

4.REGISTRATION OF MOTOR VEHICLES

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4. REGISTRATION OF MOTOR VEHICLES

4.1 Motor Vehicle or Vehicle (MVA S 2(28)) – (1) “motor vehicle” or “vehicle” means any --

(i) Mechanically propelled vehicle, used upon the roads and the power of propulsion is received from an external or internal source,

(ii) It also includes a chassis to which a body is not attached , and

(iii) A trailer;

(2) Following vehicles are excluded from the definition of a motor vehicle,

(i) Vehicles running upon fixed rails

(ii) A vehicle of a special type used only in a factory or in any other enclosed premises,

(iii) a vehicle having less than four wheels fitted with engine capacity of not exceeding twenty-five cubic centimeters.

4.2 Owner (MVA S 2(30)) – “owner” of a vehicle means a person –

(i) in whose name a vehicle is registered,

(ii) is a minor, the guardian of such minor,

(iii) in possession of the vehicle which is under the hire-purchase agreement, or lease agreement or an agreement of hypothecation.

4.3 Registering Authority (MVA S 2(37)) – “Registering Authority” means an authority empowered to register vehicles.

4.4 Necessity for registration (MVA S 39)

A person should not drive or no owner of a vehicle should allow the vehicle to be driven in public or private place, unless the vehicle is registered and the certificate of registration of the vehicle is not suspended or cancelled.

4.5 Objectives of registration

The objectives of Registration are to,

- i) prove the ownership of the vehicle.
- ii) identify vehicle in the event of theft or accident of the vehicle.

4.6 Public Place (MVA S 2(34)) - Following places are defined as

“public places” --

- (i) a road, street, way or other place, whether a thoroughfare or not, to which the public have a right of access,
- (ii) any place or stand at which passengers are picked up or set down by a stage carriage.

4.7 Condition for exemption from registration (CMV R 33)

A vehicle in the possession of a dealer is exempted from registration if he obtains a trade certificate, from the appropriate registering authority.

4.8 Registration, where to be made (MVA S 40)

A motor vehicle is required to be registered where the owner has,

- a) the residence
- b) place of business,
- c) the vehicle is normally kept.

4.9 Procedure for Registration of vehicle. (MVA S 41 /CMV R 47)

(1) An application by or on behalf of the owner of a vehicle for registration is required to be made in form-20, accompanied by,

- (a) sale certificate in Form 21;
- (b) valid insurance certificate;
- (c) copy of approval of the design in the case of a trailer or a semi-trailer;
- (d) original sale certificate in Form 21 , (in case of ex-army vehicle)
- (e) proof of address as referred in CMV R 4 and MMV R 5-A ;
- (f) temporary registration, if any;
- (g) road-worthiness certificate in Form 22 from the manufacturers, Form 22-A from the body builders if applicable;
- (h) custom's clearance certificate in the case of imported vehicles alongwith the license and bond, if any;
- (i) appropriate fee as specified in CMV R 81;
- (j) proof of citizenship;
- (k) proof of legal presence in India in addition to proof of residence in case of foreigners.

(ज) "पशु एम्बुलेंस" से ऐसी एम्बुलेंस अभिप्रेत है जो बीमार, क्षतिग्रस्त, जखमी या अन्यथा असमर्थ पशुओं के आपातकालीन परिवहन के उपयोग के लिए आशयित है।

(ग) "कैम्पर वैन" किसी विशेष प्रयोजन के लिए एम-1 प्रदर्शक का निर्मित यान है जिसके अंतर्गत निवास स्थान भी है जिसमें कम से कम निम्नलिखित उपकरण लगे हों :

कुर्सी और मेज

सोने का स्थान जिसे बैठने के लिए परिवर्तित किया जा सकता है

पकाने की सुविधा

भंडार सुविधा

यह उपकरण निवास कक्ष में स्थायी रूप से लगे हों; तथापि, मेज इस तरह से डिजाइन की जाए जिसे सज्जतापूर्वक हटाया जा सके।

(घ) "ओमनीबस" को सड़क पर व्यापक उपयोग के रूप में उपयुक्तता प्रणाली के क्षेत्र के अधीन लाये जाने की दृष्टि से परिवहन यान के प्रदर्शक में रखा गया है। तथापि, ऐसे यानों पर उद्गृहीत किए जाने वाले कर राज्य सरकारों की अधिकारिता में आएंगे।

(ङ) नियम 2(गक) के अधीन, संनिर्माण उपकरण यान द्वारा सड़क का प्रयोग मुख्य सड़क कृषि से इतर आनुसंगिक है। तथापि, जब लोक सड़क वाणिज्यिक गतिविधियों के लिए नियमित रूप से प्रयोग की जाती हैं तब संनिर्माण उपकरण यान जैसे डम्पर और लखनन ऐसी गतिविधियों में प्रयुक्त किए जाते हैं, परिवहन यान समझे जाएंगे।

[न. सं. आर. टी. - 11028/14/2002-एमवीएल]
आलोक शर्मा, संपुना सचिव

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

(Department of Road Transport and Highways)

NOTIFICATION

New Delhi, the 5th November, 2004.

S.O. 1248(E).— In exercise of the powers conferred by sub-section (4) of section 41 of the Motor Vehicles Act, 1988 (59 of 1988) and in supersession of the notification of the Government of India in the erstwhile Ministry of Surface Transport number S.O.451(E) dated the 19th June, 1992, the Central Government hereby specifies the types of motor vehicles as mentioned in columns 1 and 2 of the Table below for the purpose of said sub-section (4).

TABLE

Transport Vehicle	Non- Transport Vehicle
(i) Motor cycle with side car for carrying goods.	(i) Motor cycle with or without side car for personal use.
(ii) Motor cycle with trailer to carry goods	(ii) Mopeds and motorized cycles (engine capacity exceeding 25 cc).

(iii) Motor cycle used for hire to carry one passenger on pillion and motorized cycle rickshaw for goods or passengers on hire.	(iii) Invalid carriage
(iv) Luxury Cab.	(iv) Three wheeled vehicles for personal use.
(v) Three wheeled vehicles for transport of passenger/ goods.	(v) Motor car.
(vi) Goods carrier trucks or tankers or mail carriers (N ₁ -N ₃ category).	(vi) Fork lift.
(vii) Power tiller and Tractors using public roads.	(vii) Vehicles or trailers fitted with equipments like Rig, generator, compressor
(viii) Mobile clinic or X-Ray van or library vans.	(viii) Crane mounted vehicle.
(ix) Mobile Workshops	(ix) Agricultural Tractor and Power Tiller.
(x) Mobile canteens	(x) Private service Vehicle, registered in the name of an individual and if declared to be used by him solely for personal.
(xi) Private Service Vehicle.	(xi) Camper van or trailer for private use
(xii) Public Service Vehicle such as maxi cab, motor cab, stage carriages and contract carriages including tourist vehicles.	(xii) Tow trucks, Breakdown Van and Recovery Vehicles
(xiii) Educational Institution buses.	(xiii) Tower wagons and tree trimming vehicles owned by Central, State and local authorities.
(xiv) Ambulances	(xiv) Construction Equipment Vehicles as defined in Rule 2 (ca). *
(xv) Animal ambulances	
(xvi) Camper vans or trailers	
(xvii) Cash vans	
(xviii) Fire tenders, snorked ladders, auxiliary trailers and fire fighting vehicles.	
(xix) Articulated vehicles	
(xx) Hearses	
(xxi) Omnibus +	

ग II—खण्ड 3(ii)

(a) "Ambulance" means 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.

(b) "Animal ambulance" means a motor vehicle intended to be used for the emergency transportation of sick, injured, wounded or otherwise incapacitated animals.

(c) "Camper van" means a special purpose M1 category vehicle constructed to include living accommodation which contains at least the following equipment:
Seats and table
Sleeping accommodation which may be converted from the seats
Cooking facilities, and
Storage facilities

This equipment shall be rigidly fixed to the living compartment; however, the table may be designed to be easily removable.

(d) The "Omnibus" has been kept in the category of transport vehicle with a view to bringing it under the purview of fitness regime as it is exhaustively used on road. However, the taxes to be levied on such vehicle would fall within the jurisdiction of State Governments.

(e) Under rule 2 (ca), use of public road by Construction Equipment Vehicles is incidental to the main off road function. However, when the public road is being used regularly for carrying on commercial activities, then Construction Equipment Vehicles such as dumpers and excavators being used for such activities, shall be deemed as transport vehicles.

[F. No. RT-11028/14/2002-MV.]
ALOK RAWAT, B. Socy

S.No. 4

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Government of India
Ministry of Shipping, Road Transport & Highways
(Department of Road Transport & Highways)

Transport Bhawan,
No. 1, Parliament Street,
New Delhi-110001.
Dated 01 -11-2006.

No.RT-11036/7/2006-MVL

To

The Transport Commissioner
Office of the Transport Commissioner,
Administrative Building, 4th Floor,
Near Ambedkar Udyan,
Government Colony, Bandra(East),
Mumbai, Maharashtra.

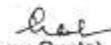
Subject: Registration of two wheelers as Goods Carriage.

Sir,

I am directed to refer to your letter No. MVR903/CR-886/D-II(4)/ON-20315 dated 10th October, 2006 on the above cited subject and to say that the notification dated 5-11-04 (copy enclosed) broadly classifies the vehicles in Transport and Non-transport category. This list is indicative. Various types of vehicles are coming on road and it may be difficult to go on adding up all of them in the notification issued by Central Government.

2. State Government may in their prudence, register the vehicles in Transport or Non-Transport Categories keeping in view the end use of the vehicle.

Yours faithfully,


(Ramu Gupta)
Under Secretary to the Govt. of India
Tel: 23717367

*Received with
5/11/06
2/11/06*

7c

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दुचाकी मोटार वाहनाची मालवाहू
वाहन म्हणून नोंदणी करणेबाबत.

परिवहन आयुक्त कार्यालय,
प्रशासकीय इमारत, ३ रा व ४ था मजला,
डॉ. आंबेडकर उद्यानाजवळ, सरकारी वसाहत,
वांद्रे (पूर्व), मुंबई - ४०० ०५१.

क्र. एमकीआर-०९०३/सौ.आर-८८६/का. २(४)/जा.क्र. १४५४४ दिनांक :- ३०.९.१०

30 SEP 2010

वाचा : १) केंद्र शासनाचे पत्र क्र. RT-11036/7/2006-MVL, dt. 24/2/2006.
२) केंद्र शासनाचे पत्र क्र. RT-11036/7/2006-MVL, dt. 7/7/2009.

परिपत्रक

दुचाकी वाहनांद्वारे Pizza / Restaurant Home Delivery / Bio Medical Waste अशा प्रकारे वजनाने हलके, खाद्यपदार्थ अगर तत्सम सामान वाहून नेण्यासाठी, चालकाच्या पाठीमागील सीट काढून त्या ठिकाणी बॉक्स बसवून, दुचाकी परिवहन संवर्गात नोंदणी करण्यास अनुमती देण्याबाबत काही कंपन्यांचे अर्ज या कार्यालयास प्राप्त झालेले होते.

याबाबत या कार्यालयाद्वारे रस्ते वाहतूक आणि महामार्ग मंत्रालय, केंद्र सरकार, नवी दिल्ली यांना अभिप्राय मिळणेबाबत विनंती करण्यात आली होती. या संदर्भात केंद्र शासनाने त्यांच्या पत्र क्र. RT-11036/7/2006-MVL, dt. 7/7/2009 नुसार असे स्पष्ट केले आहे की, अधिसूचना क्र. १२४८, दि. ५/११/२००४ मध्ये नमूद केलेली परिवहन व परिवहनेतर वाहनांची वर्गबारी ही मार्गदर्शनपर/ दिशादर्शक आहे. परंतु विशिष्ट वाहनाची नोंदणी कोणत्या संवर्गात करावी याबाबत संबंधित राज्य शासनांनी सारासार तर्कबुद्धीने विचार करून निर्णय घ्यावयाचा आहे.

उपरोक्त पार्श्वभूमिस अनुसरून आपणांस असे निर्देश देण्यात येतात की, सबब, अशा प्रकारची वर उल्लेखिलेली दुचाकी वाहने नोंदणीसाठी मालवाहू परिवहन संवर्गात स्वीकारण्यात यावी. तसेच यापूर्वी नोंदणी केलेल्या दुचाकी वाहनांमध्ये जर पिझ्झा किंवा तत्सम हलक्या वस्तू वाहून नेण्यासाठी खाली नमूद केलेल्या निकषांची पूर्तता करणारा लहान आकाराचा बॉक्स बसविलेला असल्यास बी.टी. / बी.टी.आय. नमुन्यात अर्ज स्विकारून सदर वाहनाची तपासणी

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करून वाहन मोटार वाहन अधिनियम, १९८८ व त्या अंतर्गत तयार करण्यात आलेल्या नियमांची पूर्तता करित असल्यास त्या वाहनांची नोंदणी मालवाहू परिवहन संवर्गात करण्यात यावी.

बॉक्ससाठी निकष -

- १) बॉक्सचे आकारमान - कमाल लांबी ४५ सेमी., कमाल रुंदी ४५ सेमी., कमाल उंची ४० सेमी.
- २) बॉक्स हा वाहनावर कायमस्वरूपी नट्-बोल्ट्सच्या सहाय्याने घट्ट बसविलेला असावा.
- ३) बॉक्सचे आकारमान वाहनाच्या आकारमानाशी अनुरूप असावे.
- ४) बॉक्सच्या कडा व कॉर्नर्स शार्प नसावेत.

सदर वाहनांची कर आकारणी मुंबई मोटार वाहन कर अधिनियम, १९५८ च्या कलम ३(१)(ई) नुसार, परिशिष्ट-२ (Second Schedule Part-1) मधील अनुक्रमांक २ च्या तरतुदीनुसार वार्षिक कराच्या ७ पट दराने करण्यात यावी.

मालवाहू परिवहन संवर्गातील दुचाकी वाहन चालवावाचे झाल्यास त्या व्यक्तींच्या अनुज्ञापत्रावर त्याबाबतचे पृष्ठांकन अनिवार्य असेल.

प्रति,
सर्व नोंदणी प्राधिकारी, महाराष्ट्र राज्य.

परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.

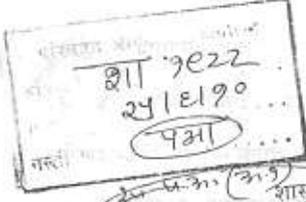
प्रत माहितीकरीता:-

सचिव, गृह (परिवहन) विभाग, महाराष्ट्र शासन, मंत्रालय, मुंबई.

प्रत :-

- १) मे. डॉमिनॉन्ज पिडझा इंडिया लि., कॉन्ट्रॅक्टर बिल्डींग, तळ मजला, ४१, आर. के. मार्ग, बॅलाई इस्टेट, मुंबई - ४०० ०३८.
- २) मे. डको लॉजिस्टिक्स, बायो मेडीकल डिव्हिजन, १०, श्री माया अपार्टमेंट, ५, कॉलेज स्ट्रीट, अॅश लेन, दादर, मुंबई - ४०० ०२८.
- ३) मे. होम केअर, १ ली गल्ली, १२ नॅशनल लायब्ररी मार्ग, अकबर बेकरीच्या मागे, बांद्रा (पश्चिम), मुंबई - ४०० ०५०.
- ४) मे. डॉडसल, ३०३/३०४, पेनिन्सुला टॉवर नं. १, पेनिन्सुला कॉर्पोरेट पार्क, गणपतराव कदम मार्ग, लोअर परेल, मुंबई - ४०० ०१३.

परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.



मोटर वाहन नोंदणी
करण्याबाबतची कार्यपद्धती

महाराष्ट्र शासन
गृहविभाग

शासन-निर्णय क्र. एमव्हीआर ०४१०/प्र.क्र. ३२३/परि-२
मंत्रालय, मुंबई-४०० ०३२, दिनांक १८ जून, २०१०

संदर्भ :- परिवहन आयुक्त यांचे पत्र क्र. एमव्हीआर ०७१०/ सीआर १०२५/का.२ (४)/
जा.क्र.६०३३ दिनांक ३०.०४.२०१०

परिपत्रक

मोटर वाहन कायदा, १९८८ मधील कलम ३९ नुसार वाहनांची नोंदणी करण्याची तरतूद करण्यात आली आहे. सदर नियमानुसार वाहनांची नोंदणी करण्यापूर्वी केंद्रीय मोटर वाहन नियम १९८९ च्या कलम १२६ प्रमाणे विहित केलेल्या तपासणी संस्थेकडून (Vehicle Research and Development Establishment (VRDE), Automotive Research Association of India (ARAI), Pune, Central Farm Machinery Testing and Training Institute, Budni (MP), Indian Institute of Petroleum (IIP) Dehradun, Central Institute of Road Transport (CIRT), Pune, International Centre for Automotive Technology (ICAT) Manesar Northern Region Farm Machinery Training and Testing Institute, Hissar (for testing of combine Farm Machinery Training and Testing of combine harvester) यांपैकी एका संस्थेकडून वाहन उत्पादकाने अथवा आयातदाराने वाहनांची तांत्रिक तपासणी करून घेऊन त्या वाहनाची बांधणी व संरचना ही मोटर वाहन कायदा १९८८ व त्याअंतर्गत बनविलेल्या नियमाप्रमाणे आहे याची खातरजमा केलेले प्रमाणपत्र सादर करून त्यास नोंदणी प्राधिका-यांनी त्यास मान्यता द्यावयाची आहे. परंतु शासनाच्या असे निदर्शनास आले आहे की, वाहन कायदाच्या कलमान्वये घालून दिलेल्या बरील अटीनुसार कार्यवाही होत नाही व त्यामध्ये परिवहन आयुक्त यांचे स्तरावरून त्यामध्ये बदल करण्याचे आदेश देण्यात येतात त्यामुळे या नियमांचे उल्लंघन होत आहे. म्हणून शासन आता मोटर वाहनांची नोंदणी करण्यासाठी खालीलप्रमाणे आदेश देत आहे.

१. यापुढे वाहन उत्पादक / आयातदाराने वरील नियमानुसार वाहनांची नोंदणी करण्यापूर्वी विहित केलेल्या तपासण्या संस्थेकडून वाहन तपासणी प्रमाणपत्र प्राप्त करून घेऊन सदर वाहन नोंदणी अधिका-यांकडे प्रमाणपत्रासह सादर करावयाचे आहे. नोंदणी अधिका-याने सदर वाहन हे तपासणी प्रमाणपत्राप्रमाणे असल्याची खात्री करून घेऊन मोटार वाहन अधिनियम १९८८ आणि मुंबई मोटार वाहन कर अधिनियम १९५८ व त्याअंतर्गत केलेल्या नियमाप्रमाणे पूर्तता करीत असल्याची खात्री करून नोंदणीसाठी स्विकारून त्या वाहनाची योग्य त्या संवर्गात नोंदणी करावी. सर्व नोंदणी प्राधिका-यांनी आयातीत वाहनांच्या संदर्भात केंद्रीय मोटार वाहन नियम १९८९ च्या नियम ४७ व ४८ ची काटेकोरपणे अंमलबजावणी करण्यात यावी. तसेच मुंबई मोटार वाहन कर अधिनियम १९५८ मधील तरतुदीनुसार कर आकारणी करतांना वाहनांच्या किमती संदर्भातील कलम २ (३A) (B) च्या तरतुदी विचारात घेऊन कार्यवाही करावी.

२. संस्थाभाषित सादर करण्यात आलेल्या तपासणी प्रमाणपत्राची सत्यता, वाहनमालकाच्या पत्त्याची सत्यता व वाहनावरील दर ज्या किमतीवर आकारण्यात येईल त्याच्या सत्यतेबाबतची संपुर्ण जबाबदारी उत्पादक / वितरक/ आयातदारावर असेल व वाहन कर आकारणी व नोंदणीबाबतची जबाबदारी नोंदणी अधिका-याची असेल ही कार्यपद्धती सर्व वाहनांचे बाबतीत लागू राहिल.

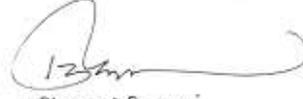
३. पुढे नमूद करण्यात येते की, आयातीत वाहनांच्या भारतातील नोंदणीकृत असलेल्या कंपनीने / उत्पादकाने भारतात उत्पादीत न होणारी वाहने जसे-मेसर्स टॉयोटा कंपनीची "प्राडो " किवा फॉर्च्युनर " ही वाहने किवा मेसर्स "लॅण्डरोव्हर " कंपनीची "लॅण्डरोव्हर " ही वाहने ऑडी , बी.एम.डब्ल्यू, मर्सिडीझ, फोक्सवॉगन, लेक्सस, टॉयाटो, मित्सुबिशी, पोर्श, निस्सान एकाच वेळी मोठ्या संख्येने (सहकमध्ये) आयात केल्यास अशा प्रकरणात त्यांनी संबंधित नोंदणी अधिका-यांना सर्व वाहनांचे बाबतीत सामार्हिक (कंबाईन्ड) मूळ वील ऑफ एन्ट्रीची प्रमाणित प्रत काढून अधिका-यांपुढे प्रमाणित करून कार्यालयात ठेवण्यात येईल. संबंधित कार्यालयातर्फे सदर वील ऑफ एन्ट्री कस्टम विभागाकडे पाठवून त्याच्या सत्यतेबाबत खातरजमा करून घेण्यात येईल आणि तो पर्यंत त्यांच्या वैयक्तिक व कंपनीच्या हमीपत्राच्या आधारे वाहन नोंदणीसाठी स्विकारून वाहनाची योग्य प्रकारे कर आकारणी करण्याबाबत कार्यवाही करण्यात येईल. सदर वील ऑफ एन्ट्रीची कस्टम विभागाकडून खातरजमा झाल्यानंतर त्याच्या किमतीत अथवा कस्टम ड्युटीत काही फरक आढळल्यास याप्रमाणे येणारी कर फरकाची रक्कम वाहन उत्पादक / वितरक / वाहन मालक यांची संयुक्तरित्या राहिल व त्यांचेकडून त्यांनी दिलेल्या हमीपत्राच्या आधारे सदर रक्कम व्याजासह वसूल करण्यात यावी.

