicles Act 1988 and be treated at par with the certificates issued by the transport authorities.

6. In cases where there is an offence made out and that there is a requirement of the documents to be impounded, the enforcement agencies can have such impounding reflected in the VAHAN / SARATHI database electronically through the 'eChallan' system. There would be no requirement of physical seizure of the such documents.

7. If any State is using any such online enforcement solution through alternative database, then the State shall transfer the relevant information electronically through web service of VAHAN / SARATHI database.

8. This IT based online verification of certificates would also help the enforcement authority in ensuring the genuineness of the details which further would result in better compliance and effective monitoring.

9. This will be a step under the Digital India programme with a vision to transform India into a digitally empowered society and knowledge economy.

Yours faithfully,

8/8/18

(Priyank Bharti)
Director (MVL)
Dirmvl-morth@gov.in
Tel:011- 23314316

No. RT-11028/15/2017-MVL

भारत सरकार

Government of India

सड़क परिवहन और राजमार्ग मंत्रालय

Ministry of Road Transport and Highways

(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the, 19th November, 2018

To

(i). The Director General of Police,
(ii). The Principal Secretaries / The Secretaries, Department of Transport ,
(iii). The Transport Commissioners,
of all the States/UTs.

Subject: Production of transport related documents in an electronic form-reg.

Madam/Sir,

Your attention is drawn to the amendment in rule 139 of Central Motor Vehicles Rules, 1989 in regard to the production of licence and certificates of registration made through the Notification G.S.R. 1081(E) dated 2nd November, 2018.(copy attached)

2. As per the amended provision, the citizen can produce the transport related documents such as registration, insurance, fitness and permit, the driving licence, certificate for pollution under check and any other relevant documents, if required, in physical or electronic form of on demand by any police officer in uniform or any other officer authorized by the State Government in this behalf.

3. This would enable the use of digital platforms for carrying and verification of the documents and is a step towards citizen facilitation. In view of the above, it is requested to ensure compliance of the amendments made to rule 139 of the Central Motor Vehicles Rules, 1989 and make the enforcement officers aware of the new provisions so that citizen are not harassed/ inconvenienced.

Encls: As above.

Yours faithfully,

(Dharkat R. Luikang)
Under Secretary to the Govt. of India
Email: dharkat@nic.in
Tel: 011-23357125

रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 784] नई दिल्ली, शुक्रवार, नवम्बर 2, 2018/कार्तिक 11, 1940
No. 784] NEW DELHI, FRIDAY, NOVEMBER 2, 2018/KARTIKA 11, 1940

सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, 2 नवम्बर, 2018

सा.का.नि. 1081(अ).—केन्द्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 212 की उप–धारा (1) की अपेक्षानुसार भारत सरकार के सड़क परिवहन एवं राजमार्ग मंत्रालय की, भारत के राजपत्र, असाधारण भाग II, खण्ड 3, उप–खण्ड (i) में प्रकाशित अधिसूचना संख्यांक सा.का.नि. 643(अ) तारीख 12 जुलाई, 2018 द्वारा प्रारूप नियम प्रकाशित किए गए थे, उन सभी व्यक्तियों से, जिनके उनसे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना से युक्त राजपत्र की प्रतियां जनता को उपलब्ध करा दी गयी थी, तीस दिन की अवधि के अवसान से पूर्व आक्षेप व सुझाव आमंत्रित किये गये थे;

जबकि, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 12 जुलाई, 2018 को उपलब्ध करा दी गयी थी ;

और, जबकि उक्त प्रारूप नियमों के संबंध में जन साधारण से प्राप्त आक्षेपों व सुझावों पर केन्द्रीय सरकार द्वारा विचार किया गया ;

अतः, अब केन्द्रीय सरकार मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 88 की उपधारा (14) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :–

1. (1) इन नियमों का संक्षिप्त नाम केन्द्रीय मोटर यान (चौदहवां संशोधन) नियम, 2018 है।

(2) ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय मोटर यान नियम, 1989 (जिसे आगे उक्त नियम कहा गया है) में, नियम 90, के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात् :–

''नियम 90 राष्ट्रीय परमिट की अतिरिक्त शर्तें– धारा 88 की उप–धारा (12) के अंतर्गत जारी किए जाने वाले राष्ट्रीय परमिट निम्नलिखित अतिरिक्त शर्तों के अधीन होगा, अर्थात्:–

