

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of Notification **No. 292/IX-1/302(2007)/2019**, dated June 14, 2019 for general information:

No. 292/IX-1/302(2007)/2019

Dated Dehradun, June 14, 2019

NOTIFICATION

In exercise of the power conferred under section 65, 111 and 213 of the Motor Vehicle Act, 1988 (Act No. 59 of 1988), the Governor, with a view to further amending the Uttarakhand Motor Vehicles Rules, 2011, is pleased to publish the proposed Uttarakhand Motor Vehicles (Amendment) Rules, 2019, as required under sub section (1) of section 212 of said Act for information of all concerned.

2. All concerned persons, who are likely to be affected by the proposed rules, are informed that objections and suggestions, if any, with respect to the proposed rules may be sent in writing to Secretary, Parivahan Vibhag, Uttarakhand Shasan, Subhash Road, Dehradun within thirty days from the date of its publication in the Uttarakhand State Gazette.

Uttarakhand Motor Vehicles (Amendment) Rules, 2019

Short title and commencement	1	(1) These rules may be called the Uttarakhand Motor Vehicles (Amendment) Rules, 2019.
Amendment of Rule 52	2	(2) They shall come into force with effect from the date of their publication in the Gazette. In the Uttarakhand Motor Vehicles Rules, 2011 (hereinafter referred to as principal rules) for existing clause (ii) of sub rule (2) of rule 52 as set out column 1 below, the rule as set out in column 2 shall be substituted, namely-

column 1

column 2

Existing Rule

Rule as here by substituted

(ii)The Transport Commissioner may from time to time notify in the website the available registration number given in the Second Schedule for online e-auction fixing rupees 10,000/- as minimum reserve price for them in addition to fees prescribed under sub-section (2) of section 41 of the Act. The online e-auction procedure shall be fixed by the Transport Commissioner.

(ii)The Transport Commissioner may from time to time notify in the website the available registration number given in the Second Schedule for online e-auction fixing rupees 1,00,000/- for registration number 0001, rupees 25,000/- for registration number 0002 to 0009, 1111, 2222, 3333, 4444, 5555, 6666, 7777, 8888, 9999 and rupees 10,000/- for other registration number as minimum reserve price for them in addition to fees prescribed under sub-section (2) of section 41 of the Act. The online e-auction procedure shall be fixed by the Transport Commissioner.

Amendment of rule 135	3	In the principal rules for existing rule 135 as set out in column 1 below, the rule as set out in column 2 shall be substituted, namely-
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column 1

column 2

Existing Rule

Rule as here by substituted

135 General -(1) Every public service vehicle, and all parts thereof including paint work and varnish doors, windows, seats, roofs, springs, wheels, cushions lining panels and all furniture's and apartments shall be maintained in a clean and sound condition, and the engine mechanism and all working parts in reliable working order.

135 Approval for registration -(1) Every motor vehicle manufacturer or his authorized dealer or representative shall present an application in form S.R. 47A for each base model and its variant alongwith fees prescribed in sub rule (2) before the Transport Commissioner for approval of registration of Motor Vehicle in the State.

(2) Every motor vehicle manufacturer or his authorized dealer or representative shall present an application in form S.R. 47A alongwith fees prescribed in sub rule (4) before the Transport Commissioner for approval of registration of Motor Vehicle in the State. Such vehicle shall be inspected by the competent authority or committee specified by the Transport Commissioner. The competent authority or the committee as the case may be shall consider the admissibility of the vehicle for operation on hill routes, its wheelbase, overhang, seats, emergency exit, tax paid etc. and shall present its recommendation before the Transport Commissioner within a week from the date of inspection.

(3) On the basis of such recommendations the Transport Commissioner shall approve the registration of such motor vehicle in the State.

(4) Fees for inspection of the vehicle under sub rule (2) shall be-

for two wheeler	Rupees 2000.00
for light motor vehicle	Rupees 5000.00
for medium and heavy motor vehicle	Rupees 10000.00

On the basis of test of certificates of authorized Testing Agency under rule 126 of the Central Motor Vehicles Rules, 1989 and other relevant document approval order as applied for base/variant model may be issued. But where it is expedient to physically inspect and verify any base/variant model, Transport Commissioner may direct manufacturer or dealer or representative of such vehicle to present it before the competent authority or technical committee constituted for this purpose. In such cases ordered for approval for registration may shall be issued on the basis of recommendations of technical committee.

(2) Application fees for approval of registration of the vehicle under sub rule (1) shall be-

for two wheeler	Rupees 2,000.00
for light motor vehicle	Rupees 5,000.00
for medium and heavy motor vehicle	Rupees 10,000.00

Insertion of Rule 135A

In the principal rules, after rule 135 the following rule shall be inserted, namely- "135 A Every public service vehicle, and all parts thereof including paint work and varnish doors, windows, seats, roofs, springs, wheels, cushions lining panels and all furniture's and apartments shall be maintained in a clean and sound condition, and the engine mechanism and all working parts in reliable working order."

Removal of Rule 166

Rule 166 of the principal rules shall be deleted.