4/12/2019
10/1/2019

ही पद्धत केवल दर नमूद केल्याप्रमाणे नोंदणीकृत कंपन्यांनी मोठ्या प्रमाणावर एकाच वेळी (बल्कमध्ये) आयातीत केलेल्या वाहनांच्या बाबतीत वापरावी. वैयक्तिक अथवा वरीलपेक्षा वेगळ्या मार्गाने आयात केलेल्या वाहनांचे बाबतीत केंद्रीय मोटार वाहन अधिनियम, १९८९ च्या कलम ४७ (१) (४) मध्ये विहित केल्याप्रमाणे प्रत्येक प्रकरणात कस्टम विलअरन्स सर्टीफिकेट / वील ऑफ एन्ट्री सादर करणे आवश्यक राहिल.

सदर आदेश त्वरीत प्रभावाने अंमलात येत आहेत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने .



(चि.शा.संगीतराय)

शासनाचे सचिव (परिवहन व राजशु)

प्रत

- मा.मंत्री (परिवहन) यांचे खाजगी सचिव
- मा.राज्यमंत्री (परिवहन) यांचे खाजगी सचिव
- परिवहन आयुक्त, महाराष्ट्र राज्य, मुंबई
- सर्व प्रादेशिक परिवहन अधिकारी
- सर्व उप प्रादेशिक परिवहन अधिकारी
- सर्व वाहन उत्पादक / वितरक यांना माहतीस्तथ
- निवड नस्ती (परिवहन-२)

112 5

C I R C U L A R

SUB :- Registration vehicles owned by State / Central Government as omni bus under non-transport category.

This office is receiving inquiries from various State / Central Government Departments about category of registration of vehicles having seating capacity more than six by Registering Authorities in the State.

After examining the definition of "omni bus" and "private service vehicle" it is observed that vehicles having seating capacity more than six persons registered in the name of various Department of State / Central Government (i.e. Railways Post & Telegram, etc.) can be accepted for registration as "omni bus" in "non-transport" category as these vehicles are used for public purpose activity and hence cannot be registered as private service vehicle as per its definition under the Motor Vehicle Act 1988.

Further such vehicles if produced by individual owner can be accepted for registration as non-transport vehicle depending upon the declaration given by the owner about its end use, as clarified by the Ministry of Road Transport & Highways New Delhi by its letter dated 15th March, 2000 (copy attached).

This clarification will be applicable till the vehicle is owned and used by the State Central Government only. However, the vehicles belonging to State / Central Government Undertakings / Corporations are required to be registered only as "private service vehicle" in "Transport Category".

S.B. Shinde
Transport Commissioner
Maharashtra State, Mumbai

No MVR 0903/CR 811/D-2(4)/ON-6034
Transport Commissioner Office,
Administrative Bldg., 4th Floor,
Near Ambedkar Udhyan,
Government Colony bandra (East),
Mumbai 400 0521

Date 30 APR 2004

- Copy :-
- 1 P A To Transport Commissioner, Maharashtra State, Mumbai.
 - 2 P A To Addl Transport Commissioner, Maharashtra State, Mumbai
 - 3 All Controlling officers, Transport Commissioner Office, Maharashtra State, Mumbai
 - 4 All Regional Transport Officers / Dy. Regional Transport Officers, Maharashtra State

S.B. Shinde
Transport Commissioner
Maharashtra State, Mumbai

Registration/transfer of Motor Vehicles
on fake proof of address.

TRANSPORT COMMISSIONER'S OFFICE

Administrative Building, 3rd/4th floor,
Near Dr. Ambedkar Udyan, Government Colony,
Bandra (East), Mumbai 400 051.

No.MVR 0205/CR 174/D-2(4)/ON 3870 Date : **3 MAR 2007**

- READ** :-1. Letter No. RT-11036/36/2006/MVL, dated 29.6.06 of Ministry of Shipping, Road Transport and Highways, Department of Road Transport, New Delhi.
2. Letter No. CRB (109)/NV-Genl/01/03/NCRB VOL-IV, dated 24.1.2006 of National Crime Records Bureau, Ministry of Home Affairs, New Delhi.

CIRCULAR

1: The Government of India vide letter No. RT-11036/36/2006-MVL, dated 29.6.06 has informed that in a large number of cases, the proof of address submitted in connection with the registration/transfer of motor vehicles, in various Regional Transport Offices in the country, are later found to be **fake**. As a result, it becomes impossible to trace the owners of such vehicles involved in any unlawful activities. National Crime Records Bureau vide above letter No. 2, informed that the NCRB has been collecting and compiling information on automobile thefts/recoveries from the police of states/UTs. On receipt of the data, the same is processed at National Level and reports on coordination are sent to the concerned police authorities for follow up action. The replica of this national data base has now been provided to each SCR BX along with 32 MV Counters (Motor Vehicle verification Counters) at different locations in the country and it is being updated by NCRB daily electronically. This information is also extensively utilized by the transport and insurance authorities in the country. At present they have records of about 6,78,000 stolen/recovered vehicles in their National data bank of Motor Vehicle Coordination System (MVCS).

2. Rule 4 of the Central Motor Vehicles Rule of 1989 prescribes submission of proof of address at the time of registration/transfer of ownership of motor vehicles and runs as below:-

Rule 4:- Every applicant for the issue of a licence under this Chapter shall produce as evidence of his address and age, any one or more of the following documents in original or relevant extracts thereof duly attested by a Gazetted Officer of the Central Government or of a State Government or an officer of a local body who is equivalent in rank of a Gazetted Officer of the Government or Village Administration Officer or Municipal Corporation Councilor or Panchayat President, namely:-

1. Electoral Roll, 2. Life Insurance Policy, 3. Passport, 4. Pay Slip issued by any office of the Central Government or a State Government or a local body, 5. School Certificate, 6. Birth Certificate, 7. Certificate granted by a registered medical practitioner not below the rank of a Civil Surgeon, as to

the age of the applicant. & Any other document or documents as may be prescribed by the State Government under clause (k) of section 28.

Provided that where the applicant is not able to produce any of the above mentioned documents for sufficient reason, the licensing authority may accept any affidavit sworn by the applicant before an Executive Magistrate, or a First Class Judicial Magistrate or a Notary Public as evidence of age and address.

3. Clause (e) of sub-rule (1) of rule 47 of the Central Motor Vehicles Rules, 1989 provides for the submission of address proof at the time of registration by way of any one of the documents referred to in rule 4. Govt. of India vide G.S.R. 589 (E) dt. 16.9.2005 amended rule 4 of the Central Motor Vehicles Rule, 1989 and inserted new sub-rule 11, which is as below:

Rule 11 - Any other document or documents as may be prescribed by the State Government under clause (k) of section 28.

This office have forwarded a proposal to amend Maharashtra Motor Vehicles Rule, 1989 to insert a new rule 5A, vide letter no. MIS 0203/CR 220/D 2(7)/ON 16004, dt. 8.9.2006 and also issued directions vide circular No. MIS 0203/CR 220/D 2(7)/ON 1460, dt. 29.1.2007 to all registering authorities to accept affidavit along with the address proofs, deleted by Government of India from Central Motor Vehicles Rules, 4 on certain conditions.

4. Rule 114 B of Income Tax Rules, 1962 provides the list of documents pertaining to the transactions, in relation to which Permanent Account Number should to be quoted, for the purpose of clause (c) of sub-section (5) of Section 139 A of the Income Tax Act. Clause (b) of rule 114 B is related to the sale or purchase of Motor Vehicle and which runs as below:-

Sale or purchase of a Motor Vehicle or vehicle, as defined in clause (28) of section 2 of the Motor Vehicles Act, 1988 (59 of 1988), which requires registration by a registering authority under Chapter IV of that Act;

Provided that for the purpose of this clause, the sale or purchase of Motor Vehicle or vehicle does not include two wheeled vehicles, inclusive of any detachable side car having an extra wheel, attached to the Motor Vehicle.

5. In order to curb the practice of registration/transfer of Motor Vehicles on fake proof of address, and thereby to prevent any unlawful activity in future, following instructions are given:-

a) obtain the thumb impression, along with the signature of the owner/authorised signatory, on forms related to registration/transfer. Thumb impression should be attested by the 1) Officer of the Registering Authority 2) authorised dealer 3) Notary public 4) Gazetted Government Officer.

b) obtain the address proof as mentioned in rule 4 of Central Motor Vehicles Rules, 1989 and the direction given by this office vide Circular No. MIS 0203/CR 220/D 2(7)/ ON 1460, dt. 29.1.2007.

c) call up copy of Permanent Account Number Card (PAN CARD) at the time of registration/transfer of motor vehicles other than two wheelers, Tourist Cabs and motor cabs along with the last years income tax return, submitted to the Income Tax Authority.

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5/24/06

No. CRB (109)/MV-Genl./01/03/NCRB VOL-IV
Government of India
Ministry Of Home Affairs
National Crime Records Bureau

East Block-7, R.K. Puram,
New Delhi-110066.

Dated : 24.01.2006

107
2/2/06
महाराष्ट्र
राज्य
परि
सं. 3319108
दिनांक 33.08.05

To:
The Transport Secretary
Govt. of Maharashtra
Mantralaya
Mumbai - 400 032

Subject : Registration of suspected vehicles - regarding.

Sir,

Since its creation, the NCRB has been collecting & compiling information on automobile thefts/recoveries from the police of States/ UTs. On receipt of the data, the same is processed at National Level and reports on coordination are sent to the concerned police authorities for follow-up action. The replica of this national database has now been provided to each SCRBx along with 32 MV Counters (Motor Vehicle Verification Counters) at different locations in the country and it is being updated by NCRB daily electronically. This information is also extensively utilized by the transport and insurance authorities in the country. At present we have records of about 6,78,000 stolen/recovered Vehicles in our National databank of Motor Vehicle Coordination System (MVCS).

7/3/06
3/11

Recently an initiative was taken by Nagaland Police to compare the database of Transport Department, Nagaland with the National Database of MVCS available at their SCRB. While checking the databases, it has come to their notice that a considerable number of suspected vehicles (about 7000) have been detected using the MVCS and database of Transport Department of Nagaland. It shows many stolen vehicles are being registered by the RTOs without consulting / checking the national database of MVCS. It is very likely that same situation may be prevailing in other states also. To curb the activity of vehicle theft & their re-registration it is necessary to take the following action expeditiously.

1. The existing database of State Transport Departments should be got checked with National database of MVCS available at each State Crime Records Bureau. The coordination results may be communicated to NCRB as well as respective Police Authorities for further investigation/verification of the details of suspected vehicles.
2. In future, before registration of old vehicles, the details of the same should be checked with the national databank of MVCS.

Thanking you,

अवलोकनार्थ सादर
प्र. आ. शांता कर्कराव
दिनांक 24.01.06

Yours Sincerely,

(V.S. Yadav)
Dy. Director (A&R)

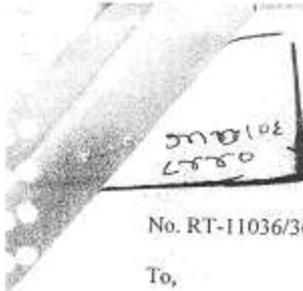
उत्तर (पर)
प्र. आ. शांता

दिनांक

दिनांक

दिनांक

दिनांक



Government of India
Ministry of Shipping, Road Transport & Highways
Department of Road Transport & Highways

No. RT-11036/36 /2006-MVL

dated 29th June, 2006

To,

The Transport Secretaries/Commissioners of all States/UTs except Maharashtra and Tamil Nadu

The Principal Secretary (Home Transport), Govt. of Maharashtra and Tamil Nadu

Subject:- Registration/transfer of motor vehicles on fake proof of address.

Sir,

It has been brought to the notice of this Department that in a large number of cases the proof of address submitted in connection with registration / transfer of ownership of motor vehicles in various Regional Transport Offices (RTOs) in the country are later found to be fake. As a result, it becomes impossible to trace the owner of such vehicles involved in any unlawful activities.

2. The Central Motor Vehicles Rules, 1989 prescribes submission of proof of address at the time of registration/transfer of ownership of motor vehicles. However, it is the responsibilities of concerned authorities to verify the genuineness of the address. It is suggested that a system of random check by police agencies could also be introduced to check the submission of false information by applicants.

Yours faithfully,

H.D./HRA-2

Submitted for perusal.
Remarks of T.C. may be sought.

(S.K.Mishra)
Director(Road Transport)
Telefax No. 23719097

14-07-06

D.S. (Tr.) 15/7/06

P.S. (Tr.) 18-7-06

inf 2

18-07-06

आयात करण्यात आलेल्या दुचाकी
वाहनांच्या नोंदणीसाठी अवलंबावयाच्या
कार्यपध्दतीबाबत.

परिवहन आयुक्त यांचे कार्यालय,
प्रशासकीय इमारत, बांदे (पूर्वे), मुंबई - ४०० ०५१

कार्यालयीन आदेश क्र. : संकीर्ण- क्र. एमव्हीआर ०७०९/सोआर-८२० पआ जा.क्र. ४९, दि. १५.०७.२००९
का. २ (४)

आ दे श

मोटर वाहन अधिनियम, १९८८ च्या कलम ४१ तसेच केंद्रीय मोटर वाहन नियम, १९८९ च्या
नियम ४७ अन्वये आयातीत मोटर वाहनांच्या नोंदणीची कार्यपध्दती स्पष्ट करण्यात आली आहे. सदर
आयात करण्यात आलेल्या दुचाकी वाहनांच्या नोंदणीसाठी अवलंबावयाच्या कार्यपध्दतीबाबत पुढीलप्रमाणे
मागदर्शक सूचना देण्यात येत आहेत :-

- १) सदर वाहन व्यक्तीगतरित्या (Individual)/केपनी आणि फर्म किंवा वाहन उत्पादक स्वतः आणू
शकतात.
- २) सदर वाहन नवीन असल्यास केंद्रीय मोटर वाहन नियम, १९८९ च्या नियम ४७(१)(अ) अन्वये
मूळ विक्री प्रमाणपत्र सांबाळ असणे आवश्यक आहे.
- ३) अशा वाहनांच्या नोंदणीसाठी केंद्रीय मोटर वाहन नियम, १९८९ च्या नियम ४७(१)(क) अन्वये
सोमा शुल्क विभागाने जारी केलेले सोडवणूक प्रमाणपत्र (Custom Clearance Certificate) आणि
बिल ऑफ एन्ट्री सादर करणे आवश्यक राहिले.
- ४) सदर दुचाकी वाहनांचो इंजिन क्षमता ८०० सी सी पेक्षा कमी असल्यास केंद्रीय मोटर वाहन
नियम, १९८९ च्या नियम १२६ अन्वये प्राधिकृत करण्यात आलेल्या संस्थांमार्फत होमोलोगेशन प्रमाणपत्र
असणे आवश्यक आहे. (संदर्भ : MoSRTTH letter No. RT-11036/59/2000-MVL, Dt. 12th
August, 2008)
- ५) सदर दुचाकी वाहनांचो इंजिन क्षमता ८०० सी सी पेक्षा जास्त असल्यास केंद्रीय मोटर वाहन
नियम, १९८९ च्या नियम १२६ उपरोक्त प्रमाणपत्राची आवश्यकता राहणार नाही, परंतु असे वाहन
कस्टममधून सोडविताना सोबत EC Type Approval Certificate /Certificate of COP, of an
accredited agency from any member state of EU असणे आवश्यक राहिले. त्याचप्रमाणे केंद्र
शासनाची अधिसूचना क्र. ६२ (आरई-२००७) २००४-०९ दिनांक १२/१२/२००७ अनुसार विहित
करण्यात आलेल्या इतर अटीची पूर्तता करणे आवश्यक राहिले. त्याचप्रमाणे ही तांत्रिक संस्था केंद्र
शासनाद्वारे प्राधिकृत (Recognised) असावी. (संदर्भ : MoSRTTH letter No. RT-11036/59/
2000-MVL, Dt. 12th August, 2008)
- ६) केंद्रीय मोटर वाहन नियम, १९८९ च्या नियम - ४ तसेच महाराष्ट्र मोटर वाहन अधिनियम,
१९८९ च्या नियम ५(अ) मध्ये नमूद करण्यात आलेली पन्हाचे पुरावे स्वोकारणाने वाचते तसेच प्रत्येक

आयतांत दुधाको वाहनाचे प्रकाराचे वाहन मालकीचा नाव असलेल्या पत्रकारांचे साक्षात्कार प्रथम अंतर्गतित्वा मागणी करावी व सदर प्रत अभिलेखाधार पत्राची नियम ४ अन्वयेत उल्लेख केल्याने "शपथपत्र" हा पत्राचा आवादात्मक परिस्थानांत, नादणी प्राधिकार्यांचो इतर पत्रांचो उपलब्ध दोगे शक्य नसल्याचो खात्री पटल्यानंतरच, स्विकारण्यात यावा तसच अजेंदाराचे सादर केल्ल्या थिल ऑफ वन्टो मधील पत्रा हा संबोधित नादणी प्राधिकार्याच्याच कायदेशान्तेल असल्याबाबत खात्री करुन घेऊन नंतरच वाहन नोंदणीसाठी स्विकारावे.

७) अशा वाहनांचो नोंदणी करताना -

अ) प्रादेशिक परिवहन कार्यालयात प्रादेशिक परिवहन अधिकारी यांनी आणि उप प्रादेशिक परिवहन कार्यालयात उप प्रादेशिक परिवहन अधिकारी यांनी स्वतः नोंदणी व कराधान प्राधिकारी म्हणून काम घेवाव

ब) वाहनाच्या नोंदणीपूर्वी सादर केल्ल्या कागदपत्रांचो पडताळणी प्रादेशिक परिवहन अधिकारी/उप प्रादेशिक परिवहन अधिकारी यांनी स्वतः करावो व कागदपत्र वाहन नोंदणीसाठी स्विकारण्याबाबत असल्याचो खात्री करुन घेतल्यानंतरच संबंधित मॉटार वाहन निरीक्षक यांना पट्टील कायवाहोबायन सूचना द्याव्यात.

क) मॉटार वाहन निरीक्षक यांनी दखोल कागदपत्रांचो पडताळणी करावो, वानंतर वाहनांचो चासीस / इंजिन नंबर तपासून वाहन रस्त्यावर वापरण्यास योग्य असल्याबाबत खात्री करुन, फॉर्म क्र.२० चे शंयटी असलेले प्रमाणपत्र Certified that the particulars in the application are true and that the vehicle complies with the requirements of Motor Vehicles Act, 1988 and rules made thereunder.

Signature of the Inspecting Authority

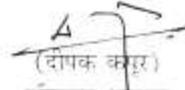
जारी करावे.

ड) त्यानंतर प्रादेशिक परिवहन अधिकारी/उप प्रादेशिक परिवहन अधिकारी यांनी वाहनांचो प्रत्यक्ष पाहणी करुन नोंदणी व कर आकारणी बाबत अंतीम आदेश द्यावेत.

८) वाहन नोंदणी नंतर नोंदणीप्रमाणपत्र अजेंदाराच्या पत्रावर पोस्टाने पाठवावे. त्यासाठी अजेंदाराकडून त्यांचो स्वतःचा पत्रा लिहिल्लेला पोस्टेन सह लिफाफा स्विकारावा.

वर नमूद सूचना या अत्यंत महत्वाच्या असून सदर सूचनासंदर्भात काटेकोरपणे कार्यवाही करण्यात यावी.

सदर आदेश त्वरित अंमलात येत आहेंत.


(दीपक कुलकर्णी)
परिवहन अधीक्षक
महाराष्ट्र राज्य, मुंबई

प्रति,

१) सर्व प्रादेशिक उप प्रादेशिक परिवहन अधिकारी, महाराष्ट्र राज्य

२) सर्व नियंत्रक अधिकारी, परिवहन आयुक्त कार्यालय, मुंबई

प्रति,

मा. मांचव, गुहांबाग (परिवहन), मंत्रालय, मुंबई - ४०० ००२ यांना माहितीकरिता सादर

दुचाकी वाहनाची नोंदणी करताना केंद्रिय मोटार वाहन नियम, १९८९ व महाराष्ट्र मोटार वाहन नियम, १९८९ ची काटेकोरपणे अंमलबजावणी करणेबाबत.

परिवहन आयुक्त कार्यालय
प्रशासकीय इमारत, ३/४ मजला,
डॉ. आंबेडकर उद्यानाजवळ,
वांद्रे (पूर्व), मुंबई - ४०० ०५१.

संदर्भ - जनहीत याचिका क्र. ११/२००८ श्री. ग्यानप्रकाश विरुध्द महाराष्ट्र शासन व इतर.

क्रमांक - एमडब्ल्यूपी ०१०८/सीआर ७०२/का २(३)/जा.क्र. १३३८० दिनांक 6 NOV 200

प रि प त्र क

१) उपरोक्त जनहीत याचिकेसंदर्भात सर्व नोंदणी प्राधिकाऱ्यांना असे कळविण्यात येते की, नवीन दुचाकी वाहनांची नोंदणी करताना केंद्रिय मोटार वाहन नियम, १९८९ च्या नियम १२३ व महाराष्ट्र मोटार वाहन नियम, १९८९ च्या नियम १६६ ची काटेकोरपणे अंमलबजावणी करण्यात यावी.

२) जनहीत याचिका क्र. ११/२००८ द्वारे याचिकाकर्त्यांने, वाहन उत्पादकांद्वारे दुचाकी वाहनाचे उत्पादन करताना केंद्रिय मोटार वाहन नियम, १९८९ व महाराष्ट्र मोटार वाहन नियम, १९८९ च्या तरतुदींचे उल्लंघन होत असल्याबाबत न्यायालयास कळविले असून वरील तरतुदींचे उल्लंघन होऊन उत्पादित झालेल्या नवीन दुचाकी वाहनाची नोंदणी करण्यात येऊ नये, असे आदेश नोंदणी अधिकाऱ्यांना देण्याकरीता न्यायालयास विनंती केलेली आहे.