(1) ''राष्ट्रीय परमिट या एन/पी'' बड़े अक्षरों में यान के आगे एवं पीछे लिखे जाएंगे। ट्रेलर की दशा में, ''एन/पी'' शब्द यान के पीछे बायीं ओर अंकित किया जाएगा।

(2) खतरनाक एवं परिसंकटमय माल ढोने वाले टैंकर की बॉडी को सफेद रंग से रंगा जाएगा और वर्ग लेबल, नियम 137 में यथा–विनिर्दिष्ट, टैंकर के दोनों ओर तथा पीछे प्रदर्शित किया जाएगा।

(3) यान में केन्द्रीय मोटर यान नियम, 1989 के नियम 138 क में यथा–विनिर्दिष्ट, फास्टैग दिनांक 01 अक्तूबर, 2019 से पूर्व यान में लगाया जाएगा।

(4) यान में नियम 104 में यथा–विनिर्दिष्ट परावर्तक पट्टी (रिफलैक्टिव टेप्स) यान के आगे व पीछे लगाया जाएगा।

(5) यान में एआईएस 140 के अनुसार ''यान ट्रैकिंग प्रणाली उपकरण'' लगाया जाएगा।

(6) यदि किसी विशिष्ट राज्य द्वारा प्रतिबंधित हो, तो यान एक ही राज्य में दो स्थानों पर माल न उठाएगा अथवा न ही उतारेगा।

3. उक्त नियम में, नियम 62 में, उप–नियम (1) में,–

(i) खण्ड (ख) के स्थान पर निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात् :–

''(ख) परिवहन यानों के संबंध मे यान के ठीक होने का प्रमाणपत्र का नवीकरण	आठ वर्ष तक के पुराने यानों की दशा में दो वर्ष और आठ वर्ष से अधिक पुराने यानों के लिए एक वर्ष'';

(ii) खण्ड (ग) और खण्ड (घ) का लोप किया जाएगा।

(iii) परन्तुक में, सारिणी में, क्रम सं0 17 के पश्चात, और सम्बन्धित प्रविष्टियों के बाद निम्नलिखित क्रम सं. एवं प्रविष्टियों को अंतःस्थापित किया जाएगा, अर्थातः–

(18)	फास्टैग	हां	नहीं	हां	नहीं	नहीं	विंड स्क्रीन पर सामने चिपकाने के लिए'';

(iv) चौथे परन्तुक में, स्पष्टीकरण के पश्चात, निम्नलिखित परन्तुक अंतःस्थापित किया जाएगा, अर्थात्ः–

''परन्तु यह और कि पूरी तरह से निर्मित बेचे जाने वाले नए परिवहन यान के लिए रजिस्ट्रीकरण के समय वाहन के ठीक हालत में होने के प्रमाणन की आवश्यकता नहीं होगी तथा ऐसे वाहन को रजिस्ट्रीकरण की तिथि से दो वर्ष के लिए ठीक हालत में माना जायेगा''

4. उक्त नियम में, नियम 138 क, के पश्चात निम्नलिखित नियम अंतःस्थापित किया जाएगा, अर्थात्ः–

''138 ख. सभी माल यान बंद बॉडी के यान या कन्टेनर में माल ढोयेंगेः

परन्तु यदि खुली बाडी में माल ले जाया जाना आवश्यक हो तो ऐसा माल यान युक्तियुक्त कवर जैसे त्रिपाल व अन्य सामग्री से ढका जाएगाः

परन्तु यह और कि यदि ले जाये जाने वाला माल अविभाज्य प्रकृति का हो, बंद बाडी की गाड़ी में ले जाये जाने योग्य न हो या प्रथम परन्तुक के अनुसार ढकने योग्य नहीं हो तो बिना ढके हुए ले जाया जा सकता है।''

5. उक्त नियम में, नियम 139 में,–

(i) शब्द ''मोटर यान का ड्राइवर या कण्डेक्टर प्रमाणपत्रों को प्रस्तुत करेगा'', के पश्चात् शब्द ''भौतिक या इलेक्ट्रॉनिक रूप में'' अंतः स्थापित किया जाएगा।

