Office Order

As per the notification No. GSR 1081(E) dated 2\textsuperscript{nd} November, 2018 of MoRTH, Govt. of India (copy attached), validity duration of Fitness Certificates being issued by Inspector of Motor Vehicles in respect of Transport Vehicles have been revised as detailed below.

1. As per clause 3 (iv) of the said notification, at the time of registration of new Transport Vehicles, no certification is necessary if the vehicle is sold as fully built vehicle as per the sale letter & homologation portal. In such cases, no fitness certificate is needed for first 02 years. This provision implies that where Chassis is purchased and body is built through a body builder, fitness certificate for two years is required at the time of registration of new Transport Vehicles.

2. As per clause 3 (i) of the said notification after two years from the date of registration of all new Transport Vehicles, fitness certificates would be required at the interval of every two years till completion of eight years from the date of registration and there after fitness certificate would be required at the interval of every one year.

It is hereby instructed that, the above instructions in the light of the said notification should be followed meticulously.

Transport Commissioner, Odisha
EXTRAORDINARY

PART II—Section 3—Sub-section (i)

PUBLISHED BY AUTHORITY

NEW DELHI, FRIDAY, NOVEMBER 2, 2018/KARTIKA 11, 1940

सदक परिवहन और राजमार्ग मंत्रालय

अधिसूचना

स. का. नि. 1081(ब)—केंद्रीय मोटर यान नियम, 1989 का और संशोधन करने के लिए मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 212 की उप-धारा (1) की अपेक्षानुसार भारत सरकार के सदक परिवहन एवं राजमार्ग मंत्रालय की, भारत के राजपत्र, असाधारण भाग II, खण्ड 3, उप-खण्ड (i) में प्रकाशित अधिसूचना संख्याक स.का.नि. 643(अ) तारीख 12 जुलाई, 2018 द्वारा प्रारूप नियम प्रकाशित किए गए थे, उन सभी व्यक्तियों से, जिनके उनसे प्रागैतिहासिक होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना से युक्त राजार्थ की प्रतियों जनता को उपलब्ध करा दी गयी थी, तीसरा दिन की अवधि के अवसान से पूर्व आश्चय और सुझाव आमंत्रित किये गये थे।

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

और, जबकि उक्त प्रारूप नियमों के संबंध में जन साधारण से अपने आश्चयों और सुझावों पर केंद्रीय सरकार द्वारा विचार किया गया;

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

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

(2) ये नियम राज्य में प्रकाशित की तारीख को प्रस्तुत होंगे।

2. केंद्रीय मोटर यान नियम, 1989 (जिससे आगे उक्त नियम कहा गया है) में, नियम 90, के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थातः—

"नियम 90 राष्ट्रीय परिमित की अतिरिक्त शर्तें— धारा 88 की उप-धारा (12) के अंतर्गत जारी किए जाने वाले राष्ट्रीय परिमित निम्नलिखित अतिरिक्त शर्तों के अधीन होगा, अर्थातः—

(1) “राष्ट्रीय परिमित या एन/पी” बढ़े अर्थों में यान के आगे एवं पीछे लिखे जाएंगे। ट्रेलर की दशा में, "एन/पी" शब्द यान के पीछे बायीं ओर अक्षित किया जाएगा।

(2) खतरनाक एवं परिसंचरण मान दोनों वाले टैक्कर की बौद्धि को सफेद रंग से रंगा जाएगा और वर्ग लेबल, नियम 137 में यथा-विनिर्देश, टैक्कर के दोनों ओर तथा पीछे प्रदर्शित किया जाएगा।

(3) यान में केंद्रीय मोटर यान नियम, 1989 के नियम 138 क में यथा-विनिर्देश, फॉर्टग डिनाक 01 अक्टूबर, 2019 से पूर्व यान में लगाया जाएगा।

(5) The rules in item 140 of the first schedule to the Central Motor Vehicles Rules, 1989, were published, as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 1081(E), dated the 2nd November, 2018.

(6) The draft rules further to amend the Central Motor Vehicles Rules, 1989, were published, as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 643(E), dated the 2nd November, 2018, inviting objections and suggestions from all persons likely to be affected there by before the expiry of the period of thirty days from the date on which copies of the said notification containing the draft rules were made available to public;
Whereas, copies of the said Gazette notification were made available to the public on the 12th July, 2018;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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<td>No</td>
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</table>
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(iv) In the fourth proviso, after the explanation, the following proviso shall be inserted, namely:—

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

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

“138 B. All goods carriage vehicles shall carry goods in a closed body of the vehicle or container:"
Provided that if it is necessary to carry goods in open bodies, goods shall be covered by using appropriate cover like tarpaulin or any other suitable material:

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

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

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

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

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