३) सबब, दुचाकी वाहनांची नोंदणी करताना केंद्रिय मोटार वाहन नियम, १९८९ च्या नियम १२३ मधील तरतुदीनुसार प्रामुख्याने खालील बाबींची पूर्तता असलेबाबतची खात्री करावी -

(अ) मागे बसणाऱ्या व्यक्तीकरीता हॅड ग्रीप.

(ब) फुटरेस्ट.

(क) मागे बसणाऱ्या व्यक्तीचे कपडे मागील चाकाच्या स्पोक्समध्ये अडकू नयेत यासाठी मागच्या चाकाचा किमान अर्धा भाग कव्हर करणारे संरक्षक साधन (Sari Guard).

४) आपल्या अधिकार क्षेत्रातील सर्व मान्यताप्राप्त दुचाकी वाहन विक्रेत्यांना (Dealers) उपरोक्त तरतुदीची पूर्तता करण्याचे आदेश द्यावेत.

५) तसेच तपासणी दरम्यान सदर तरतुदीची पूर्तता होत नसल्याचे आढळल्यास संबंधीत वाहन चालक / मालकावर कारवाई करण्याचे आदेश आपल्या कार्यालयाच्या वायुवेग पथकाला द्यावेत.

६) या संदर्भात केलेल्या कार्यपुर्तीचा अहवाल या कार्यालयास त्वरित पाठविण्यात यावा.

प्रति,
सर्व प्रादेशिक परिवहन अधिकारी /
उप प्रादेशिक परिवहन अधिकारी

परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.

प्रत माहितीकरीता -
सचिव, गृह (परिवहन) विभाग, महाराष्ट्र शासन, मंत्रालय, मुंबई.

परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.

Registration of imported motor cars / jeeps / multi utility vehicles etc. which are brought under the scheme of Transfer of Residence on payment of full customs duty.

Transport Commissioner's Office
3/4th floor, Administrative Bldg., Govt. Colony,
Bandra (East), Mumbai - 400 051.

No. MWP 0108/CR-721/D-2(3)/ON- 12-143 Dated:- 11 OCT 2009

ORDER

1. The procedure for registration of a vehicle is laid down under Section 41 of Motor Vehicles Act, 1988 read with Rule 47 of Central Motor Vehicles Rules, 1989. The procedure to be adopted for registration of imported motor cars / jeeps / multi utility vehicles etc. which are brought under the scheme of Transfer of Residence on payment of full customs duty is as below :-

- (a) The individuals coming to India for permanent settlement after two years continuous stay abroad are only eligible to import only one vehicle under the above scheme.
- (b) The motor cars / jeeps / multi utility vehicles etc. brought under the scheme should have been in the possession of the importer for a period of minimum one year abroad.
- (c) The vehicle should have right hand steering and controls.
- (d) Since the vehicle had been in use abroad, a proof of cancellation of the old Registration Certificate should be insisted. (Section 55 of M. V. Act, 1988)
- (e) The passport held by the importer should bear an endorsement by the customs authority to the effect that the vehicle has been duly imported in India.
- (f) As per Rule 47(1)(h) the importer has to submit the Customs Clearance Certificate along with the Bill of Entry issued by the Customs Authorities.
- (g) No other document except the passport held by the importer should be accepted as proof of his address. In no circumstances affidavit in lieu of the passport should be accepted.
- (h) The Registering Authorities should accept papers in respect of only those importer whose address as mentioned in the passport and bill of entry of the importer falls under their jurisdiction.

2. For the purpose of registration of these vehicles -

- (a) The Registering and Taxation Authority shall be the Regional Transport Officer in Regional Transport Offices and the Dy. Regional Transport Officer in Dy. Regional Transport Offices.

(b) The documents submitted at the time of registration of the vehicle should be personally checked and verified by the Regional Transport Officer or Dy. Regional Transport Officer, as the case may be. On being satisfied that all the documents are in order, the officer should forward the same to the Inspector of Motor Vehicles concerned for further process.

(c) The Inspector of Motor Vehicles in turn should also check and verify the documents. After checking the engine number / chassis number and after ensuring that the vehicle is safe and roadworthy a certificate mentioned in Form - 20 which is as follows should be issued by him -

"Certified that the particulars in the application are true and that the vehicle complies with the requirements of Motor Vehicles Act, 1988 and rules made thereunder.

Signature of the Inspecting Authority"

(d) Before issuing orders for registration and taxation of the vehicle the Regional Transport Officer / Dy. Regional Transport Officer should inspect the vehicle in person.

3. The vehicle shall not be allowed to be transferred within a period of 2 years from the date of its registration. A note to this effect should be taken in the Registration Certificate and its records.
4. After registration of the vehicle the Registration Certificate should be sent to the applicant by R.P.A.D. in the self addressed envelope with postage provided by him.
5. These directions will come into force with immediate effect. The same should be observed scrupulously.

Kindly acknowledge receipt of this letter.

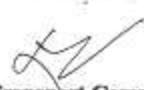

Transport Commissioner,
Maharashtra State, Mumbai.

To,
All Registering Authorities in the State of Maharashtra.

Copy for Information :-
All Controlling Officers, Transport Commissioner's Office, Mumbai.

Copy for Information submitted to :-

- 1) Joint Secretary to the Govt. of India, Ministry of Road Transport & Highways, 1, Transport Bhavan, Sansad Marg, Parliament Street, New Delhi - 110 001.
- 2) Secretary, Home (Transport) Department, Mantralaya, Mumbai - 400 032.


Transport Commissioner,
Maharashtra State, Mumbai.

Shri. Sontakke Saheb R.T.O Central

DAPE/02399/TRA-2/LETTER-FEBRUARY-2009]wp

स.एम.सी.आर-०८०८/१६८६/११.५५५६/परि-३
गृह विभाग, मंत्रालय, मुंबई-४०००३२.
दिनांक :- १४ फेब्रुवारी, २००९.

क्र. ५६६
दिनांक १५/१२/०९
मती क्र. (५६६) (क)

प्रति,

आयुक्त,
बृहन्मुंबई महानगरपालिका,
महापालिका मुख्यालय,
लक्ष्मणला, महापालिका मार्ग,
पोस्ट. नंबर-९.

Handwritten notes:
S.V.
M. S. Sontakke
DAPE/02399/TRA-2/LETTER-FEBRUARY-2009]wp
26/2

विषय : मुंबई हद्दीत धारणा असलेल्या वाहनांची व चार घाटी जुचा व नवीन नोंदणीकृत वाहनांची जकात भरुली पावती व ना हरकत प्रमाणपत्रे तपासणी/पडताळणीबाबत.

दरील विषयांच्या अनुषंगाने कळविण्यात येते की, मोटार वाहन अधिनियम १९८८ व नियम १९८९ मधील तरतुदीनुसार नवीन मोटार वाहनांची नोंदणी, मोटार वाहनांच्या इस्तारणाची नोंद व वाहन मालकीचा विवादाचा/ मरजाचायला वता बदलला असल्यास अजिंक्याने अजिंक्यास तशी नोंद अनिलेखात मोटार वाहन विभागातून केली जाते.

बृहन्मुंबई महानगरपालिकेचा पत्रव्यवहार पाहता, त्यांनी त्यांच्या जकात संकलन करण्यास बसता पर्येकीतील अधिकारी व कर्मचारी यांना सहकार्य करावे असांच नमुद्वे केलंल आहे आणि परिपहन विभाग त्यांना सहकार्य करित असतो. परंतु बृहन्मुंबई महानगरपालिकेची व इतर विभागाची अशी धारणा झाली आहे की, जकात भरले आहे किंवा नाह व तपासण्याची जबाबदारी मोटार वाहन विभागातील अधिकारी व कर्मचारींचा आहे त्यामुळे कारण नसताना या विभागातील अधिकारी व कर्मचारी मोटार मालक व तसेच इतर विभागातील अधिकारी यांच्या राधाला बळी पडावे लागते.

मोटार वाहन विभागातील तरतुदीनुसार मोटार वाहन नोंदणी करताना, इस्तारणाची नोंद असताना पता बदलाची नोंद घेताना, इस्तारणित करताना विषय इतर

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इसकत प्रमाणपत्र जोडले नसेल त्या करता वाहनाची नोंदणी नाकारता येत नाही. मोटार वाहन अधिनियम १९८८ च्या कलम ४५ अनुसार नोंदणी प्राधिकरणास, कोणत्याही मोटार वाहनाची नोंदणी करताना असे निदर्शनास आले की ते मोटार वाहन चांरीचे आहे किंवा यात्रिकदृष्ट्या खदोष आहे किंवा अर्जाद्वारे पूर्वीच्या नोंदणीचा तपशील पुरविण्यात कसूर केली आहे, तर केवळ अशा देकेसच आदेशाद्वारे नोंदणी (Registration) करण्याचे नाकारता येते. या व्यतिरिक्त इतर कारणाकरिता नोंदणी नाकारता येत नाही.

मोटर वाहन अधिनियम, १९८८ व त्याखालील नियमांतर्गत जकात नसलेल्या मोटार वाहनाची नोंदणीसाठी नाकारण किंवा जकात नसल्याच्या पुराव्यासाठी आपले घरचे यासाठी कोणतीही तरतूद नसल्याने अशा प्रकारच्या सहकार्याची अपेक्षा करणे न्यायोचित ठरणार नाही. यापूर्वी महानगरपालिकेचे कर्मचारी संबंधित परिवहन कार्यालयातून जकात चुकविण्याच्या मालकाचे परते संकलित करून घेवून जात होते. त्याचप्रमाणे थापुडेही कार्यवाही करावी याकरिता परिवहन कार्यालयाकडून योग्य ते सहकार्य देण्यात येईल.

(ज्या. ना. बाळाम)

उप सचिव, महाराष्ट्र शासन, गृह विभाग.

प्रत माहिती व आवश्यक कार्यवाहीकरिता अर्पित.

परिवहन आयुक्त, महाराष्ट्र राज्य, मुंबई.

प्रादेशिक परिवहन अधिकारी, मुंबई (मध्य/पूर्व/पश्चिम)

तळमजला, महापालिका मार्ग, फोर्ट, मुंबई-२.

4.10 Registration of vehicle owned by persons more than one (MVA S 41(1))-- Where a vehicle is jointly owned by more persons, the application have to be made by one of them on behalf of all the owners.

4.11 Registration of vehicle owned by minor -Where a vehicle is owned by a minor, the application is required to be made on behalf of minor by his parent / guardian.

4.12 Production of vehicle at the time of registration. (MVA S 44) -The owner of a vehicle is required to produce his vehicle for registration before the Registering Authority for,

a) inspection and to verify the particulars contained in the application.

b) checking the compliance of the requirement of M.V.Act and the rules.

4.13 Effectiveness in India of registration. (MVA S 46)- A vehicle registered in any State, does not require to be registered, elsewhere in India and the certificate of registration is effective throughout India.

4.14 Certificate of Registration (MVA S 2(4))- “certificate of registration” means the certificate issued by a registering authority to the effect that a vehicle is duly registered.

4.15 Issuance of Certificate of Registration (CMV R 48)-The registering authority after registration, is required to issue a certificate of registration either in form-23 or 23-A.

मोटर वाहन विभागामध्ये मोटार
वाहनाच्या नोंदणी प्रमाणपत्राकरीता
ऑप्टिकल स्मार्ट कार्डचा वापर करण्याबाबत.

महाराष्ट्र शासन

गृह विभाग,

मंत्रालय, मुंबई-४०० ०३२.

शासन निर्णय क्रमांक : एमव्हीडी-०५००/सीआर-२१८/परि-४,
दिनांक : २७ नोव्हेंबर, २००२.

- वाचा :
- १) शासन पत्र, गृह विभाग क्रमांक : एमव्हीडी-०५००/सीआर-२१८/परि-४,
दि. १८.६.२००१.
 - २) केंद्र शासनाची गट्टे परिधान आणि महामार्ग मंजलावर्ती ऑप्टिकल
क्रमांक: जीएसआर-४००(३), दिनांक : ३१.५.२००२.
 - ३) शासन निर्णय, गृह विभाग क्र. एमव्हीडी-०५००/सीआर-२१८/परि-४,
दि. ६.७.२००२.

शासन निर्णय : केंद्र शासनाच्या उपरोक्त अधिसूचनेनुसार केंद्रीय मोटार वाहने नियम, १९८९ मधील
नियम ४८ नुसार नोंदणी प्रमाणपत्र घेणे क्रमांक २३ अ प्रमाणे स्मार्ट कार्डच्या स्वरूपातही देणे शक्य झाले
आहे. वाहन धारकांना टिकाऊ, आकर्षक नोंदणी व उपयुक्त प्रमाणपत्र देण्याच्या दृष्टीने नोंदणी प्रमाणपत्र
ऑप्टिकल स्मार्ट कार्डच्या स्वरूपात देण्याचा निर्णय शासनाने घेतला आहे. परितहन आमुक्त यांनी या
अनुषंगाने मार्गदर्शिल्या निविदांसंदर्भात नियुक्त केलेल्या छाननी समितीचा अहवाल विचारात घेऊन नोंदणी
प्रमाणपत्र ऑप्टिकल स्मार्ट कार्डच्या स्वरूपात देण्यासाठी मे. शीखा टेक्नॉलोजीज इंटरनेशनल लिमिटेड यांची
निविदा मान्य करण्यात आली आहे.

२. उपरोक्त संदर्भ क्र.२ अन्वये नोंदणी शुल्क विषयक सुधारणांचे अनुषंगाने नोंदणी प्रमाणपत्र
ऑप्टिकल स्मार्ट कार्डच्या स्वरूपात देण्याचे काम दिहिले अटी व शर्तीच्या अधीन राहून मे. शीखा टेक्नॉलोजीज
इंटरनेशनल लिमिटेड यांना देण्यासाठी आवश्यक करार करण्याचे परिघटन आयुक्त यांना सूचित करण्यात
येते.

३. मोटार वाहन धारकांना नोंदणी प्रमाणपत्र ऑप्टिकल स्मार्ट कार्डच्या स्वरूपात देण्याची ही
सुधारित योजना पुढीलप्रमाणे राहिल.

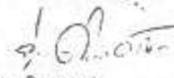
१. सर्व प्रकारच्या मोटार वाहनाकरीता नोंदणी प्रमाणपत्र Optical Smart Card च्या
स्वरूपात देण्यासाठी नोंदणी शुल्काव्यतिरिक्त रु.३५०/- प्रतिकार्ड असा दर मंजूर
करण्यात येत आहे. Optical Smart Card करिता विहित केलेली ही फी अर्जाद्वारे
परस्पर कंत्राटदाराकडे जमा करावी.
२. ऑप्टिकल स्मार्ट कार्ड स्वरूपात नोंदणी प्रमाणपत्र घेणे पूर्णतया वैधिक आहे.

३. जे वाहन मालक नोंदणी प्रमाणपत्र ऑप्टिकल स्मार्ट कार्ड स्वरूपात पेज झुचितात, त्यांनी नोंदणीसाठी, हस्तांतरणासाठी, घना बदलासाठी इत्यादी कामासाठी केंद्रीय मोटार वाहन नियम, १९८९ च्या नियम ८१ प्रमाणे विहित शुल्काप्रतिरिक्त उपरोक्त मंजूर दराप्रमाणे कंत्राटदाराकडे रकमेचा भरणो करावा. विहित शुल्क मात्र मोटार वाहन विभागाने घसूल करावे.
४. १ कोटी कार्डस विद्या १५ वर्षांचा कालावधी यापेक्षा जे लवकर होईल तोपर्यंत हा करार अस्तित्वात राईल.
५. कराराच्या कालावधीत या वाहतच्या घेवणेत करावयाच्या आधुनिकरणाबाबतची व त्याकरिता घेणाऱ्या तत्सम खात्याची संपूर्ण जबाबदारी ही कंत्राटदारावर राईल.
६. दराबाबतचा आढावा दर ३ वर्षांनी घेण्यात यावा. ३ वर्षांनंतर होणाऱ्या आढाव्यामध्ये कंत्राटदारास देण्याच्या शुल्काचे योग्य मुल्यमापन शक्य होण्यासाठी सध्याच्या शुल्कास कारणीभूत असणारे घटक कंत्राटदाराने आलाच शासनास सादर करावे.
७. एकूण कालावधीनंतर पापरातील सर्व संगणक व साधन सामुग्री कंत्राटदाराने शासनास सुविधेने व दिनामुल्य हस्तांतरित करावयाची आहे.
८. या योजनेकरिता कंत्राटदाराने निर्माण केलेली साधन सामुग्री व घेवणा महाराष्ट्र शासनाच्या परवानगीशिवाय कंत्राटदारास कोणाकडेही गहाण ठेवता येणार नाही.
९. नवीन रस्ते किंवा पूल बांधल्यानंतर त्याचा टोल टॅक्स परस्पर ग्राहणी कंत्राटदार घसूल करतात त्यानुसार ऑप्टिकल स्मार्ट कार्डच्या दराची रक्कमही अर्जादाराने परस्पर कंत्राटदाराकडे भरावी.
१०. कंत्राटदाराने ऑप्टिकल स्मार्ट कार्डांचे संदर्भात विहित व राज्य शासनाचे इतर कारांची रक्कम विहित दरांप्रतिरिक्त अर्जादाराकडून घसूल करावी.
११. या योजनेची संपूर्ण राज्यात अंमलबजावणी होणार असल्यामुळे प्रादेशिक परिघहन अधिकारी / उप प्रादेशिक परिघहन अधिकारी यांनी त्यांचे कार्यालयात या संस्थेस त्यांची घेवणा बसविण्याकरिता व विहित फी गोळा करण्याकरिता योग्य अशी जागा उपलब्ध करून देण्यात येई.
१२. ही योजना BOOT या तत्वावर राबविण्यात येईल.
१३. कंत्राटदाराने सदर योजना कालावधीपूर्वी बंद केल्यास संपूर्ण साधन सामुग्री व घेवणा शासनास दिनामुल्य हस्तांतरित होईल.
१४. करारनामा करताना परिघहन आयुक्ताने निविधत केलेली योग्य त्या रकमेची परफॉरमन्स गॅरंटी कंत्राटदाराने घावी लागेल.

१५. या शासन निर्णयाप्रमाणे मे. शोख टेक्नॉलॉजिज इंटरनेशनल लिमिटेड यांचे सोबत करावयाच्या करारनाम्याचा मसूदा शासनाकडे मान्यतेसाठी सादर करण्यात यावा.
१६. करारनाम्या कालावधीत याबाबतच्या पत्रव्यवहारेत करावयाच्या आधुनिकीकरणाबाबतची व त्याकरिता येणाऱ्या तत्सम खर्चाची संपूर्ण जबाबदारी ही कंत्राटदारावर राहिल.
१७. या योजनेच्या संदर्भात शासनाने नियम प्रसिध्द केले आहेत. हे नियम अंतिम झाल्यानंतर तसेच नोंदणी प्रमाणपत्र ऑप्टिकल स्मार्ट कार्डच्या स्वरूपात देणेची योजना सर्व नवीन वाहनांना बसवणेची कल्पनाय या वाहनांकरिता ऑप्टिकल स्मार्ट कार्डचा दर रु.३५०/- प्रति कार्ड असा राहिल. तसेच जुनी वाहने नोंदणीचे नुतनिकरणाकरिता, परराज्यातून आलेल्या वाहनांची नोंदणी मालकी हस्तांतरण झाल्यादीकरिता जेव्हा प्रादेशिक परिवहन कार्यालयात येतील. तेव्हा अशा वाहनांनाही ही योजना लागू राहिल व त्यांचेकरिताही याबाबतचा दर रु.३५०/- प्रति कार्ड असाच राहिल.

४. शासन निर्णय, गृह विभाग झ.एमव्हीडी-०५००/सीआर-२१८/परि-४, दिनांक ६.७.२००९ अन्वये निर्गमित केलेले आदेश या शासन निर्णयाद्वारे सुधारित करण्यात येत आहेत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.



(क. नलिनाक्षन)

अप्यर मुख्य सचिव (परिवहन)
महाराष्ट्र शासन, गृह विभाग

प्रति,

परिवहन आयुक्त, महाराष्ट्र राज्य, मुंबई,
महालेखापाल, महाराष्ट्र राज्य, मुंबई,
महालेखापाल, महाराष्ट्र राज्य-१/२, मुंबई/नागपूर,
अधिदान व लेखा अधिकारी, मुंबई,
सर्व प्रादेशिक परिवहन अधिकारी,
सर्व उप प्रादेशिक परिवहन अधिकारी,
वित्त विभाग, मंत्रालय, मुंबई,
विधी व न्याय विभाग, मंत्रालय, मुंबई,
मा. मंत्री (परिवहन) यांचे खाजगी सचिव,
मा. राज्यमंत्री (परिवहन) यांचे खाजगी सचिव,
मे. शोख टेक्नॉलॉजी इंटरनेशनल लिमिटेड,
६ वा मजला, निर्मल, रीमन पॉइंट,
मुंबई-४०० ०९१.

4.16 Type of Motor Vehicle for Registration (MVA S 41(4))-The types of vehicle for registration are specified by govt. of India wide S.O. 1248(E) dated 05.11.2004.

Government of India
Ministry of Road Transport & Highways

Transport Bhawan,
No. 1, Parliament Street,
New Delhi-110001.

No.RT-11036/7/2006-MVL

Dated: 7th July, 2009.

To

The Transport Commissioner,
Government of Maharashtra,
Administrative Building, 4th Floor,
Government Colony, Bandra(East),
Mumbai-400 051.

पत्रिकेचे क्रमांक	५५८३
दिनांक	२०/७/०९
वर्ग	२

Subject: **Permission for transportation of Bio-Medical waste from General Practitioners on 2- wheelers.**

Sir,

I am directed to refer to your letter No. MVR0903/CR-886/D-2(4)ON-52nd dated 9th May, 2009 on the above cited subject and to say that no modification/alteration is permitted under Section 52 of the Motor Vehicles Act, 1988. This Ministry had issued a notification No. 1248 dated 5-11-2004 which broadly classifies the vehicles in transport and non-transport category. The list is indicative. State Government may, in their prudence, register the vehicles in transport or non-transport category keeping in view the end use of the vehicle.