Amendment of Rule 169

For existing sub rule (1) and clause (iii) and (iv) of sub rule (4) of rule 169 of the principal rules as set out column 1 below, the rule as set out in column 2 shall be substituted, namely-

column 1

column 2

Existing Rule

Rule as here by substituted

- (1) An application for authorizing Pollution Checking Centre for issuing of 'pollution under control certificate' under sub-rule (7) of rule 115 of Central Rules shall be made by authorized garages/workshop, petroleum company, petrol pump and voluntary organization to work as such to the Additional Transport Commissioner on form SR-48. The application shall contain the following :-
- (i) Security of Rupees twenty five thousand either cash or in any government securities recognised by the Transport Commissioner mortgaged in the name of Transport Commissioner.
- (ii) The prototype of the test instrument approved by an agency/ institution mentioned in rule 126 of the Central Rules, its invoice, installation form and the list of other tools:
- (iii) In case of application by voluntary organization, registration certificate under Societies Registration Act, 1860, building map (blue print) of the proposed checking centre issued by an approved architect, evidence of address, proof of land ownership /rent agreement, electric connection;
- (iv) In case of partnership firm, copy of the partnership deed.
- (v) list of tools for checking repairing and improving the engine of the vehicle that emits the pollutant in excess of prescribed standard.
- (vi) Fee as prescribed under sub-rule (2) below;
- (iii) The agency shall charge maximum fee of rupees **seventy** from the vehicle owner for issue of "Pollution under control certificate".
- (iv) The form of the "pollution under control certificate" shall be made available to the agency by the Transport Commissioner office or by concerned regional/sub regional office
- (1) An application for authorizing Pollution Checking Centre for issuing of 'pollution under control certificate' under sub-rule (7) of rule 115 of Central Rules shall be made by authorized garages/workshop, petroleum company, petrol pump voluntary organization or person to work as such to the Additional Transport Commissioner on form SR-48. The application shall contain the following :-
- (i) Security of Rupees twenty five thousand either cash or in any government securities recognised by the Transport Commissioner mortgaged in the name of Transport Commissioner.
- (ii) The prototype of the test instrument approved by an agency/institution mentioned in rule 126 of the Central Rules, its invoice, installation form and the list of other tools:
- (iii) In case of application by voluntary organization or person building map (blue print) of the proposed checking centre issued by an approved architect, evidence of address, proof of land ownership /rent agreement, electric connection, in case of voluntary organization registration certificate under Societies Registration Act, 1860.
- (iv) In case of partnership firm, copy of the partnership deed.
- (v) list of tools for checking repairing and improving the engine of the vehicle that emits the pollutant in excess of prescribed standard.
- (vi) Fee as prescribed under sub-rule (2) below;
- (iii) The agency shall charge maximum fee of rupees one hundred from the vehicle owner for issue of "Pollution under control certificate".
- (iv) The form of the "pollution under control certificate" shall be made available to the agency by the Transport Commissioner office or by concerned regional/sub

on depositing rupees twenty per form. The agency shall compulsory issue "pollution under control certificate" on such form. None of entries on it shall be made manually except the signature of authorised operator. In case web based system comes into force for pollution checking and issue of pollution under control certificate the agency shall issue pollution under control certificate through such web software. The agency shall procure an internet connection for it either through a "broad band" or "data card" having continuous connectivity with the Central server of Transport Department and in such cases where pollution under control certificate is downloaded through web software, the agency shall deposit cash in advance in the Transport Commissioner office at the rate of rupees 20 per such certificate.

regional office on depositing rupees thirty per form. The agency shall compulsory issue "pollution under control certificate" on such form. None of entries on it shall be made manually except the signature of authorised operator. In case web based system comes into force for pollution checking and issue of pollution under control certificate the agency shall issue pollution under control certificate through such web software. The agency shall procure an internet connection for it either through a "broad band" or "data card" having continuous connectivity with the Central server of Transport Department and in such cases where pollution under control certificate is downloaded through web software, the agency shall deposit cash in advance in the Transport Commissioner office at the rate of rupees thirty per such certificate.

Amendment 7 For existing clause (v), (vi) and (vii) of serial number (2) of sub rule (3) of rule 229 of the principal rules as set out in column 1 below, the rule as set out in column 2 shall be substituted, namely-

column 1 Existing Rule	column 2 Rule as here by substituted
(v) Silver plated buttons;	(v) Shoulder Badge with monogram Uttarakhand Parivahan;
(vi) Black shoes;	(vi) Brown shoes;
(vii) Two five pointed stars, measuring 25 mm in diameter. The star should be slightly frosted but without any design in the centre. Shoulder Badge with letters Uttarakhand Parivahan. In block letters will be worn at the base of shoulder strap. The stars and letters will be of white metal;	(vii) Five pointed yellow plated three stars on parallel half black and half red coloured shoulder strap.

8 Following note shall be inserted below the rule 229 of the principal rules, namely-

Note: The personnel specified at serial number (1), (2), (3), (4), (5), (6), (7), (8) of sub rule (3) shall wear Uttarakhand Parivahan monogram of specified design at the arms of the uniform worn by them.

By Order,

SHAILESH BAGAULI,
Secretary.