(ii) शब्द ''रजिस्ट्रीकरण, बीमा, स्वस्थता एवं परमिट तथा चालन अनुज्ञप्ति'' के पश्चात् शब्द ''प्रदूषण नियंत्रण जांच प्रमाण पत्र'' को अंतः स्थापित किया जाएगा।

[फा. सं. आरटी–11028/15/2017–एमवीएल]

प्रियांक भारती, संयुक्त सचिव

टिप्पण : मूल नियमों को भारत के राजपत्र, असाधारण, भाग II , खन्ड 3, उप–खन्ड (i) में अधिसूचना संख्या सा.का.नि. 590(अ), तारीख 02 जून, 1989 को प्रकाशित किया गया था और अन्तिम संशोधन अधिसूचना संख्या सा.का.नि. 931(अ), तारीख 27 सितम्बर, 2018 द्वारा किया गया।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 2nd November, 2018

G.S.R. 1081(E).—Whereas the draft rules further to amend the Central Motor Vehicles Rules, 1989, were published, as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), *vide* notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 643(E), dated the 12th July, 2018 published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) inviting objections and suggestions from all persons likely to be affected there by before the expiry of the period of thirty days from the date on which copies of the said notification containing the draft rules were made available to public;

Whereas, copies of the said Gazette notification were made available to the public on the 12th July, 2018;

And, whereas, the objections and suggestions received from the public in respect of the said draft rules have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by sub-section (14) of section 88 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely: —

1. (1) These rules may be called the Central Motor Vehicles (Fourteenth Amendment) Rules, 2018.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. In the Central Motor Vehicles Rules, 1989(herein after referred to as the said rules), for rule 90, the following rule shall be substituted, namely: -

"Rule 90. Additional conditions for national permit. - The national permit issued under sub-section (12) of section 88 shall be subject to the following additional conditions, namely: -

(1) The words "National Permit or N/P" shall be inscribed in the front and rear of the vehicles in bold letters. In case of trailers, the words "N/P" shall be inscribed on the rear and left side of the vehicle.

(2) The body of a tanker carrying dangerous or hazardous goods shall be painted in white colour and shall display the class label, as specified in rule 137,on both the sides and rear of the tanker.

(3) The vehicle shall be fitted with FASTag, as specified in rule 138A of the Central Motor Vehicles Rules, 1989 not later than 1st October, 2019.

(4) Vehicle shall be affixed with reflective tapes at front and rear as specified under Rule 104.

(5) Vehicle shall be fitted with a Vehicle Tracking System device as per AIS 140.

(6) The vehicle shall not pick up or set down goods between two points in the same state, if restricted by the particular state.

3. In the said rule, in rule 62, in sub-rule (1),-

(i) for clause (b), the following clause shall be substituted, namely:-

"(b) renewal of certificate of fitness in respect of transport vehicles	Two years for vehicles up to eight years old and one year for vehicles older than eight years.";

(ii) clause (c) and clause (d) shall be deleted;

(iii) in the proviso, in the Table, after Sl. No. 17, and the entries relating thereto, the following Sl. and entries shall be inserted, namely:-

"

(18)	Fastag	Yes	No	Yes	No	No	To be affixed on the front wind screen

";

(iv) In the fourth proviso, after the explanation, the following proviso shall be inserted, namely:-

"Provided further that no fitness certification shall be required at the time of registration for new transport vehicle sold as fully built vehicle and such vehicle shall be deemed to be having certificate of fitness for a period of two years from the date of registration."

4. In the said rule, after rule 138-A, the following rule shall be inserted, namely:-

"138 B. All goods carriage vehicles shall carry goods in a closed body of the vehicle or container:

Provided that if it is necessary to carry goods in open bodies, goods shall be covered by using appropriate cover like tarpaulin or any other suitable material:

Provided further that the goods of indivisible nature, not capable of being carried in a closed body or being covered as per the first proviso, may be carried without cover."

5. In the said rule, in rule 139,-

(i) after the words "the driver or a conductor of a motor vehicle shall produce certificates" the words "in physical or electronic form" shall be inserted;

(ii) after the words "of registration, insurance, fitness and permit, the driving licence" the words "certificate for Pollution Under Check" shall be inserted.

[F.No. RT-11028/15/2017-MVL]

PRIYANK BHARTI, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* notification number G.S.R. 590(E), dated the 2nd June, 1989 and last amended *vide* notification number G.S.R. 931(E) dated 27th September, 2018**.**

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.