A similar proposal for permission of 2 wheeler (Pizza Carrier) was received in this Ministry earlier from the State Government of Maharashtra and a reply was sent to them vide this Ministry's letter of even number dated 1-11-2006(copy enclosed). It was clarified in the said letter that they may, in their prudence, register the vehicles in Transport or Non-Transport categories keeping in view the end use of the vehicle.

I, 2
9/1/09

Sd/-
Under Secretary

Yours faithfully,

(VIVEK ASHISH)

Under Secretary to the Govt. of India
Tel.No.23717367.

Encl :- on back page

Copy to: Eco logistic Bio Medical Division, 10, SHREE MAYA APTS, 5, College Street, Opp.Ashlane, Dadar, Mumbai-400028. W.r.to their letter No.2005/ASR/2009*10 dated 20-5-2009.

२०/७/०९
२/१०
२०/७/०९
२/१०
२०/७/०९
२/१०
२०/७/०९
२/१०
२०/७/०९
२/१०

4.17 Display of Registration Mark (MVA S 41(6), CMV R 50, 51)- (1) The registering authority is required to assign to the vehicle, a registration mark as specified by govt. of India wide S.O. 444 (E) dated 12.06.1989.

(2) The registration mark is required to be displayed, both at the front and at the rear of all vehicles clearly and legibly, in the form of security license plate as specified in CMVR 50.

(3) The dimension of letters and figures of the registration mark and the space between different letters and numerals and letters and edge of the plain surface or specified in CMVR 51.

असा. क्र. १२९.

रजिस्टर्ड नं. एमएच/वाय-साकब/२०



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, सप्टेंबर १६, १९९३/मात्र २५, शके १९१५

स्वतंत्र संकलन म्हणून फार्लिक करण्यासाठी या जाण्याचे वेळी पुढील क्रमांक दिले आहेत.

भाग चार-अ

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ब यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांमधिरिपत) निम्न व आदेश

HOME DEPARTMENT

Mantralaya, Bombay 400 032, dated the 16th September 1993

MOTOR VEHICLES ACT, 1988.

No. MVA. 0393/379/TRA-2.—In pursuance of the Government of India, Ministry of Surface Transport, Notification No. S. O. 444 (E), dated the 12th June 1989, as amended by Government of India, Ministry of Surface Transport, Notification No. S. O. 827(E), dated the 11th November 1992, issued under sub-section (6) of section 41 of the Motor Vehicles Act, 1988 (59 of 1988), the Government of Maharashtra hereby directs that an additional plate displaying the letters and figures of the registration marks in Marathi language may also be displayed on the motor vehicle, if so desired by the owner of the vehicle, subject to the conditions laid down in the said Government Notification and the provisions of rules 50 and 51 of the Central Motor Vehicles Rules, 1989.

By order and in the name of the Governor of Maharashtra,

M. V. KULKARNI,

Joint Secretary to Government.

भाग चार-अ-१४८

(४६९)

शासकीय मध्यवर्ती मुद्रणालय, मुंबई

4.18 Allotment of Registration Mark (MMV R 54 A)-(1) After registration, the registering authority is required to assign the registration number which falls in serial order.

- (2) The Registering Authority should not inter change the registration mark from one series decided by them to another :
- (3) The Transport Commissioner is empowered to give an order in writing for interchanging the registration mark at the fees specified in MMV R 54 A.
- (4) A registration series should not be started unless a series for particular class or category of vehicles is exhausted.
- (5) The Transport Commissioner is empowered to give an order in writing to start a new series by assigning registration mark 0001, on the recommendation of the Registering Authority on payment of fees as specified in MMV R 54 A.
- (6) The Registering Authority is empowered to assign any registration series, to the vehicles of the Government. No new registration series should be opened for Government vehicles, unless the existing registration series is exhausted.
- (7) The vehicles which are allowed to fit the red or amber light on top, and used by the Head of Department, can be assigned registration marks without payment of fees from the unused registration marks of exhausted series.
- (8) For the rest of the Government vehicles, the registration marks is required to assigned serially

4.19 Validity of certificate of registration (MVA S 41(7))- A certificate of registration in respect of a non-transport vehicle, is valid only for a period of fifteen years from the date of registration and is renewable.

4.20 Procedure of renewal of registration (MVA S 41(8)/CMV R 52, MMVR 49)-(1) An application in form 25 by or on behalf of the owner of a non-transport vehicle, for the renewal of a certificate of registration is required to be made within sixty days before the date of expiry, accompanied by fee specified in CMV R 81.

(2) After Inspection of Vehicle, the registering authority is required to renew the certificate of registration for a period of five years and intimate the fact to the original registering authority, if it is not the original registering authority.

(3) If the vehicle is produced for renewal after the specified period, the renewal should be made from the date of inspection of vehicle.

(4) If the owner fails to make an application within aforesaid period, the registering authority is empowered to recover from the owner a sum of twenty five rupees per month as composition fee. However, the total amount should not exceed one hundred rupees.

(5) A non-transport vehicle should not be deemed to be validly registered, after the expiry of the period of validity entered in the certificate of registration.

4.21 Issue of Duplicate Certificate of Registration (CMV R 53)- An application for the issue of a duplicate certificate of registration shall have to be made to the last registering authority in form 26 accompanied by fee specified in CMV R 81.

4.22 Temporary registration (MVA S 43/MMV R 48)- (1) The owner of a vehicle is required to apply to the appropriate registering authority for the temporary registration in Form C.R. Tem.A.

(2) A temporary certificate of registration is required to be issued in Form C.R. Tem. and is valid for a period not exceeding one month.

(3) When a chassis is temporarily registered and fitting of body work is not completed, the registering authority is empowered to extend the period on payment of fees specified in MMVR 48(2) .

(4) The registering authority is required to assign a temporary registration mark to the vehicle. This mark should consist of the State Code i.e. 'MH' followed by

the code number of the registering authority and be followed by the temporary registration mark indicated by letters 'TR' and number running upto 3 digits.

(5) Temporary registration mark to be assigned by Regional Transport Officer, Mumbai (C) is required to be displayed as follows:-

MH- 01

TR-1

(6) After exhaustion of this series, a fresh series with alphabet 'A' should start, succeeded by 'B' and so on except alphabets 'I' and "O".

(7) In case of imported vehicles brought into the state, the owner is required to apply in Form C.R.Tem.A to the nearest registering authority along with Bill of Entry and Custom Clearance Certificate.

4.23 Refusal of registration or renewal of the certificate of registration.

(MVAS 45)- (1) The registering authority is empowered to refuse to register any vehicle, or renew the certificate of registration of a non transport vehicle if,

- (a) it is a stolen motor vehicle
- (b) the vehicle is mechanically defective
- (c) the vehicle fails to comply with the requirements of M.V. Act and rules.
- (d) the applicant fails to furnish previous registration particulars or furnishes inaccurate particulars in the application for registration of the vehicle.

(2) After refusal of registration, a copy of refusal order, together with the reasons for such refusal, is required to be given to the owner.

4.24 Assignment of new registration mark on removal to another State.

(MVA S 47 /CMV R 54 / MMV R54)-(1) When a vehicle registered in one State, and is kept in another State, for more than twelve months, the owner of the vehicle is required to apply to appropriate registering authority, for the

assignment of a new registration mark within a period of 30 days, in form-27 accompanied by,

(i) the no objection certificate in form-28 obtained under MVAS 48

(ii) Appropriate fee as specified in CMVR 81

(2) If the vehicle is held under a hire-purchase, lease or hypothecation agreement, the application should be accompanied by a no objection certificate from the financier.

(3) The registering authority is empowered to direct the owner or, the transferee, to produce the vehicle, to satisfy itself,

a) that the particulars of the vehicle recorded in the certificate of registration are correct, and

b) the vehicle complies with the provisions of the M.V.Act and Rules.

(4) The registering authority, after making verification, as it thinks fit, assign the vehicle a registration mark and enter the mark in the certificate of registration.

(5) If the owner of the vehicle fails to apply for the assignment of new registration mark, he has to pay the amount of fifty rupees for the default for first month and twenty-five rupees for the default of subsequent months. The amount payable should not exceed one hundred rupees.

(6) The registering authority after assigning a new registration mark to a vehicle, have to intimate the last registering authority in Form R. M. I. and request to transfer records of registration of vehicle or certified copies thereof.

विषय :- वनावट कागदपत्रांच्या आधारे वाहनांच्या होणा-या
पुर्ननोंदणीस आळा घालण्याबाबत.

परिवहन आयुक्त कार्यालय
प्रशासकीय इमारत, ३ रा / ४ था मजला
शासकीय वसहत, वांद्रे (पूर्व), मुंबई-५१

क्र.एमव्हीआर-०२०५/सीआर १७४/का.२(४)/जा.क्र ११७८६ दिनांक :- 10 JUL 2006
संदर्भ - पत्र क्र.२७२२/२००५, दि. २१/६/२००५, एपीएमसी पॉलीस स्थानक, वाशी, नवी मुंबई.

प रि प त्र क

१. ए पी एम सी पॉलीस ठाणे येथे उप प्रादेशिक परिवहन अधिकारी, वाशी यांनी गुन्हा रजि.नं. ८३/२००५, दि. २४/५/२००५ रोजी नोंद केलेला आहे. हा गुन्हा भारतीय वंड विधान संहितेच्या कलम ४२०, ४६४, ४६५, ४६६, ४६७, ४६८, ४७३, ४७२ तसेच कलम ३४ अन्वये दाखल करण्यात आलेला आहे.
२. सदर गुन्ह्यात चतरा, झरखंड या प्रादेशिक परिवहन कार्यालयांचे वनावट सही, शिक्के वापरण्यात आले होते, तसेच कागदपत्रही वनावट असल्याचे संबंधित पॉलीस निरीक्षकांचे म्हणणे असून याला आळा घालण्यासाठी योग्य ती उपयोजना करण्याची त्यांनी विनंती केली आहे. अशाप्रकारे वनावट कागदपत्रांच्या आधारे इतर राज्यांतील वाहने पुर्ननोंद होऊ नये म्हणून खालील उपाययोजना सूर्याब्रण्यात येत आहेत.
 - अ) एखादे वाहन एका राज्यातून दुसऱ्या राज्यात पुर्ननोंद करावयाची असल्यास मॉटार वाहन अधिनियम १९८८ च्या कलम ४७, ४८ तसेच आवश्यकतेनुसार ४९ अथवा ५०, ५१ च्या तरतुदी लागू होतात. तसेच केंद्रीय मॉटार वाहन नियम ४७, ५४, ५५, ५८, ५९, ६०, ८१ च्या तरतुदी लागू होतात. त्याचप्रमाणे महाराष्ट्र मॉटार वाहन नियम ५४ च्या तरतुदी आकर्षित होतात.
 - ब) असे कागदपत्र प्राप्त झाल्यानंतर केंद्रीय मॉटार वाहन नियम ४७, ५४, ५५, ५८, ५९, ६० प्रमाणे आवश्यक ते कागदपत्र सोबत असल्याची खात्री करून घेणे. त्याचप्रमाणे नियम ८१ प्रमाणे शुल्क भरले असल्याची खात्री करून घेणे.
 - क) नमुना क्र.२० वरील माहिती इंग्रजीत भरली असल्यास ती सर्व कोष्टित अक्षरातच नोंदण्याचा आग्रह करावा. अर्ज मराठीत भरला असल्यास तो स्वच्छ (खाडाखंड न करता) अक्षरात भरला असल्याची खात्री करावी. मूळ नोंदणी पुस्तकातील माहिती व नमुना क्र २० यामध्ये तफावत असू नये.
 - ड) हे कार्यालय, वाहनांस मान्यता देताना जे परिपत्रक जारी करते त्यामध्ये प्रत्येक वाहनाच्या चासिस व डीजिन क्रमांकाच्या वर्ष व महिना स्वरुपात कोडींग पध्दती दिलेली असते. त्याच्यावरून वाहनाचे चासिस व डीजिन क्रमांक यांचे पडताळणी करून उत्पादन वर्ष व महिना वरील असेल याची खात्री करून घ्यावी.

इ) कार्यालयीन अभिलेखावर चासिस क्रमांकाचा डिसा (चासिसप्रिंट) चिफ्टव्हेण अगोक्षत असल्याने वाहनाच्या संपूर्ण चासिस क्रमांकाची जाडा प्रिंट, मोटार वाहन निरीक्षक यांनी स्वाक्षरीकृत करून फॉर्म सोबत जोडली असल्याची खात्री करावी, त्यामुळे नमुना क्र.२० वरील चासिस प्रिंट कापणे टाळता येईल.

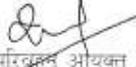
ई) नोंदणी प्राधिकारी यांनी वरीलप्रमाणे सूचनांची पूर्तता झाल्याची खात्री करून तसेच मोटार वाहन निरीक्षक यांनी वाहन तपासले असल्याची खात्री करून वाहन नोंदणीचे व कर आकारणीचे आदेश देताना केवळ "वाहनाची नोंदणी करावी व कर निर्धारण करावी" असे हॉवर्ड आदेश न देता वाहनाचा प्रकार, उप प्रकार आणि संवर्ग तसेच कर कायद्यातील सुवांग्य कर वर्ग स्पष्टपणे नमूद करावा.

उ) नोंदणी प्राधिकारी यांनी वरील आदेश दिल्यानंतर महाराष्ट्र मोटार वाहन नियम ५४ अ अनुसार नोंदणी क्रमांक देण्यात यावा व योग्य कर वर्गानुसार कर स्विकारण्यात यावा.

ऊ) कर स्विकारल्यानंतर सात कार्यालयीन दिवसांच्या आत महाराष्ट्र मोटार वाहन नियम ५४ (५) अनुसार ज्या प्राधिकार्याने कलम ४८ अन्वये ना हरकत प्रमाणपत्र जारी केले असेल त्या प्राधिकार्यांना नोंदणी पोच देय डाकेने नमुना - "R.M.I." पाठवून त्यांच्याकडून नोंदणी अभिलेखाचा उतारा अथवा त्याच्या प्रमाणित प्रती मागवाव्यात. संबंधित पोलीस अधिक्षक / पोलीस आयुक्त कार्यालय ज्यांनी मोटार वाहन अधिनियम कलम ४८ (५) अन्वये "No Theft" प्रमाणपत्र दिले असेल त्यांच्याकडून संबंधित प्रमाणपत्राच्या अस्सलपणाची खात्री करून घ्यावी. वित्तीय नोंद असल्यास वित्तीय कंपनीसही कळवावे त्याचप्रमाणे आपल्या कार्यालयाजवळील संगणक विभाग, पोलीस आयुक्त / अधिक्षक कार्यालय यांच्याकडूनही वाहन चोरी विषयी माहिती मागवावी.

ए) नोंदणी अभिलेखाच्या प्रमाणित प्रती अथवा उतारा तसेच संबंधित पोलीस कार्यालयाकडून उत्तर ४५ दिवसांत प्राप्त न झाल्यास ४५ दिवसांनंतर नविन नोंदणी प्रमाणपत्र मुक्त करावे.

या सूचनांचे काटेकोरपणे पालन केल्यास वनाथट कारादपत्रांच्या आधारे वाहनांच्या होणाऱ्या पुननोंदणीस आळा बसेल असे मत आहे.


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

प्रति

- १) सर्व उप / प्रादेशिक परिवहन अधिकारी
प्रत माहितीसाठी
- १) पोलीस महासंचालक, महाराष्ट्र राज्य, जुने विधान भवन, मुंबई.
- २) सर्व पोलीस आयुक्त
- ३) सर्व पोलीस अधिक्षक


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

4.25 Issuance of No Objection Certificate (MVAS 48/CMVR58)-(1) The owner of a vehicle when applying for,
the assignment of a new registration mark, or when the transfer of a vehicle is being effected in another state

the transferor, have to make an application in form 28 to the last Registering Authority, accompanied by,

- (a) the copy of the certificate of registration;
 - (b) the copy of the certificate of insurance;
 - (c) evidence of payment of motor vehicle tax up-to-date;
- (2) In the case of a transport vehicle, documentary evidence, showing
- (a) that the vehicle is not covered by any permit.
 - (b) neither permit is suspended nor the compounding fee is pending.
 - (c) evidence of payment of tax on passengers and goods.
- (3) The registering authority is empowered to make enquiry and give directions to the owner as it deems fit and grant the no objection certificate within 30 days.
- (4) A registering authority should not refuse to grant the no objection certificate unless it has recorded in writing the reasons.
- (5) If the registering authority does not refuse to grant the no objection certificate or does not communicate the refusal to the applicant, it is deemed to have granted the no objection certificate.
- (6) The registering authority is required to obtain a report in writing from the police that no case relating to the theft of the motor vehicle has been reported or is pending and also verify, whether all the amounts due to Government including road tax in respect of that motor vehicle have been paid.
- (7) After completion of above procedure and after its scrutiny, the registering authority have to fill Part III of Form 28 and return to the applicant duly signed and sealed and send the triplicate copy to the other registering authority.

4.26 Procedure for Change of residence or place of business (CMV R59 / MMV R53)-(1) The owner of a vehicle within thirty days from the change of

his residence or place of business, has to intimate to the appropriate Registering Authority in form 33 accompanied by the certificate of registration and proof of address specified in CMVR 4 and MMVR 5A alongwith the fee as specified in CMVR 81

(2) If the owner of a vehicle within thirty days fails to intimate his new address to the concerned registering authority, he is required to pay Twenty five rupees per calendar per month or part thereof. However, the amount so payable should not exceeds hundred rupees.

(3) On receipt of intimation, the registering authority, after making verification, note the new address in the certificate of registration and records.

(4) A registering authority other than the original registering authority making any such entry should communicate the changed address to the original registering authority.

4.27 Procedure of Transfer of ownership in same state (MVA S50 /CMV R55 / MMV R53)- (1) The purchaser within fourteen days of the transfer, report the fact of transfer, in form 29, 30 accompanied by,

(i) the certificate of registration;

(ii) the certificate of insurance; and

(iii) the appropriate fee as specified in rule 81.

to the appropriate registering authority

(2) If the seller or purchaser fails to report to the registering authority the fact of transfer within the specified period, he has to pay twenty five rupees per calendar month or part thereof. However this amount should not exceed rupees hundred.

(3) A registering authority making any such entry has to communicate the transfer of ownership to the purchaser and to the last registering authority.

4.28 Procedure of Transfer of ownership in another state (MVA S50 /CMV

R55 / MMV R53)- (1) The purchaser within forty five days of the transfer, should report the fact of transfer, in form 29, 30 accompanied by the,

- (i) certificate of registration;
- (ii) certificate of insurance; and
- (iii) appropriate fee as specified in rule 81.
- (iv) no objection certificate.

to the appropriate registering authority

(2) the seller has to, report the transfer to the appropriate registering authority within thirty days of the transfer.

(3) If the seller or purchaser fails to report to the registering authority the fact of transfer within the specified period, he has to pay twenty five rupees per calendar month or part thereof. However this amount should not exceed rupees hundred.

(4) A registering authority making any such entry have to communicate the transfer of ownership to the purchaser and to the last registering authority.

4.29 Transfer of ownership on death of owner of the vehicle (MVA

S50(2)(a) / CMV R56)-(1) If the owner of a vehicle dies, the person succeeding to the possession of the vehicle has to apply in form 31, within the period of three months to the registering authority for the transfer of ownership of the vehicle in his name, accompanied by—

- (a) the appropriate fee as specified in CMV R 81;
- (b) the death certificate in relation to the registered owner;
- (c) the certificate of registration;

(d) the certificate of insurance, and

(e) the proof of succession (as required by form-31)

4.30 Transfer of ownership of vehicle purchased in public auction.

(MVA S 50(2)(b) / CMV R 57)-(1) The purchaser who has purchased a vehicle at a public auction, conducted by or on behalf of the Central Government or a State Government has to make an application in Form 32 within thirty days of taking possession of the vehicle to the appropriate registering authority accompanied by the,

(a) appropriate fee as specified in CMV R 81;

(b) certificates of registration and insurance;

(c) certificate or order confirming the sale of the vehicle in his favour duly signed by the person authorised to conduct the auction; and

(d) certified copy of the order of the Central Government or State Government authorising the auction of the vehicle.

(2) If auctioned vehicle does not have any registration mark, or false registration mark, the registering authority should, assign a new registration mark to the vehicle in the name of the Department of the Central Government or State Government auctioning the vehicle and thereafter record the entries of transfer of ownership of the vehicle.

4.31 Financier (CMV R 2(d)) - “financier” means a person or a title holder-cum-dealer who lets a motor vehicle on hire under an agreement of hire purchase or lease or hypothecation to the operator. The financier gives consent to get vehicle registered in operator’s name as registered owner.

4.32 Endorsement of hire-purchase agreements, etc. (MVA S51 / CMV R60)

An application for making an entry of hire-purchase, lease or hypothecation agreement in the certificate of registration of a vehicle is required to be made in Form 34, duly signed by the registered owner and the financier, accompanied by the certificate of registration and the appropriate fee as specified in CMV R 81.

4.33 Termination of hire-purchase agreements, etc. (MVA S51 /CMV R61)

An application for making an entry of termination of agreement of hire purchase, lease or hypothecation have to be made in Form 35 duly signed by the registered owner and the financier, accompanied by the certificate of registration and the appropriate fee as specified in CMV R 81.

4.34 Issuance of fresh certificate of registration in the name of the financier

(MVA S 51(5))- If the financier has taken possession of the vehicle from the owner owing to the default of installments, and the owner refuses to deliver the certificate of registration or has absconded, the Registering Authority after receipt of an application in form 36 for the issue of fresh certificate of registration, send a notice in form 37 by R.P.A.D. to the owner for giving an opportunity to make representation.

4.35 Alteration in motor vehicle. (MVA S 52/ MMV R 57)

(1) A vehicle should not be altered in such a way that the particulars contained in the certificate of registration, differs from those originally specified by the manufacturer:

(2) Where the owner of a vehicle makes modification of the engine, or any part thereof, of a vehicle for facilitating its operation by different type of fuel or

source of energy including battery, compressed natural gas, solar power, liquid petroleum gas or any other fuel or source of energy, by fitment of a conversion kit, such modification should be carried out subject to conditions specified in CMV R 115-B and 115-C.

(3) The Central Government is empowered to grant exemption for alteration of vehicles in a manner other than specified above, for any specific purpose.

(4) State Government is empowered to permit any person owning not less than ten transport vehicles to alter any vehicle owned by him or to replace the engine by the same make and type, without the approval of registering authority by publishing in the official gazette

(5) A owner should not make any alteration in the vehicle except with the written consent of the financier if any.

(6) The application for alteration in a vehicle have to be made to the registering authority in Form B.T.I. along with fees specified in CMV R 81.

(7) The registering authority after receiving an application for alteration, may grant the permission.

(8) After the alteration made by the owner, the registering authority should direct the owner to produce vehicle for inspection and make necessary note in certificate of registration and records.

(9) A registering authority other than the original registering authority making any entry relating to alteration is required to communicate the details to the original registering authority.

१२९ महाराष्ट्र शासन सचयवत, कलुवारा २२, १९९०/कलुवारा २, शके १९११ [भाग चार-अ

HOME DEPARTMENT

Ministry, Bombay 400 032, dated the 5th January, 1990.

३०

MOTOR VEHICLES ACT, 1988.

No. MVA. 0589/8026/TRA-2.—in exercise of the powers conferred by sub-section (3) of section 52 of the Motor Vehicles Act, 1988 (59 of 1988), in its application to the State of Maharashtra, the Government of Maharashtra hereby authorises the following owners of not less than ten transport vehicles to alter any vehicle owned by them so as to replace the engine thereof without the approval of registering authority namely :—

- (i) M/s. Ghatge Patil Transport Ltd., Kolhapur.
- (ii) M/s. Ballarpur Industries Ltd., Chandrapur.

By order and in the name of the Governor of Maharashtra.

M. V. KULKARNI,
Deputy Secretary to Government.

क्र. ६४५/५आका/का.१/वाहनात बदल/२००५/आ.०५.
परिवहन आयुक्त यांचे कार्यालय, १४८२६
प्रशासकीय इमारत, ३ रा/४ था माळा,
शासकीय वसाहत, वॉटे (पूर्व) ६७)५
मुंबई : ४०० ०५१
दिनांक : १२ ८ NOV 2005

प्रति,
प्रादेशिक परिवहन अधिकारी
नागपूर

विषय : वाहनात बदल करण्यासाठी परवानगी देणेबाबत.
संदर्भ : या कार्यालयाचे पत्र दिनांक २४.०६.२००५

मोटर वाहन अधिनियम, १९८८ मधील कलम ५२ अंतर्गत वाहनात फेरबदल करण्याबाबत तरतुद केली आहे. सदर कलमात दिनांक ११.८.२००० च्या अधिसूचनेद्वारे केंद्र शासनाने दुरुस्ती केली असून 'कोणताही मोटार मालक त्याच्या वाहनात निर्मात्याने मुलतः विनिर्दिष्ट केलेल्या नोंदणी प्रमाणपत्रातील तपशिलात बदल होईल अशा प्रकारे त्यात फेरबदल करणार नाही' अशी सुधारणा केली आहे. यासंदर्भात विविध कार्यालयाकडून लेंद्री तसेच विभागाच्या बैठकीच्या वेळी वेगवेगळे मुद्दे उपस्थित केले गेले होते. याशिवाय काही वाहन धारकांनी नोंदणी प्राधिकाऱ्यांच्या निर्णयाविरुद्ध अपिले सुध्दा दाखल केली होती. आता राज्यात याविषयीची एकसुत्रता यावी यासाठी खालीलप्रमाणे सूचना निर्गमित करण्यात येत आहेत.

- १) ड्रायव्हिंग स्कूलच्या वाहनांना दुहेरी यंत्रणा बसविणे.
- २) बसची आसनक्षमता कमी जास्त करणे.
- ३) तशाच प्रकारची नविन चासीस बसविणे.
- ४) वाहनातील बदलामुळे बदलल्या जाणाऱ्या रिकाम्या यजनाची नोंद घेणे.
- ५) ट्रकचे टँकरमध्ये किंवा टँकरचे ट्रकमध्ये रूपांतर करणे.

३.३. बरिल प्रकारच्या कारांना तुरतास परवानगी देण्यात यावी.

फक्त केंद्र शासनाने मान्यता दिलेल्या तपासणी संस्थांनी प्रमाणित केलेल्या वाहनांच्या तपशिलात बदल होणार नाही ह्याची खबरदारी घ्यावी.

उपरोक्त निर्देशाची पोच देवून अंमलबजावणी तात्काळ सुरु करावी.

सही/-
परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

प्रति,

सर्व प्रादेशिक परिवहन अधिकारी (नागपूर वगळता) / उप प्रादेशिक परिवहन अधिकारी यांना योग्य त्या कार्यवाहीस्तव.

परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

क्र./पआ/का.१/मूळ.आसन क्षमता /नस्ती २/०९/२०११/जाक्र ३८६९

परिवहन आयुक्त यांचे कार्यालय,
प्रशासकीय इमारत, ३/४ था मजला,
सरकारी वसाहत, वांद्रे (पूर्व),
मुंबई - ४०० ०५१.
दिनांक - 28 MAR 2011.

प्रति,
सर्व प्रादेशिक परिवहन अधिकारी व
उप प्रादेशिक परिवहन अधिकारी,
महाराष्ट्र राज्य.

विषय :- काळी पिवळी टॅक्सीसाठी ९ + १ आसनक्षमता प्रदान करण्यासंबंधी.
संदर्भ - १) या कार्यालयाचे पत्र क्र. ६४५/प.आ/का.१/जीप टाईप
टॅक्सी/जा.क्र.९८१४ दि. २५.०७.२००८
२) उप प्रादेशिक परिवहन अधिकारी, भंडारा ह्यांचे पत्र जा.क्र. ७५५/
परवाना/ उप प्रापका/ भं/११ दि. २४.०२.२०११

उपरोक्त विषयास अनुसरून उप प्रादेशिक परिवहन अधिकारी, भंडारा ह्यांच्या संदर्भाकित पत्राची प्रत माहितीसाठी सोबत जोडली आहे. त्यांनी उपस्थित केलेल्या मुद्द्याच्या अनुषंगाने आपणास सूचित करण्यात येते की,

एकाच प्रकारची तांत्रिक विनिर्दिष्टे असणा-या परिवहन वाहनांची आसनक्षमता ५ + १ किंवा ६ + १ वरून जास्तीत जास्त ९ + १ अशी वाढवून देण्याबाबत ए.आर.ए.आय.ने आपल्या दिनांक ११.०७.२००८ चे पत्रान्वये खालीलप्रमाणे अभिप्राय दिले आहेत.

१. It could be seen that manufacturers specify different seating capacities for otherwise the same vehicle in respect of GVW, only by a different seating layout.
२. Technical requirements have been verified for all such vehicle models based on the specific gross vehicle weight (GVW) mentioned in each certificate. Different seating layouts as requested by the concerned vehicle manufacturers have been approved from (6 +D) upto (9+D) configurations depending on the internal arrangements.
३. Registration of these vehicles for approved seating layout from the certificates would, therefore, be permissible under jeep type taxies provisions.

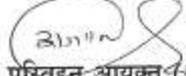
ए.आर.ए.आय., पुणे यांचे वरील अभिप्राय लक्षात घेऊन ह्या कार्यालयाने आपल्या दिनांक २५.०७.२००८ च्या पत्राद्वारे राज्यातील सर्व नोंदणी प्राधिका-यांना असे सूचित केले होते की,

त्यांनी ए.आर.ए.आय, पुणे वांच्या सुचनांनुसार काळी पिवळी जीप प्रकारच्या वाहनांची आसनक्षमता ६ + १ वरून ९ + १ करण्याची कार्यवाही करावी.

तथापि, संदर्भिय पत्राद्वारे उप प्रादेशिक परिवहन अधिकारी, भंडारा ह्यांनी असे मत व्यक्त केले आहे की एआरएआय ह्यांचे निर्देशानुसार एक समान GVW असणा-या वाहना संदर्भात ज्यांना ५ + १ व ९ + १ अशी आसन क्षमता प्रमाणित करण्यात आली असेल अशा वाहनांच्या बाबतीतच आसन क्षमता ५ + १ वरून ९ + १ इतकी वाढविता येत असल्यामुळे भिन्न GVW असणा-या वाहनाची आसन क्षमता (९ + १) देता येणार नाही. ह्याबाबत त्यांनी मार्गदर्शन इच्छिले आहे.

उपरोक्त पत्रान्वये उप प्रादेशिक परिवहन अधिकारी, भंडारा ह्यांनी व्यक्त केलेली धारणा ह्याद्वारे पक्की करण्यात येत आहे. तसेच आपणांस निर्देशित करण्यात येते की विशिष्ट GVW च्या वाहनाची आसन क्षमता वाढवून देतांना त्याच उत्पादकाच्या त्याच GVW च्या वाहनाच्या बाबतीत वाढीव आसन क्षमता (जसे ९ + १) देखील प्रमाणित झालेली आहे ह्याबाबत खात्री करावी.

सोबत - वरील प्रमाणे


उप परिवहन आयुक्त (अं.१),
महाराष्ट्र राज्य, मुंबई.
२८/३/१९

4.36 Suspension of registration of motor vehicle (MVA S 53 / MMV R 52)

(1) A Registering Authority is empowered to suspend the registration of vehicle if it,

(a) is in such condition that its use in a public place would constitute a danger to the public.

(b) fails to comply with the requirements of M.V. Act and rule.

(c) has been, or is being, used for hire or reward without a valid permit.

(2) The Registering Authority is required to give the owner an opportunity of making any representation by sending him a notice at his address by R.P.A.D.

(3) After recording reasons in writing, suspend the certificate of registration of the vehicle.

(4) Police Officer of an above the rank of Inspector of Police and Inspector of motor vehicle are also empowered to suspend the registration of motor vehicle.

(5) Police Officer of an above the rank of Inspector of Police and Inspector of motor vehicle when making a suspension order, intimate in writing the fact and reasons of such suspension to the registering authority, within whose jurisdiction the vehicle is at the time of the suspension.

(6) The owner of a vehicle, on demand of a registering authority or Police Officer of an above the rank of Inspector of Police or an Inspector of Motor Vehicle who has suspended the certificate of registration of the vehicle, surrender the certificate of registration.

(7) A certificate of registration surrendered is required to be returned to the owner when the suspension period is over.

4.37 Cancellation of registration of motor vehicle if suspended under

section 53 (MVA S54 / MMV R57)-(1) If the suspension of registration of a vehicle under section 53 is continued for more than six months without interruption, the registering authority who has suspended the registration is empowered to cancel the registration.

(2) If the registering authority who has cancelled the registration is not the original Registering Authority, it should forward the certificate of registration to the original Registering Authority.

4.38 Cancellation of registration of motor vehicle (MVA S55)

The registration of the vehicle is cancelled if,

(a) vehicle has been destroyed or has been rendered permanently incapable of use

(b) The registration of a vehicle is obtained on the basis of documents which are false.

(c) The engine or the chassis number are different from such number entered in the certificate of registration.

(d) The registering authority is satisfied that a vehicle is permanently removed out of India.

(e) The registering authority is satisfied that the use of the vehicle in a public place would constitute a danger to the public and that it is beyond reasonable repairs.

4.39 Procedure for cancellation of registration (MVA S 55)

(a) The registering authority has to give a notice to owner by R.P.A.D. for making representation.

(b) After hearing, the Registering Authority if satisfied, shall cancel the registration.

(c) The registering authority has to forward the report and the certificate of registration to the original registering authority for cancellation of the registration.

(d) A registering authority cancelling the registration of a vehicle has to communicate the fact in writing to the owner, and the owner has to surrender the certificate of registration.

4.40 Need of Certificate of fitness of transport vehicles. (MVA S 56/ MMV R 45)- A transport vehicle is not validly registered, unless it carries a valid certificate of fitness in form 38.

4.41 Authorities for Inspection of Transport Vehicles (MVA S 56, 213/ CMV R 62)-Inspecting Officer appointed under MVA S 213 by the State Government and a person appointed by an authorized testing station are the authorities to inspect the vehicles.

4.42 Procedure for issuance and renewal certificate of fitness (MVA S 56 / MMV R 45)-(1) An application for issue or renewal of certificate of fitness is required to be made in Form C.F.A. and C.F.R.A. respectively.

(2) The authority who has last renewed the certificate of fitness, endorse thereon the date, time and place appointed for the next inspection of the vehicle.

(3) If the owner is unable to produce the vehicle for the inspection, he has to inform to the authority alongwith the reasons 15 days before the date of expiry of the fitness certificate.

(4) If no date, time and place for the next inspection is endorsed on the certificate of fitness, an application for the renewal of a certificate of fitness has to be made in Form C.F.R.A. one month before the expiry of the fitness certificate and required to take appointment for the inspection.

(5) The owner have to produce his vehicle for inspection on appointed date. If the owner fails to produce vehicle for inspection on appointed date he has to pay

full fees specified *under clause (c) of Section 4 in addition to the usual fee chargeable for inspection.*

(6) If, owing to mechanical break-down or other cause, a motor vehicle, after the expiry date of the certificate, remains outside the area of the registering authority, the officer of the Motor Vehicles Department in whose jurisdiction the vehicle is kept and if the vehicle in his opinion is fit for use, make an endorsement in Form C.F.SUB subject to condition as that officer specify for such time as reasonably be necessary for the vehicle to return to the area of registering authority for renewal.

(7) If a vehicle is damaged and unfit for ordinary use, the Inspector of Motor vehicle is satisfied that it is necessary that the vehicle should be safely driven at a reduced speed to a place of repairs, he may endorse in Form C.F.X and specify the time, speed and other conditions if any, subject to which the vehicle be driven to a specified destination for the purposes of repairs.

(8) When a certificate of fitness has been issued by authorized testing station, then an officer not below the rank of Assistant Regional Transport Officer is the authority for cancellation of the certificate.

(9) If a vehicle is no longer complies with all the requirements of the M.V. act and rules, the inspector of motor vehicle for reasons to be recorded in writing cancel the certificate of fitness.

(10) The authority canceling the certificate of fitness have to give the owner or other person incharge of the vehicle, a notice in Form C.F.C. and inform the registering authority.

(11) The owner or the person in charge of the vehicle, have to apply for the restoration of the certificate of fitness if the vehicle has been repaired. If such a vehicle is inspected and passed within fourteen days of the date of cancellation of the certificate of fitness but before the date of expiry specified in such certificate, no restoration fee should be charged. However, if the vehicle is

brought for inspection at any later time, fresh certificate of fitness should be issued.

(12) The authorized testing station or inspector of motor vehicle should fill in Form M V. Ins in duplicate, and should, on completion of inspection deliver the original copy to the owner or his driver.

योग्यता प्रमाणपत्राच्या नुतनीकरणासाठी
वाहन तपासणी करताना मालाने भरलेले
वाहन न स्विकारण्याबाबत.

परिवहन आयुक्त कार्यालय,
प्रशासकीय इमारत, ३ रा व ४ था मजला,
डॉ. आंबेडकर उद्यानाजवळ, सरकारी वसाहत,
वांद्रे (पूर्व), मुंबई - ४०० ०५१.

क्र. एमडब्ल्यूपी-०१०९/सौआर-६२१/का. २(३)/जा.क्र. १५५४० दिनांक 20 AUG 2010

परिपत्रक

योग्यता प्रमाणपत्राच्या नुतनीकरणासाठी वाहन तपासणी करताना वाहन मालाने भरलेले असल्यास सुध्दा स्विकारावे अथवा रिकामे असावे याबाबत काही वाहतूक संघटनांनी तसेच परिवहन कार्यालयांनी या कार्यालयाकडून मार्गदर्शन मागितलेले होते.

१) योग्यता प्रमाणपत्राची तपासणी करतांना नमुना एम.व्ही. इन्स्पेक्शन भरणे बंधनकारक आहे. त्या नमुन्यातील काही बाबींची (बाब क्र. १, २, ८) तपासणी वाहनात माल भरलेला असल्यास योग्य प्रकारे करणे शक्य होणार नाही. उदा. वाहनाचे ब्रेक, स्टेअरिंग मधील प्ले, वाहनाचे सस्पेंशन, पाटे, हॅंगर ब्रॅकेट इत्यादी.

२) माल भरलेल्या वाहनाची योग्यता प्रमाणपत्र नुतनीकरणासाठी प्रत्यक्ष चालवून चाचणी घेताना (उदा. वेगातील वाहन ब्रेक दाबल्यावर किती अंतरावर थांबते ते तपासणे) कार्यालयात उपस्थित नागरिकांच्या निवितास, तपासणी अधिकाऱ्यास व वाहनातील मालास धोका निर्माण होऊ शकतो.

३) काही परिवहन कार्यालयात वाहन तपासणी पथाचे डांबरीकरणही झालेले नसल्यामुळे माल भरलेली वाहने रुतून बसण्याची शक्यता आहे. तसेच त्यास त्यामुळे नुकसान पोहोचण्याची सुध्दा शक्यता आहे.

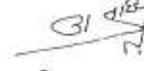
४) वाहनातील माल हा कोणत्याही प्रकारचा असू शकतो. उदा. धोकादायक रसायने, लोखंडी सळ्या, रॉड, मोठ्या कॉइल किंवा वजनाने अगदी हलका पण उंच व अवाढव्य असा

बौद्धीपत्ता. त्यामुळे अशा वाहनांची योग्यता प्रमाणपत्रासाठी उपलब्ध जागेत मोटार वाहन निरिक्षकांनी चाचणी घेणे अशक्य आहे व तसे करणे अपवाताला निमंत्रण देणारे ठरेल.

वरील सर्व मुद्यांचा राखोल विचार करता योग्यता प्रमाणपत्राचे पुनर्निर्धारण करतेवेळी वाहन तपासणीसाठी सादर करण्यात येणारे वाहन हे रिकामे असले पाहिजे. माल धरलेले वाहन तपासणीसाठी स्विकारू नये वसे वा परिपत्रकाद्वारे सूचित करण्यात येत आहे.

सदर परिपत्रकाची काटेकोर अंमलबजावणी करण्यात यावी.

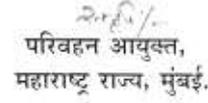
प्रति,
सर्व नोंदणी प्राधिकारी, महाराष्ट्र राज्य.



परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.

प्रत माहितीकरीता:-
सचिव, गृह (परिवहन) विभाग, महाराष्ट्र शासन, मंत्रालय, मुंबई.

प्रत :-
सचिव, लातूर जिल्हा मोटार मालक संघ, शाहू चौक, नांदेड रोड, लातूर - ४१३ ५१२.



उशिरा निरिक्षणासाठी सादर केलेल्या वाहनांच्या
बाबतीत शुल्क /तडजोड शुल्क वसूली

प रि प त्र क

वाचा - १) हया कार्यालयाचे परिपत्रक क्र. TC/DA/Cancellation/Desk I/ON 4870 dated 23.3.1999.

२) हया कार्यालयाचे परिपत्रक क्र. एमव्हीए/०१०२/सीआर ३४०/का.२(२)/जाक्र. १७०००
दिनांक १८.१२.२००३.

१) हया कार्यालयाच्या उपरोल्लेखित परिपत्रक क्र. १ अन्वये महाराष्ट्र राज्यातील सर्व नोंदणी प्राधिकरणांना असे कळविण्यात आले आहे की, कोणत्याही परवाना धारकाच्या विरुद्ध त्याचे वाहन परवाना शर्थांचा भंग करून चालतांना आढळून आल्याशिवाय मोटार वाहन अधिनियम, १९८८ च्या कलम ८६ अंतर्गत विभागीय कारवाई करू नये.

२) वाहनाचे निरिक्षण तसेच पुर्ननिरिक्षण यासाठी शुल्क कसे आकारण्यात यावे याबाबत या कार्यालयाने उपरोल्लेखित परिपत्रक क्र. २ अन्वये सर्व नोंदणी प्राधिकरणांना कळविले आहे.

३) बहुसंख्य वाहतूक संघटनांनी या कार्यालयाच्या असे निदर्शनास आणून दिले आहे की, उशिरा निरिक्षणासाठी सादर करण्यात आलेल्या वाहनांच्या बाबतीत शुल्क/तडजोड शुल्क वसूलीचा निर्णय घेताना विविध नोंदणी प्राधिकार्यांमध्ये एक वाक्यता नाही. याबाबतीत या कार्यालयाने आपल्या पत्र क्र. एमव्हीए ०२०४/सीआर ८३५/का. २(२)/जाक्र. १०२६१ दिनांक ५.८.२००४ द्वारे सर्व कार्यालयांकडून माहिती मागविली आहे.

तथापि, आतापर्यंत केवळ १२ ते १४ कार्यालयांनीच माहिती पुरविली आहे. सादर माहितीची छाननी करता असे दिसून येते की, वाहतूक संघटनांनी केलेल्या तक्रारीत तथ्य आहे.

४) (अ) काही कार्यालये उशिरा निरिक्षणासाठी सादर केलेल्या वाहनांच्या बाबतीत कोणतेही शुल्क आकारत नाहीत.

(ब) काही कार्यालये अशा प्रकरणी रु.१००/- तडजोड शुल्क वसूल करतात.

(क) काही कार्यालये उशिरा निरिक्षणासाठी आलेल्या वाहनांच्या बाबतीत योग्यता प्रमाणपत्राच्या नुतनीकरणाच्या शुल्काएवढी रक्कम वसूल करतात.

५) यास्तव उशिरा निरिक्षणासाठी सादर करण्यात आलेल्या वाहनांच्या बाबतीत शुल्क/तडजोड शुल्कच्या वसूलीमध्ये एक वाक्यता आणण्यासाठी या कार्यालयाने मार्गदर्शनपर सूचना देणे आवश्यक आहे.

६) मोटार वाहन अधिनियम, १९८८ च्या कलम ६४ (ओ) अन्वये प्रदान करण्यात आलेल्या शक्तीचा वापर करून भारत सरकारने केंद्रीय मोटार वाहन नियम १९८९ च्या नियम ८१ मध्ये वाहनांच्या निरिक्षणासाठी शुल्क विहीत केले आहे. तथापि सादर नियमामध्ये उशिरा सादर करण्यात येणाऱ्या वाहनांसाठी ध्यावयाच्या शुल्काबाबत तरतूद नाही.

७) मोटार वाहन अधिनियम १९८८ च्या कलम ६५ (ड) अन्वये प्रदान करण्यात आलेल्या शक्तीचा वापर करून महाराष्ट्र शासनाने महाराष्ट्र मोटार वाहन नियम १९८९ च्या नियम ४५ मध्ये योग्यता प्रमाणपत्र जाहीर करणे व त्याचे नूतनीकरण करणे यासंबंधी तरतूद केली आहे, परंतु कलम ६५ (ड) अनुसार शुल्कासंबंधी राज्यशासनास तरतूद करण्याचे अधिकार नाहीत.

८) नोंदणी प्राधिकाऱ्यांना असे निर्देशित करण्यात येते की, त्यांनी महाराष्ट्र मोटार वाहन नियम १९८९ च्या नियम ४५ (३) मध्ये विहित केलेल्या पध्दतीचा अवलंब करावा.

९) अशा रितीने विहित पध्दतीचा अवलंब केल्यानंतर वाहन मालकाकडून त्याबाबतीत भंग झाला तर नोंदणी प्राधिकाऱ्यांनी वाहन मालकाविरुद्ध मोटार वाहन अधिनियम १९८८ च्या कलम १७७ व महाराष्ट्र मोटार वाहन नियम १९८९ च्या नियम ४५ (५) अंतर्गत कारवाई करावी.


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

क्र. ३१०३/सीआर ५४३/का.२(२)/जाक्र. ३८०
परिवहन आयुक्त कार्यालय,
प्रशासकीय इमारत, ३रा/४था मजला,
डॉ. आंबेडकर उद्यानानजवळ, सरकारी बसाहत,
वांद्रे (पूर्व), मुंबई ४०००५१
दिनांक 19 MAR 2005

प्रती-
महाराष्ट्रातील सर्व नोंदणी प्राधिकारी,

CAUsha/Parid2 rao comp

4.43 Appeals and procedure for appeals_(MVAS 57 / MMV R 43, 44)-(1)

Any person aggrieved by an order of the registering authority under MVAS 41, 42, 43, 45, 47, 48, 49, 50, 52, 53, 55 or 56 is required to make an appeal to

Transport Commissioner within thirty days, from the date on which he has received order.

(2) Registering authority is the appellate authority to hear appeals against any order passed by any police officer or an Inspector of Motor Vehicles specified in M.M.V.R. 52.

(3) Registering authority is the appellate authority to hear appeals against any order in respect of certificate of fitness under MVA S 56 read with MMV R 45.

(4) An appeal has to be made in duplicate in the form of a memorandum, stating the grounds of objection to the order of the registering authority or Inspector of Motor Vehicles or the Police Officer, accompanied by a fee of hundred and fifty rupees and a certified copy of that order.

(5) The appellate authority is required to give notice of the appeal to the original authority and after hearing both the parties, confirm, vary or set aside the order.

(6) The aggrieved person is entitled to obtain a copy of any document filed with the registering authority on the payment of a fee calculated at the rate of fifteen rupees for first page and three rupees for each additional page for each copy of document.

(7) If the appeal succeeds, the fee paid for appeal is required to be refunded in whole or in part.

4.44 Issuance of duplicate certificate of fitness (MMV R 46)-(1) If a certificate of fitness is lost or destroyed, the owner has to apply for a duplicate certificate in Form C.R.L.D. alongwith fees specified in MMVR 47.

(2) On receipt of Form C.R.L.D. an Assistant Inspector of Motor Vehicle have to prepare duplicate copy of certificate of fitness, duly stamped "Duplicate" in red ink and hand over to owner.

4.45 Torn or defaced certificate of fitness (MMV R 47)- (1) If the certificate of fitness is torn or defaced in any way as to cease to be reasonably legible, the appropriate authority is empowered to impound the same and the owner is required to apply in Form C.R.L.D. for a duplicate certificate.

(2) On receipt of an application in Form C.R.L.D. together with a fee specified in MMVR 47, the appropriate authority has to issue a duplicate certificate of fitness clearly stamped "Duplicate" in red ink.

4.46 Effectiveness of certificate of fitness (MVA S 56)-A certificate of fitness issued under M.V.Act 1988 is valid throughout India.

4.47 Special provisions in regard to transport vehicles (MVA S 58)-The Central Government is empowered to specify the maximum gross vehicle weight and the maximum safe axle weight of each axle of vehicle, having regard to the number, nature and size of the tyres and other relevant considerations.

4.48 Duty of Registering Authority to enter certain particulars of Transport Vehicles in certificate of registration (MVA S 58)-A registering authority, when registering a transport vehicle, other than a motor cab should enter in the record of registration and in the certificate of registration of the vehicle the following particulars, namely:—

(a) the unladen weight of the vehicle;

(b) the number, nature and size of the tyres attached to each wheel;

(c) the gross vehicle weight of the vehicle and the registered axle weights pertaining to the several axles thereof; and

(d) if the vehicle is used or adapted to be used for the carriage of passengers solely or in addition to goods, the number of passengers for whom accommodation is provided,

4.49 Power of Central Government to assign heavier weights (MVA S 58)-

The Central Government is empowered to assign the heavier weights in a particular locality for vehicles of a particular type by publishing in the Official Gazette.

Assignment of correct Gross Vehicle Weight in terms of the Central Motor Vehicles Rules 1989 and Effective implementation of Notification issued by Central Government in respect of Crane construction equipment plying on Road.

TRANSPORT COMMISSIONER'S OFFICE
Administrative Building, 3rd/4th floor,
Near Dr. Ambedkar Udyan, Government Colony,
Bandra (East), Mumbai 400 051.

No. MVR 0205/CR 154 E/D-II(4)/ON 27320 dated 12 DEC 2006

- Read:- 1. Government of India letter No. RT-11042/10/06-MVL, dated 20.7.06.
2. Government of India Letter No. RT-11036/1/2003-MVL, dated 6.7.06.
3. D.O.No. Government of Maharashtra -0806/362-TRA-2, dated 11.9.2006 of Principal Secretary, Home Department (Transport), Mantralaya, Mumbai.

1. The Government of India vide above letter no. 1 has informed that the Notification No. SO 728-(E), dated 18.10.96 and S.O. 517-(E), dated 26.5.2000, has prescribed the maximum Gross Vehicle Weight to be assigned by the Registering Authority, to various types of vehicles in the category of "Transport Vehicle".
2. In this regard sub-rule (2) of 95 of Central Motor Vehicle Rules, 1989 is very important and which runs as below:
Sub-rule (2) the maximum gross vehicle weight and the maximum safe axle weight of each axle of a vehicle shall, having regard to the size, nature and number of tyres and maximum weight permitted to be carried by the tyres as per sub-rule (1), be --

- ✓
- i) vehicle rating of the gross vehicle weight and axle weight respectively as duly certified by the testing agencies for compliance with rule 126, or
 - ii) the maximum vehicle weight and maximum safe axle weight of each vehicle respectively as notified by the Central Government , or
 - iii) the maximum total load permitted to be carried by the tyre as specified in sub-rule (1) for the size and the number of the tyres fitted on the axle(s) of the vehicle, which ever is less;

Provided that the maximum gross vehicle weight in respect of all vehicles, including multi axle vehicles shall not be more than the sum total of all the maximum safe axle weights put together.

3. The Government of India has received Number of complaints from various quarters that the registering authorities are not assigning the Gross Vehicle Weight in terms of the above rule read with the notification mentioned above. The Government of India has also informed vide letter No.2 that, no.of complaints have been received in the Ministry pointed out that large No. of cranes/construction equipments vehicles are plying on the roads in violation of the provisions of the notification issued by this department vide notification No. S.O. 728(E), dated 18.10.96 and S.O. 517(E), dated 26.5.2000 (Copies enclosed for ready reference).
4. The Registering Authorities are hereby directed to follow the provisions of sub-rule (2) of 95 and Notification No. SO 728 (E), dated 18.10.96 and S.O: 517 (E), dated 26.5.2000 scrupulously at the time of registration. They are directed to carry out a special drive with immediate effect for correction of Registration Certificates, with wrongly assigned Gross Vehicle Weights.

If, it is found that the Registering Authority of other states has assigned the Gross Vehicle Weight not in consonance with the rule 95(2) and the above notifications, the vehicle should be booked (for overload) and prosecution be launched against owner and driver. The Registering Authorities of other states be informed to correct the record, under intimation to this office as well as to Government of India.


Transport Commissioner,
Maharashtra State, Mumbai.

10.

1. All Regional Transport Officer/Dy. Regional Transport Officer, in Maharashtra State, Mumbai.
2. All Controlling Officers in Transport Commissioner's Office, Maharashtra State, Mumbai.
3. Copy submitted with compliments to, Principal Secretary (Transport), Government of Maharashtra for information.


Transport Commissioner,
Maharashtra State, Mumbai.

Copy for information submitted to the :-

1. Joint Secretary to the Government of India, Ministry of Shipping, Road Transport and Highways, Department of Road Transport & Highways, Transport Bhavan, 1, Parliament Street, New Delhi-110001, vide his letter No. RT-11036/36/2006-MVL, dated 29.6.2006.


Transport Commissioner,
Maharashtra State, Mumbai.

पुस्तक संख्या
 नस्ली क्र
 दिनांक
 संयुक्तनाम

5/15/06

Government of India
 Ministry of Shipping, Road Transport & Highways
 (Department of Road Transport & Highways)

Transport Bhawan, 1, Parliament Street,
 New Delhi-110001.
 Dated the 20th July, 2006

No. RT-11042/10/06-MVL
 To

- (1) The Transport Secretary / Commissioner of all the States / Union Territory Administrations (except Maharashtra and TamilNadu).
- (2) Secretary (Home Department), Government of Maharashtra and TamilNadu.

Subj: Assigning of correct Gross Vehicle Weight (GVW) in terms of the Central Motor Vehicles Rules, 1989.

Sir,

I am directed to invite your attention to the notification No. S.O. 728(E) dated 18-10-96 and No. S.O. 517(E) dated 26-5-00 issued by this Department prescribing therein the maximum GVW to be assigned by the registering authority to various types of vehicles falling in the category of Transport Vehicles.

2. The existing provisions for assigning the GVW under the above referred S.O. as well as Rule 95 (2) of the Central Motor Vehicles Rules, 1989 are as under:-

"The maximum gross vehicle weight and the maximum safe axle weight of each axle of a vehicle shall, having regard to the size, nature and number of tyres and maximum weight permitted to be carried by the tyres as per sub-rule(1), be -

- (i) Vehicle rating of the gross vehicle weight and axle weight respectively as duly certified by the testing agencies for compliance of the rule 126, or
- (ii) The maximum vehicle weight and maximum safe axle weight of each vehicle, respectively as notified by the Central Government, or
- (iii) The maximum total load permitted to be carried by the tyre as specified in sub-rule(1) for the size and the number of the tyres fitted on the axle(s) of the vehicle.

Whichever is less:
 Provided that the maximum gross vehicle weight in respect of all vehicles, including multi axle vehicles not be more than the sum total of all the maximum safe axle weight put together".

3. This Department has received a number of complaints from various quarters that the registering authorities are not assigning the GVW in terms of the above Rule. It is reiterated that in case of Semi Articulated Vehicles or Truck Trailer Combinations, if the GVW rated by the manufacturer is less than the GVW notified in the above notifications, then the GVW given by the manufacturer in its sale letter should be assigned by the registering authority in terms of the above Rule.

4. It is requested that a special drive may please be carried out for correction of the registration certificates with wrongly assigned GVWs. Action taken report in the matter may please be sent to this Department.

Yours faithfully,

(Signature)

(VIRENDRA SINGH)
 Under Secretary to the Government of India
 Tel.No.23711472

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 291

Shi.K
 राशि 20 लेटर गारर
 करके
 09-08-06

अवलोकनाई सादर

अं बाबत कार्यवाही करवासाठी प.आ.

शांना पाठविल्यात यावे

विलंबित
 09-08-06

परी 2
 उ.स (परि)
 प्र.स (परि)

Very important clarification
 to letter to RC from me

P.N.ub

MINISTRY OF SURFACE TRANSPORT
(TRANSPORT WING)
NOTIFICATION
New Delhi, the 18th October, 1996

S.O. 728(E).— In exercise of the powers conferred by sub-section (1) of section 53 of the Motor Vehicles Act, 1988 (59 of 1988), and in supersession of the notification of the Government of India in the Ministry of Surface Transport, No. S.O. 479(E), dated the 4th July, 1996, the Central Government hereby specifies that in relation to the transport vehicles (other than motor cabs) of various categories detailed in the Schedule below, the maximum gross vehicle weight and the maximum safe axle weight of each axle of such vehicles shall, having regard to the size, nature and number of tyres and maximum weight permitted to be carried by the tyres as per rule 95 of the Central Motor Vehicles Rules, 1989, be—

- (i) vehicle manufacturers rating of the gross vehicle weight and axle weight respectively for each make and model as duly certified by the testing agencies for compliance of rule 126 of the Central Motor Vehicles Rules, 1989, or
- (ii) the maximum gross vehicle weight and the maximum safe axle weight of each vehicle respectively as specified in the Schedule below for the relevant category, or
- (iii) the maximum load permitted to be carried by the tyre(s) as specified in the rule 95 of the Central Motor Vehicles Rules, 1989, for the size and number of the tyres fitted on the axle(s) of the relevant make and model, whichever is less :

Provided that the maximum gross vehicle weight in respect of all such transport vehicles, including multi-axle vehicles shall not be more than the sum total of all the maximum safe axle weight put together subject to the restrictions, if any, on the maximum gross vehicle weight given in the said Schedule :—

SCHEDULE

Transport Vehicles Category	Max GVW Tonnes	Maximum Safe Axle Weight
1	2	3
I Rigid Vehicles		
(i) Two Axle One tyre on front axle Two tyres on rear axle	9.00	3 tonnes on Front Axle 6 tonnes on Rear Axle
(ii) Two Axle Two tyres on each axle.	12.0	6 tonnes on Front Axle 6 tonnes on Rear Axle
(iii) Two Axle Two tyres on front axle and four tyres on rear axle.	16.2	6 tonnes on Front Axle 10.2 tonnes on Rear Axle.
(iv) Three Axle Two tyres on front axle and Eight tyres on rear tandem axle.	25.0	6 tonnes on front axle 19 tonnes on rear tandem axle.
II Semi Articulated Vehicles		
(i) Two Axle Tractor Single Axle Trailer Tractor : 2 tyres on front axle 4 tyres on rear axle Trailer : 4 tyres on single axle	26.4	6 tonnes on Front Axle 10.2 tonnes on Rear Axle 10.2 Tonnes on Single Trailer axle.
(ii) Two Axle Tractor Tandem Axle Trailer Tractor : 2 Tyres on front axle 4 tyres on rear axle Trailer : 8 tyres on tandem axle	35.2	6 tonnes on Front Axle 10.2 tonnes on Rear Axle 19 tonnes on Tandem axle.

1	2	3	4
(iii)	Two Axle Tractor Three Axle Trailer Tractor : 2 tyres on front axle 4 tyres on rear axle Trailer : 12 tyres on 3 axles	40.2	6 tonnes on Front Axle 10.2 tonnes on Rear Axle 24 tonnes on 3 axles.
(iv)	Three Axle Tractor Single Axle Trailer Tractor : 2 tyres on front axle 8 tyres on tandem axle Trailer : 8 tyres on single axle	35.2	6 tonnes on Front Axle 19 tonnes on Rear Axle 10.2 tonnes on single axle.
(v)	Three Axle Tractor Tandem Axle Trailer Tractor : 2 Tyres on front axle 8 tyres on tandem axle Trailer : 8 tyres on tandem axle	44.0	6 tonnes on Front Axle 19 tonnes on Rear Tandem Axle 19 tonnes on Tandem axle.
III Truck-Trailer Combinations			
(i)	Two Axle Truck Two Axle Trailer Truck : 2 tyres on front axle 4 tyres on rear axle Trailer : 4 tyres on front axle 4 tyres on rear axle	36.6	6 tonnes on Front Axle 10.2 tonnes on Rear Axle 10.2 tonnes on Front axle 10.2 tonnes on rear axle
(ii)	Three Axle Truck Two Axle Trailer Truck : 2 tyres on front axle 8 tyres on rear tandem axle Trailer : 4 tyres on front axle 4 tyres on rear axle	45.4 (restricted to 44.0 tonnes)	6 tonnes on Front Axle 19 tonnes on Rear Tandem Axle 10.2 tonnes on Front axle 10.2 tonnes on rear axle
(iii)	Two Axle Truck Three Axle Trailer Truck : 2 tyres on front axle 4 tyres on rear axle Trailer : 4 tyres on front axle 8 tyres on rear tandem axle	45.4 (restricted to 44.0 tonnes)	6 tonnes on Front Axle 10.2 tonnes on Rear Axle 10.2 tonnes on Front axle 19.0 tonnes on rear tandem axle
(iv)	Three Axle Truck Three Axle Trailer Truck : 2 tyres on front axle 8 tyres on rear tandem axle Trailer : 4 tyres on front axle 8 tyres on rear tandem axle	54.2 (restricted to 44.0 tonnes)	6 tonnes on Front Axle 19 tonnes on Rear Tandem Axle 10.2 tonnes on Front axle 19.0 tonnes on rear tandem axle

[F. No. RT-11021/1155-MVL]
K. R. BHATI, Jr. Secy.

MINISTRY OF SURFACE TRANSPORT
(Department of Road Transport and Highways)

(Transport Wing)

NOTIFICATION

New Delhi, the 26th May, 2000

S.O. 517(E).—In exercise of the powers conferred by sub-section (1) of Section 58 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Surface Transport (Transport Wing), No. S.O. 728(E) dated the 18th October, 1996 published in the Gazette of India, Extraordinary, Part-II, Sec. 3, sub-section (ii) dated 18th October, 1996, namely:—

In the schedule to the said notification under the heading "II Semi Articulated Vehicles" after item (v) the following shall be inserted namely:—

1	2	3	4
(i)	Three Axle Tractor	49.0	
	Three Axle Trailer		
	Tractor :		6 tonnes on Front Axle
	2 tyres on front axle		19 tonnes on Rear Tandem Axle
	2 tyres on tandem axle		
	Trailer :		24 tonnes on 3 axles
	12 tyres on 3 axles		

[S. No. RT-11042/3/2000-MVL]

K. V. RAO, Jt. Secy.

4.50 Axle Weight (MVA S 2(3)) - "axle weight" means the total weight transmitted by the several wheels attached to that axle to the ground surface.

4.51 Gross Vehicle Weight (MVA S 2(15)) - “gross vehicle weight” of a transport vehicle means the total weight of the vehicle and load certified and registered by the registering authority.

4.52 Registered Axle Weight (MVA S 2(36)) - “registered axle weight” means the axle weight certified and registered by the registering authority.

4.53 Unladen Weight (MVA S 2(48)) - “unladen weight” means the weight of a vehicle including all equipment ordinarily used with the vehicle. The weight of a driver or attendant are excluded. Where alternative parts or bodies are used the unladen weight of the vehicle means the weight of the vehicle with the heaviest such alternative part or body.

4.54 Weight (MVA S 2(49)) - “weight” means the total weight transmitted by the wheels of a vehicle to the ground surface.

4.55 Power to fix the age limit of motor vehicle. (MVA S 59)-The Central Government is empowered to specify the life of a motor vehicle reckoned from the date of its manufacture, having regard to the public safety and convenience.

4.56 Registration of trailers. (MVA S 61)-(1) The Trailers are required to be registered as per the procedure laid down by M.V.Act and Rules made there under.

(2) The registration mark assigned to a trailer should be displayed in such manner on the side of the drawing vehicle as be prescribed by the Central Government.

4.57 Procedure of intimating stolen and recovered motor vehicles by the police to the Motor Vehicle Department. (MVA S 62)-(1)

An Officer-in-charge of the Police station where the theft of a motor vehicle is reported by the owner or any other person in possession of the vehicle, should immediately after the registration of an offence send intimation to the Transport Commissioner, Maharashtra State in Form M.V.T. and send a copy thereof to the registering authority where the vehicle is registered.

(2) If the Police station is located in the jurisdiction of the Commissioner of Police, Mumbai, the Police Officer should also simultaneously send one copy of intimation of Form M.V.T. to all other registering authorities located in Mumbai.

(3) On receipt of this intimation the Transport Commissioner, should inform all the registering authorities the details of the stolen vehicle in Form M.V.T. R.

(4) The Transport Commissioner should also maintain a register of stolen vehicles in Form M.V.T. Reg. (T).

(5) The registering authorities should maintain the register of stolen vehicles in Form M.V.T. Reg. (R).

(6) If the vehicle reported to be stolen is recovered, the police station which has recovered the vehicle should intimate the fact in Form M.V.T. to the Transport Commissioner, Maharashtra State and the Relevant registering authority.

(7) Upon receipt of intimation the Transport commissioner and the registering authority should take a note of such recovery in the above registers.

4.58 Maintenance of State Registers of Motor Vehicles (MVA S 63)-(1)

State Government should maintain a State Register in Form 24. containing the following particulars, namely:—

(a) registration numbers;
(b) year of manufacture;
(c) classes and types;
(d) names and addresses of registered owners; and
(e) such other particulars as may be prescribed by the central government.

(2) This register be either in bound book form or on computer disc or tape.

(3) As soon as the vehicle is registered, the necessary entries should be taken up or entered in the State Register of motor vehicles.

(4) The State Register for motor vehicles should be maintained according to the class of the vehicle i.e. transport, non-transport. If the registration of all types of vehicles is in large number, according to the detail classification of the vehicles i.e. two wheeler, cars, goods carrier, tractors, etc. as decided by the registering authority.

4.59 Dealer (MVA S 2(8)) - A person who deal in vehicles is known as “dealer” and includes a person who is engaged in —

- (a) building bodies for attachment to chassis;
- (b) the repair of motor vehicles;
- (c) the business of hypothecation, leasing or hire-purchase of vehicle.

4.60 Trade Certificate (CMV R 2(g)) - “trade certificate” means a certificate issued by the registering authority under CMV R 35.

4.61 Purpose of Trade Certificate (CMV R 41(h)) The holder of a trade certificate have to use that certificate for,

- (a) Test, repair, construction of body on construction or completion thereof,
- (b) Proceeding and retuning from a weigh bridge after weighment for the purpose of registration of vehicle at nearest registering authority,
- (c) Reasonable trial and demonstration for the benefit of prospective buyer
- (d) Proceeding and returning to dealer premises or any other dealer premises or purchaser,
- (e) Proceeding and returning from a workshop for the purpose of fitting body, painting or repairs
- (f) Proceeding to and returning from airport, railway station wharf for and transporting
- (g) Proceeding to an exhibition of motor vehicle and returning from the place of exhibition.
- (h) Removing the vehicle by the financier after taking under possession due to default in payment of amount of loan under HPA, or lease or hypothecation.
- (i)

4.62 Application and grant or renewal of Trade certificate (CMV R 35)-

(1) An application for the grant or renewal of a trade certificate has to be made in Form 16 accompanied by the fee as specified in rule 81.

(2) Separate application will have to be made for each of the following classes of vehicles, namely:—

- (a) motor cycle;
- (b) invalid carriage;
- (c) light motor vehicle;
- (d) medium passenger motor vehicle;

- (e) medium goods vehicle;
- (f) heavy passenger motor vehicle;
- (g) heavy goods vehicle;
- (h) any other motor vehicle of a specified description.

(3) After receiving an application for the grant or renewal of a trade certificate in respect of a vehicle, the registering authority, if satisfied that the applicant is a *bona fide* dealer and requires the certificates specified in the application, issue to the applicant one or more certificates, in Form 17 within thirty days from the date of receipt of such an application.

(4) The registering authority have to assign in respect of each certificate a trade registration mark consisting of the registration mark referred to in the notification made under MVA S 41 (6) and followed by two letters and a number containing not more than three digits for each vehicle, for example:—

AB—Represent State Code.

12—Registration District Code.

TC1—Trade certificate number for the vehicle.

(5) An application for trade certificate should not be refused unless the applicant is given an opportunity of being heard and reasons for such refusal are given in writing.

4.63 Validity of Trade Certificate (CMV R 37)

A trade certificate granted or renewed is valid for a period of twelve months from the date of issue or renewal and is effective throughout India.

4.64 Procedure for issuance of duplicate trade certificate (CMV R 38)-(1) If a trade certificate is lost or destroyed, its holder is require to report to the police station in the jurisdiction of which the loss or destruction has occurred and intimate the fact in writing to the registering authority.

(2) The holder of Trade Certificate has to Apply in Form 18 to the authority for a duplicate certificate accompanied by the fee as specified in rule 81.

(3) On receipt of an application, the registering authority has to issue a duplicate “Trade Certificate” clearly marked “Duplicate”.

4.65 Use and restrictions on Use of trade registration mark and number

(CMV R 39, 40)-(1) A trade registration mark and number should not be used upon more than one vehicle at a time or on any type of vehicle other than the one for which the trade certificate is issued.

(2) The trade certificate has to be carried on a motor vehicle in a weather-proof circular folder and the trade registration mark required to be exhibited in a conspicuous place on the vehicle.

(3) A trade certificate is required to be used only by the person to whom it is issued, however bona fide employee of the holder of a trade certificate is allowed.

4.66 Delivery of vehicle subject to registration (CMV R 42)-Holder of a trade certificate should not deliver a motor vehicle to a purchaser without registration, whether temporary or permanent.

4.67 Register of trade certificate (CMV R 43) (1) Every holder of a trade certificate has to maintain a register in Form 19 in duplicate , which should be a bound book, with pages numbered serially.

(2) The holder of trade certificate has to note every trip particulars in form 19 and a duplicate copy of Form 19 made prior to the commencement of each trip required to be carried during the trip by the driver of the vehicle and have to be

produced on demand by any officer empowered to demand production of documents.

4.68 Suspension or cancellation of trade certificate (CMV R 44)-If the holder of any trade certificate has not complied with the provisions of rules 39 to 43, after giving the holder an opportunity of being heard, the registration authority may suspend or cancel the trade certificate issued to him.

4.69 Appeal and procedure for appeal (CMV R 45, 46)-(1) If a trade certificate is suspended or cancelled by the registering authority, the aggrieved party within thirty days of the receipt of order, has to appeal to the Transport Commissioner, Maharashtra State.

(2) The appeal should be made in duplicate in the form of a memorandum, setting forth the grounds of objections to the order of the registering authority alongwith fee as specified in rule 81 and a certified copy of the order appealed against.

(3) After hearing, the appellate authority has to pass appropriate orders within the period of thirty days from the date of receipt of such an appeal.

वाहनाना वित्तिय सहाय्य करणाच्या कंपन्या / वेक
वित्तिय महामंडळे यांनी व्यवसाय प्रमाणपत्र
(Trade Certificate) घेण्याबाबत.

परिवहन आयुक्त यांचे कार्यालय
प्रशासकीय इमारत, ४ था मजला
डॉ.आंबेडकर उद्यानाजवळ, सरकारी बसहत
वादे (पूर्व), मुंबई - ४०००५१

क. एमव्हीआर ०९०४/सीआर ५६०/का.२(४)/जा.क. २८९ दिनांक :- 5 JAN 2007

घ रि प त्र क

१) उपरोक्त विषयाम अनुसरून आपणांस कळवण्यात येते की, अनेक वाहनधारक वाहन खरेदी केल्यानंतर / करताना विविध वित्तिय संस्था / वेका यांच्याकडून काज घेतात व त्याची नोंद अभिलेखाकर घेण्या यादी अर्ज करतात. मोटार वाहन अधिनियम १९८८ च्या कलम ५१ व केंद्रीय मोटार वाहन नियम १९८९ च्या नियम ६० अनुसार प्रादेशिक परिवहन कार्यालयाकडून योग्य कारवाई केली जाते. या वित्तिय संस्था वेका मोटार वाहन विभागाकडे नोंदणी करता येऊ शकतात का ? (उदा. Registered Medical Practitioner) हा विषय चर्चेला होतो.

२) मोटार वाहन अधिनियम १९८८ च्या कलम २(८) अनुसार विक्रेत्याची व्याख्या देण्यात आलेली आहे. ती खालीलप्रमाणे आहे.

Sec 2 (8) n "dealer" includes a person who is engaged -

- (a) Omitted.
- (b) In buiding bodies for attachment to chassis : or
- (c) In the repair of motor vehicles; or
- (d) In the business of hypothecation; leasing or hire purchase of motor vehicle.

केंद्रीय मोटार वाहन नियम, १९८९ च्या नियम ३३ अनुसार, विक्रेत्याच्या ताब्यात असणाऱ्या वाहनाना नोंदणी पासून सूट देण्यात आलेली आहे, परंतु त्याकारिता त्याने व्यवसाय प्रमाणपत्र धारण करणे आवश्यक आहे.

३) केंद्रीय मोटार वाहन नियम, १९८९ च्या नियम ३४ अनुसार, व्यवसाय प्रमाणपत्रधारकातून क. १६ मध्ये अर्ज करणाऱ्याची तरतूद ३-४

व्यवसाय प्रमाणपत्र (TRADE CERTIFICATE) बाबत.

परिवहन आवृत्त यांचे कार्यालय
प्रशासकीय इमारत, ४ वा मजला
शासकीय असाहत, बांदे (पु), मुंबई-५१

क्र.एम.कोआर.७२०५/संआर.१६००-अ/का.२(४)/जा.क.१६४३ दिनांक - २ FEB 2007

परिपत्रक

- १) उपरोक्त विषयास अनुसरून आपणांस कळविण्यात येत की, "विकेता" याची व्याख्या कलम २(८) अनुसार करण्यात आली असून त्यामध्ये खालील व्यक्तींचाही समावेश होतो.
 - अ) साटयाला (chassis) जाडण्यासाठी सांगाडा तयार करीत असेल,
 - ब) मोटार वाहन पुठस्ती करीत असेल,
 - क) मोटार वाहन तारण - गहाणावर, भाडेपट्ट्याने किंवा भाडे खरेदीमध्ये गुंतलेली व्यक्ती.
- २) नमुना २२ अ चा भाग - II (Form 22 A, Part II), बाँडी विल्डरने प्रमाणित करणे आवश्यक आहे. या प्रमाणपत्रा नुसार वाहनाची बांधणी मोटार वाहन अधिनियम व नियमांतील तरतुदीनुसार बांधली असल्याचे प्रमाणित करणे या नमुन्यानुसार आवश्यक आहे.
- ३) एखाद्या वाहनाची बाँडी नियमानुसार बांधली नसल्यास बाँडी विल्डरवर सध्या या विभागास कोणतीही कारवाई करता येत नाही. जर का त्या व्यक्तीस व्यवसाय प्रमाणपत्र (TRADE CERTIFICATE) अनिवार्य केले तर या प्रमाणपत्राच्या अटी व शर्तीचा भंग केल्यास होणाऱ्या कारवाईस त्या व्यक्तीस जबाबदार धरता येऊ शकेल.
- ४) मोटार वाहन बाँडी विल्डर व रिपेअरर यांनी खालील गोष्टींची पूर्तता करावी.
 - अ) हलक्या मोटार वाहनासाठी कमीत कमी जागा ५.०० चौ.फूट असावी. तसेच हलक्या मोटार वाहनां-व्यतिरिक्त इतर वाहनांसाठी कमीत कमी जागा १००० चौ.फूट असावी.
 - ब) शॉप लायसन्स नमुना "डी" घेतलेला असावा.
 - क) सदरची जागा स्वमालकीची किंवा कमीत कमी तीन वर्षांच्या भाडेपट्ट्याने असावी.
 - ड) विक्रीकर विभागाचे प्राप्त नोंदणी प्रमाणपत्र असावे.
 - इ) उद्योग संचालक यांचे लघुउद्योग प्रमाणपत्र.
- ५) सदर परिपत्रकाच्या दिनांकापासून सहा महिन्यांच्या आत सर्व वाहन बाँडी विल्डरना व्यवसाय प्रमाणपत्र घेण्यास सांगावे. त्यानंतर व्यवसाय प्रमाणपत्र घेतल्याशिवाय कोणत्याही बाँडी विल्डरने नमुना २२ अ भाग-२त जारी केल्यास तो तोंदणी प्राधिकार्यांनी स्विकारत नये.

15/5

६) स्थानिक वृत्तप्रवातून या परिपत्रकास प्रतिकृती द्यावी.

सदर परिपत्रकाची काटेकोरपणे अंमलबजावणी करावी व प्रायकोच मजगूलाचा वसुली करावी.
सदर परिपत्रकाची पोच घ्यावी.


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

प्रति -

- १) सर्व प्रादेशिक परिवहन अधिकारी / उप प्रादेशिक परिवहन अधिकारी यांना उपरोक्तप्रमाणे कार्यवाही करणेबाबत.
- २) स्वीय सहाय्यक, परिवहन आयुक्त, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.
- ३) स्वीय सहाय्यक, अपर परिवहन आयुक्त, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.
- ४) सर्व नियंत्रक अधिकारी, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

६) नियम ४१ अनुसार व्यवसाय प्रमाणपत्राचा वापर कोणत्या कारणासाठी करावयाच्या, संबंधी या तरतुदी आहेत. नियम ४१ (एच) अनुसार एखादा प्राप्तकर्ता वाहन कर्जाचे हप्ते न भरल्यास वित्तिय संस्थांनी वाहन ताब्यात घ्यावयाचे असल्यास व्यवसाय प्रमाणपत्राची आवश्यकता असल्याचे म्हटले आहे.

७) कर्जाचे हप्ते न भरल्यास, जे वाहन वित्तिय संस्थांनी ताब्यात घ्यावयाचे आहे त्याला नोंदणी प्राधिकार्यांनी नोंदणी क्रमांक दिलेला असल्यामुळे नियम ३३ च्या तरतुदी येथे लागू होत नाहीत अशा धारणा असल्यामुळे आतापर्यंत वित्तिय संस्थांना / बँकांना / वित्तिय महामंडळांना व्यवसाय प्रमाणपत्र धारण करण्याची सक्ती करण्यात आली नव्हती वा या तरतुदींची ही अंमलबजावणी करण्यात आली नव्हती.

६) असे असले तरी नमुना क्र. १६ च्या शिबटी जो जाहिरनामा दिलेला आहे तो खालीलप्रमाणे आहे.

DECLARATION

I/We do hereby declare that the Trade Certificate is/are required by me/us for bonafide Trade purpose.

Signature of Applicant

७) नियम ४१ अनुसार जरी व्यवसाय प्रमाणपत्राचा वापर विहित केला असला तरी नमुना क्र. १६ मधील जाहिरनाम्याचा वागकाईने अभ्यास केला असता असे लक्षात येते की, व्यवसाय प्रमाणपत्र हे व्यवसाय करण्याकरिता दिले जात असून संबंधित व्यावसायिकाची नोंद या विभागाकडे होणे आवश्यक वाटते. याकरिता वाहन कर्ज देणाऱ्या वित्तिय संस्था / बँका / वित्तिय महामंडळ यांना या विभागाद्वारे व्यवसाय प्रमाणपत्र घेणे बंधनकारक करणे आवश्यक वाटते. यास्तव सर्व नोंदणी प्राधिकार्यांना खालील सूचना देण्यात येतात.

अ) आपल्या कार्यक्षेत्रात रिझर्व बँक मान्यता प्राप्त, वाहन कर्ज पुरवणाऱ्या वित्तिय संस्था / बँका वित्तिय महामंडळे यांची त्यांच्या शाखांमधे यादी तयार करावी.

ब) या वित्तिय संस्था / बँका / वित्तिय महामंडळे जेव्हा वाहनावरील भाडे खुरेता / वाहन कर्ज देणाऱ्याची नोंद करण्यासाठी जेव्हा येतात, तेव्हा तेव्हा त्यांना प्रत्येक वाहन संवर्गासाठी व्यवसाय प्रमाणपत्र घेण्याची सक्ती करावी. शाखांना वेगळे व्यवसाय प्रमाणपत्र घेण्यास सांगणे, शक्य नसल्यास आवश्यक ता कर निवकाराचे.

क) आपल्या क्षेत्रातल वित्तिय संस्था नसल्यास ता ज्या नोंदणी प्राधिकार्याच्या कार्यक्षेत्रात असतील त्यांच्याकडे असे व्यवसाय प्रमाणपत्र घेतले असल्यास चालू ठेवले.

उदा. - वाहनमालक कोल्हापूर येथील असून वित्तिय संस्थेचे कार्यक्षेत्र सांगली येथे आहे, अशा घट्टी वित्तिय संस्थेने उप आदेशाक परिचयन अर्थकारणे नसलेले यांच्याकडून व्यवसाय प्रमाणपत्र (Trade Certificate) घेतलेले असल्यास रिजर्व.

1. TRADE CERTIFICATE

५) राज्य सरकार व केंद्र सरकारो विभाग आपल्या कर्मचाऱ्यांना घाबरे करून देत असल्यास त्यांना यानुन वगळण्यात यावे.

६) इतर राज्यातील वित्तीय कंपनी असल्यास, त्यास या राज्यातील व्यवसाय प्रमाणपत्र घेण्यास सांगावे.

७) सदर परिपत्रकाची काटेकोरपणे अंमलबजावणी करावी व शासकीय महसूलाची वसूली करावी. सदर परिपत्रकाची पोच घ्यावी.


परिवहन आयुक्त
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प्रति -

- १) सर्व प्रादेशिक परिवहन अधिकारी / उप प्रादेशिक परिवहन अधिकारी यांना उपरोक्तप्रमाणे कार्यवाही करण्यावास्त.
- २) सियेय सहाय्यक, परिवहन आयुक्त, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.
- ३) सियेय सहाय्यक, अपर परिवहन आयुक्त, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.
- ४) सर्व नियंत्रक अधिकारी, परिवहन आयुक्त कार्यालय, महाराष्ट्र राज्य, मुंबई.
- ५) कक्ष अधिकारी, परि.२ यांना त्यांचे पत्र क्र.एमटीए १९०४/प्रक.७८/परि.३, दि. २१/४/२००४ च्या आनुगामी माहितीस्तव.


परिवहन आयुक्त
महाराष्ट्र राज्य, मुंबई

वाहनांना वित्तिय सहाय्य करणाऱ्या
कंपन्या, बँका, वित्तिय महामंडळे,
सहकारी संस्था इ. यांनी व्यवसाय
प्रमाणपत्र घेणेबाबत.

परिवहन आयुक्त यांचे कार्यालय,
प्रशासकीय इमारत, ३रा व ४था मजला,
डॉ. आंबेडकर उद्यानाजवळ, सरकारी वसाहत,
वांद्रे (पूर्व), मुंबई - ४०० ०९१.

परिपत्रक

क्र. एमव्हीआर ०९०४/सीआर-७६०/का.२(४)/ जा.क्र.१९२६६ दिनांक - 26 जुलई 2007

तथा :- १) या कार्यालयाचे परिपत्रक क्र. एमव्हीआर ०९०४/सीआर-७६०-अ/का.२(४)
जा.क्र. २८९, दिनांक - ७/१/२००७.

२) रिझर्व्ह बँक ऑफ इंडिया यांचे पत्र क्र.DNBS.PD.No.8579/03.07/001/2006-07,
दि.१४/०६/२००७. (प्रत सोबत जोडली आहे)

१) दिनांक ७/१/२००७ च्या परिपत्रकान्वये या कार्यालयाने वाहन मालकांनी
वाहनाच्या खरेदीसाठी तसेच वाहन गहाण ठेऊन कर्ज देऊन भाडे खरेदी / भाडे गहाण करार
करणाऱ्या वित्तिय संस्था / बँका / वित्तिय महामंडळे / सहकारी संस्था इत्यादींना केंद्रीय मोटार
वाहन नियम, १९८९ च्या नियम ३४ अन्वये व्यवसाय प्रमाणपत्र अनिवार्य केले होते.

२) या कार्यालयाच्या या निर्णयाविरुद्ध नागपूर हायर पब्लिस असासिएशन आणि
कुसुमगार फायनान्स अँड मार्केटींग कंपनी यांनी नागपूर खंडपीठ येथे याचिका क्र. ९१७/२००७
दाखल केली होती. मा. उच्च न्यायालय नागपूर यांनी ही याचिका दि. २०/४/२००७ च्या
निर्णयान्वये खारीज केली आहे.

३) वित्तिय महामंडळ / बँका / सहकारी पतसंस्था यांच्या मुख्य कार्यालयांस व्यवसाय
प्रमाणपत्र घाटे किंवा सर्व शाखा कार्यालयांना प्रमाणपत्र घाटे या बाबत नोंदणी प्राधिकार्यांमध्ये
तसेच या संस्थांमध्ये संधग निर्माण झाल्याचे दिसून येते. वित्तदाता (financier) या शब्दाची
व्याख्या केंद्रीय मोटार वाहन नियम, १९८९ च्या नियम 2(d) मध्ये देण्यात आली असून ती
खालील प्रमाणे आहे.

“Financier” means a person or a title holder-cum-dealer who lets a
motor vehicle on hire under an agreement of hire purchase or lease or
hypothecation to the operator with a permission to get it registered in
operator’s name as registered owner.

४) या व्याख्येनुसार नमुना क्र. ३४ i.e. “Application for making an entry of
an agreement of hire purchase / lease/ hypothecation subsequent to registration”

जारी करणारे मुख्य कार्यालय, नोंदणीकृत कार्यालय वा शाखा कार्यालय यांनी व्यवसाय प्रमाणपत्र घेणे आवश्यक आहे. मुख्य कार्यालय नमुना क्र. ३४ जारी करीत असून शाखा कार्यालये फक्त अभिलेखाचे काम करीत असतील तर फक्त मुख्य कार्यालयाने व्यवसाय प्रमाणपत्र घेणे आवश्यक आहे. अन्यथा नमुना क्र. ३४ जारी करणाऱ्या सर्व शाखा कार्यालयांनी व्यवसाय प्रमाणपत्र घेणे आवश्यक राहिल.

७) व्यवसाय प्रमाणपत्र जारी करताना सर्व कार्यालयांमध्ये एकसुत्रता असण्याकरिता स्थिकाशाखाच्या कामादपत्रांवाढत खात्रील सूचना देण्यात येत आहेत :

अ) जर अर्जदार कंपनी, वित्तीय संस्था / वित्तीय महामंडळ असेल तर -

i) रिझर्व्ह बँकेचे सदर कंपनीला बँकींग वित्तीय संस्था किंवा गैर बँकींग वित्तीय संस्था म्हणून नोंदणी प्रमाणपत्राची प्रत.

ब) जर अर्जदार राष्ट्रीयकृत बँक, खाजगी बँक, शेड्युल बँक, असेल तर -

i) रिझर्व्ह बँकेच्या मान्यता पत्राची प्रमाणित प्रत.

क) जर अर्जदार सहकारी पतसंस्था असल्यास -

i) निबंधक सहकारी संस्थांवाढास प्रदानित नोंदणी प्रमाणपत्राची प्रत

ड) जर अर्जदार भागीदारी संस्था, वैयक्तिक संस्था, व्यक्ती इ. असल्यास -

i) मुंबई सादकार अधिनियम, १९४६ अंतर्गत सहकारी संस्था निबंधक, यांनी प्रदान केलेले लवसनसची प्रमाणित प्रत.

ii) संस्थेची नोंदणी झाली असल्यास नोंदणी प्रमाणपत्राची प्रत.

iii) भागीदारी संस्था असल्यास भागीदारी नोंदणी प्रमाणपत्राची प्रत.

iv) अर्जदाराचा स्थायी पत्ता व त्यांच्या पुराव्याची प्रत.

इ) सर्व प्रकारच्या अर्जदारांनी सादर करावयाची कामादपत्रे -

i) मुंबई दुकाने व संस्था अधिनियम, १९४८ अंतर्गत आस्थापनेचे नोंदणी प्रमाणपत्र (फॉर्म डी) ची प्रत.

ii) कर्मचाऱ्यांची यादी. (नमुना क्र. ३४ व ३७ वर सही करण्यास प्राधिकृत)

iii) कार्यालयाच्या पत्ता पुराव्याची प्रत.

iv) कार्यालयाचा दुरुधवनी क्रमांक, फॅक्स क्रमांक, मोबाईल क्रमांक व इ-मेल पत्ता.


परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.

प्रति,

सर्व उप / प्रादेशिक परिवहन अधिकारी.

प्रत माहितीसाठी सादर -

मा.प्रधान सचिव, गृह (परिवहन) विभाग, मंत्रालय, मुंबई - ४०० ०३२.


परिवहन आयुक्त,
महाराष्ट्र राज्य, मुंबई.



भारतीय रिज़र्व बैंक

RESERVE BANK OF INDIA

www.rbi.org.in

DNBS.PD.No. / 03.07.001 / 2006-07

June 14, 2007

The Deputy Transport Commissioner (Enf. I) - Maharashtra State
Transport Commissioner's Office
Administrative Building, 3/4 th floor
Dr. Ambedkar Udyan, Govt. Colony
Bandra (East)
Mumbai - 400 051

परिवहन कंपन्यांचे व्यवहार
२६७९
२०/६/०७
२

Sir,

Queries regarding approval of the financial institutions engaged in the business of hire purchase of motor vehicles by the Reserve Bank - Regarding

Please refer to letter No. MVR 0904 / CR 560 / D-II (4) / ON - 9154 dated April 20, 2007 on the captioned subject.

2 We have considered the queries raised by you regarding the approval of the financial institutions engaged in the business of hire purchase of motor vehicles by the Reserve Bank and our observations on the said queries are as under:

(a) Whether Reserve Bank of India approval is required for the Financial Institutions to engage in the business of hire purchase of Motor Vehicles?

Reply - In terms of Section 45-IA of the Reserve Bank of India Act, 1934 no Non-Banking Financial Company (NBFC) shall commence or carry on the business of a Non-Banking Financial Institution (NBFI) without obtaining a certificate of registration by the Reserve Bank issued under Chapter IIIB of the RBI Act, 1934. Any company which carries on the business of a non-banking financial institution, as its principal business as defined in Section 45I(a) read with Section 45I(f) of the Reserve Bank of India Act, 1934 is treated as an

Justy/20/6/07
Balle

वेब वेबसाइट परवेक्षण विभाग, केंद्रीय कार्यालय, 2^{री} मंजिल, सेंट्रल 1, वल्ट टॉवर, बक पारोड, मुंबई - 400 005
फोन - 2218 2526, 2218 9131; फॅक्स : 2215 0540, 2216 2768 ; ई-मेल : dnbs@rbi.org.in
Department of Non-Banking Supervision, Central Office, 2nd Floor, Centre 1, WTC, Cuffe Parade, Mumbai - 400 005
Tel. No.: 2218-2526, 2218 9131 - Fax No.: 2215 0540, 2216 2768 ; E-mail : dnbs@rbi.org.in
हिंदी आवरण हे, इलुस्ट्रा प्रयोग प्रकल्प



भारतीय रिज़र्व बैंक

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NBFC. The business of hire purchase of motor vehicles is also covered under Section 45(c) of the Reserve Bank of India Act, 1934 as the business of financial institution and therefore any company undertaking the business of hire purchase of the motor vehicles will be treated as NBFC and will require registration from the Bank. However, any company which carries on the principal business of agricultural activities, industrial activities, trading in commodities dealing in immovable property etc. is not a financial institution. In this connection the press release 1998-99/1269 dated 8th April 1999 (copy enclosed) defines the term principal business. Therefore, if the company engaged in the business of hire purchase of motor vehicles fulfills the above criteria it would require registration under Section 45IA of the Reserve Bank of India Act 1934 to undertake the said business

(b) Whether money lending licence is required for any private person to give loan for purchase of vehicle?

Reply - The Money Lending Act is regulated and administered by the State Government and not by the Reserve Bank of India. You may therefore approach the State Government for getting information in this connection.

Yours faithfully,

P. Ahuja
(P. Ahuja)
Deputy General Manager

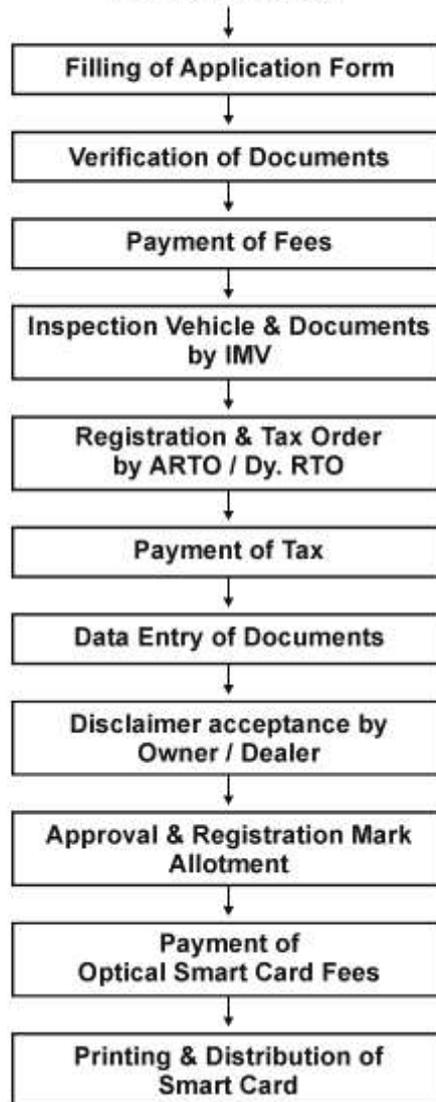
Encl: 1

गैर बँकिंग पर्यवेक्षण विभाग, केन्द्रीय कार्यालय, 2^{री} मंजिल, सेंट्रल 1, वार्ड ट्रेड सेंटर, कॉफ़ी पारार्ड, मुंबई - 400 005
फ़ोन : 2218 2526, 2218 9131; फ़ैक्स : 2215 0540, 2216 2768; ई-मेल : dnb@rbi.org.in
Department of Non-Banking Supervision, Central Office, 2nd Floor, Centre 1 WTC, Coffee Parade, Mumbai- 400 005
Tel. No.: 2218 2526, 2218 9131; Fax No.: 2215 0540, 2216 2768; E-mail: dnb@rbi.org.in

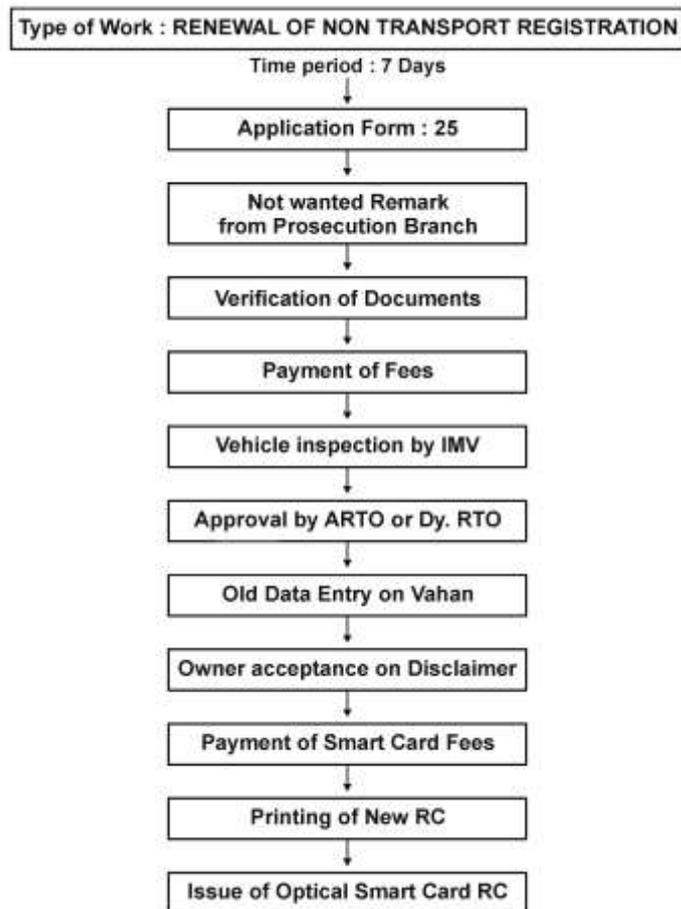
4.70 Office procedure for registration of vehicle

Type of Work : New Vehicle Registration

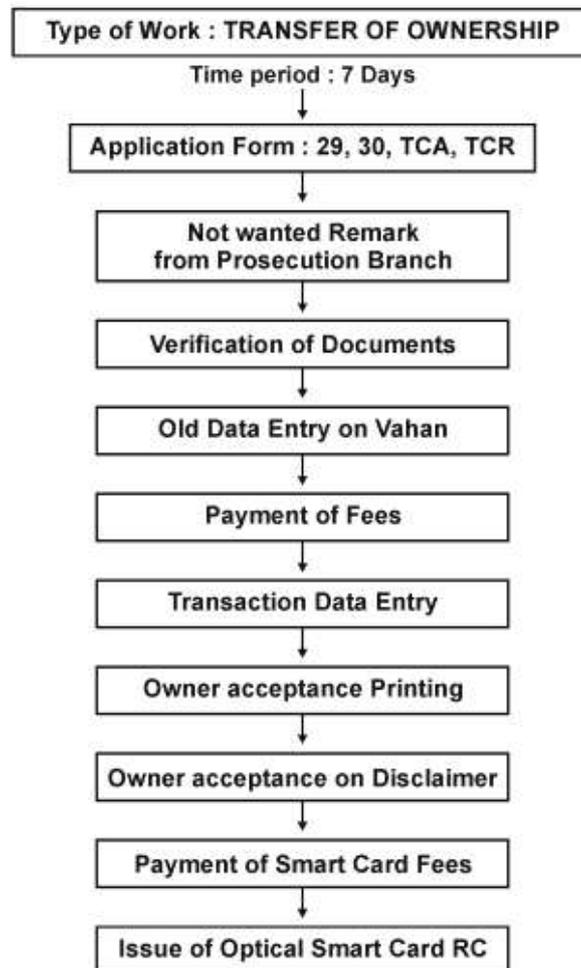
Time period : 7 Days



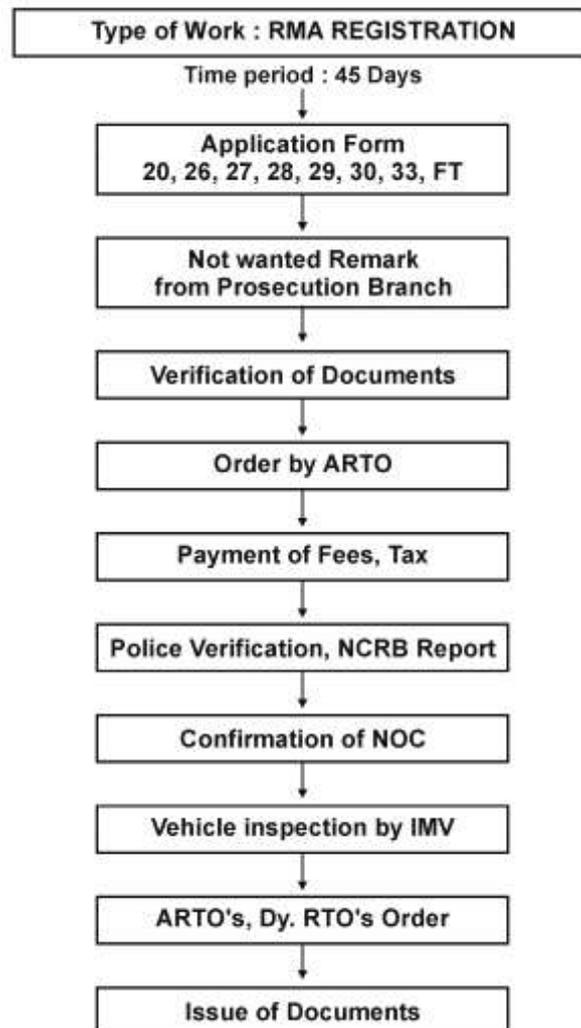
4.71 Office procedure for renewal of registration of non-transport vehicles



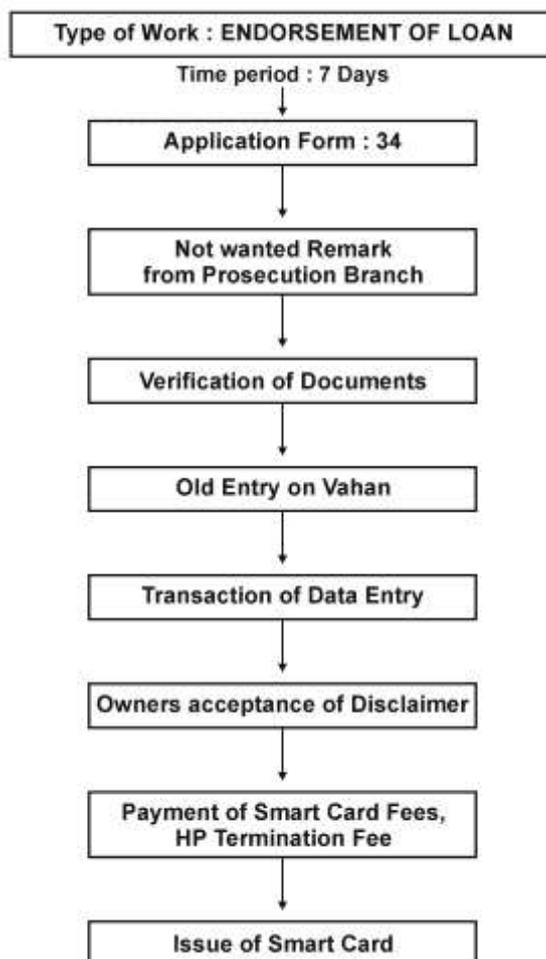
4.72 Office procedure for Transfer of Ownership



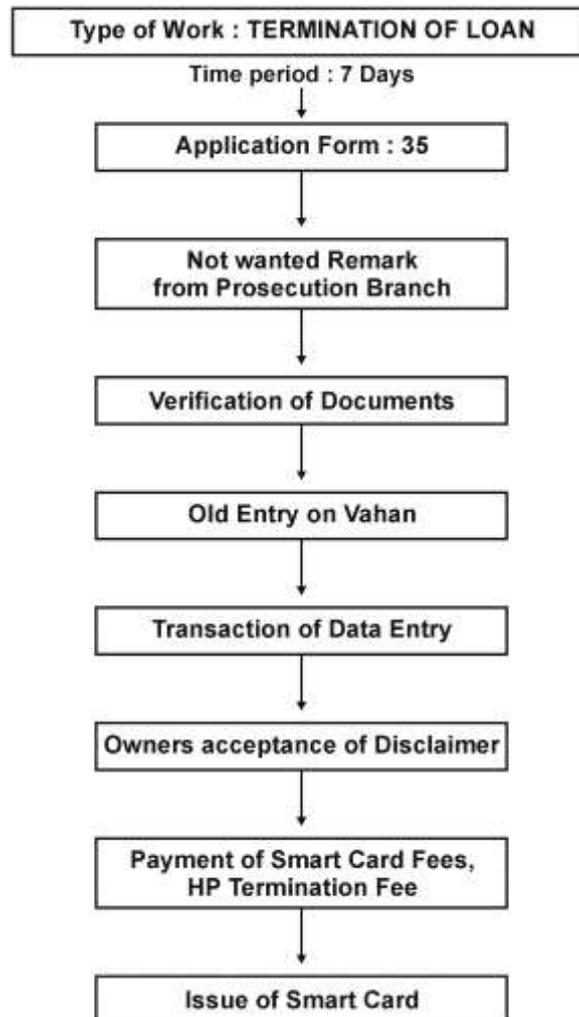
4.73 Office procedure for Registration of vehicles brought from other state to Maharashtra State



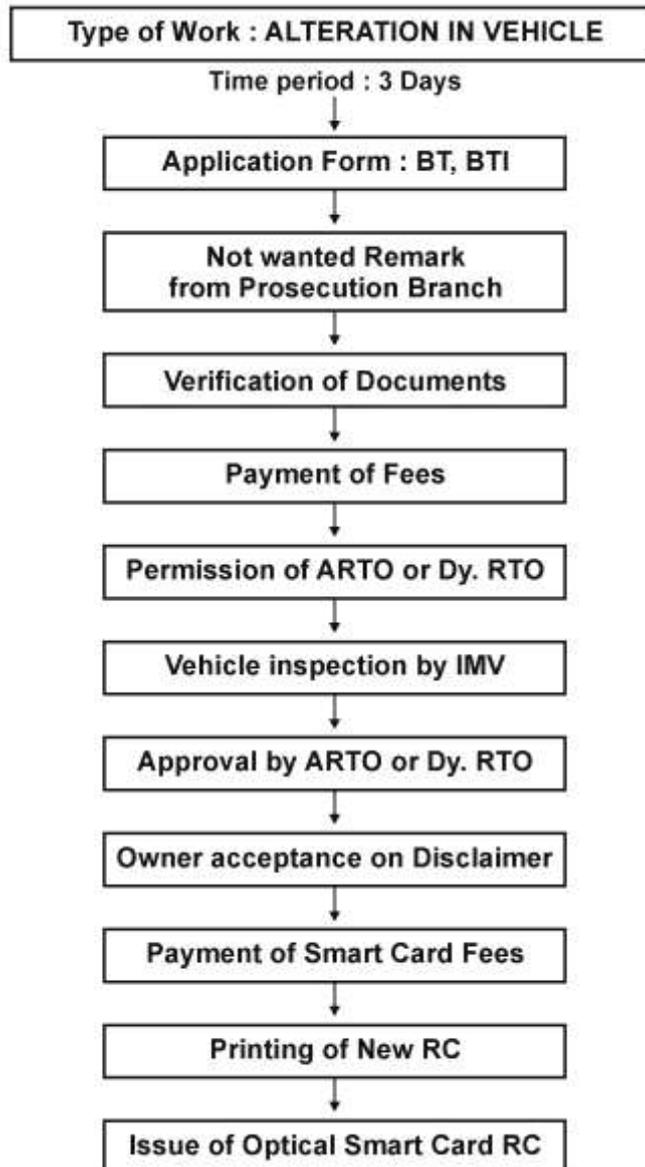
4.74 Office procedure for endorsement of HP Agreement / Hypothecation



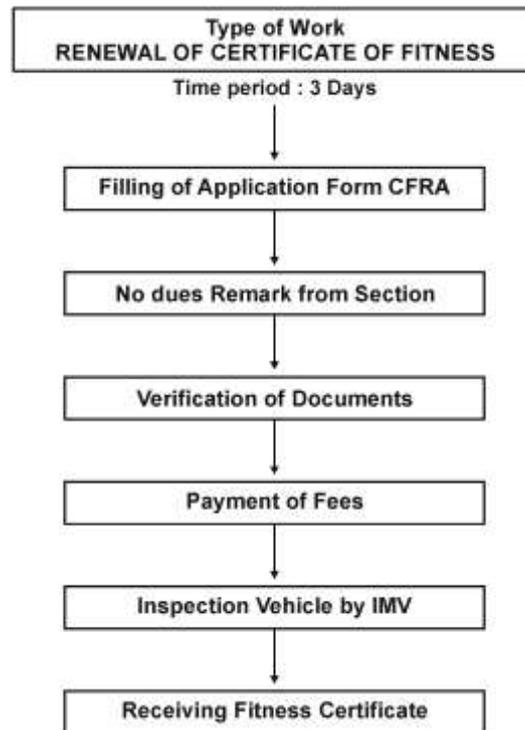
4.75 Office procedure for Termination HP Agreement / Hypothecation



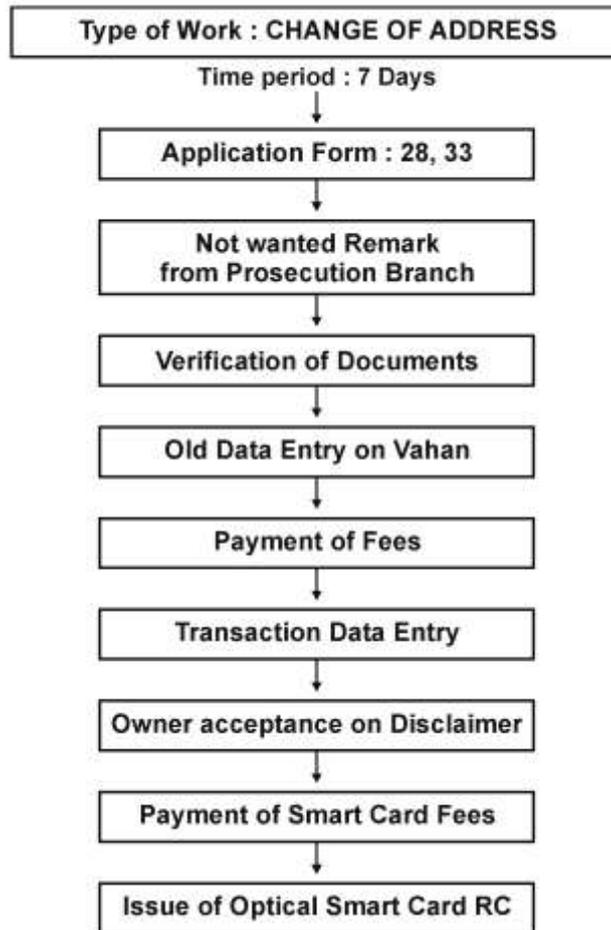
4.76 Office procedure for Alteration in vehicle



4.77 Office Procedure for renewal of fitness



4.78 Office procedure for Change of address



4.79 Office procedure for noting of transfer of ownership

Type of Work : TRANSFER OF OWNERSHIP

Time period : 7 Days

Application Form : 29, 30, TCA, TCR

Not wanted Remark
from Prosecution Branch

Verification of Documents

Old Data Entry on Vahan

Payment of Fees

Transaction Data Entry

Owner acceptance Printing

Owner acceptance on Disclaimer

Payment of Smart Card Fees

Issue of Optical Smart Card RC