

22. उक्त नियमों में प्रपत्र 18 का विलोप किया जाएगा।

23. उक्त नियमों में, प्रपत्र 19 के बाद, निम्नलिखित प्रपत्र अतः स्थापित किया जाएगा, अर्थात्: -

फॉर्म 19क

[नियम 43क देखें]

वाहन पोर्टल पर डिजिटल रजिस्टर सूची रखा जाना

क्र.स.	व्यवसाय प्रमाणपत्र सं.	मोटर वाहनों के डीलर का नाम	जिला	राज्य	वाहन श्रेणी
1	2	3	4	5	6
चेसिस नंबर	इंजन संख्या	निर्माता से वाहन प्राप्त करने की तिथि	पंजीकरण/टीआरई के लिए आवेदन जमा करने की तिथि	पंजीकरण संख्या /टीआर संख्या	
7	8	9	10	11	

[सं.आरटी11036/193/2021-एमवीएल]

महमूद अहमद, संयुक्त सचिव

टिप्पणी: मूल नियम भारत के राजपत्र, असाधारण, भाग- II, खंड 3, उपधारा (i) की अधिसूचना संख्या सा.का.नि., दिनांक को प्रकाशित किए गए थे और अंतिम बार अधिसूचना संख्या.....(अ), दिनांक द्वारा संशोधित की गई थी।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 5th May, 2022

G.S.R. 340(E).—The following draft of certain rules further to amend the Central Motor Vehicles Rules, 1989, which the Central Government proposes to make in exercise of the powers conferred by section 39 of the Motor Vehicles Act, 1988 (59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act for information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of thirty days from the date on which the copies of this notification as published in the Official Gazette, are made available to the public. Objections and suggestions to these draft rules, if any, may be sent to the Joint Secretary (MVL, Transport & Toll), Ministry of Road Transport and Highways, Transport Bhawan, Parliament Street, New Delhi-110 001 or on the email: comments-morth@gov.in;

The objections or suggestions which may be received from any person in respect of the said draft rules before the expiry of the aforesaid period will be considered by the Central Government.

Draft Rules

1. (1) These rules may be called as Central Motor Vehicles (.... Amendment) Rules, 2021.

(2) They shall come into force on 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 33, following rule shall be substituted, namely: -

“33. Necessity of Trade certificate- Trade certificate is necessary for those manufacturers of motor vehicles or dealers of motor vehicles or test agencies specified in rule 126 or importers of motor vehicles or any entity(s) specified by central government, who possess vehicles which are neither registered nor temporarily registered.”

3. In the said rules, after Rule 33, following Rules shall be inserted, namely -

Communicate the draft rules to all the Officers concerned for information and for submitting objection or suggestions, if any, on the draft rules within the time limit prescribed. 7/5/2022.

“33A. Condition for exemption from registration. —

For the purpose of the proviso to section 39, a motor vehicle in the possession of any of the entity(s) referred in rule 33, shall be exempted from the necessity of registration subject to the condition that such entity(s) obtain a trade certificate from the registering authority having jurisdiction in the area in which entity(s) have places of business, in accordance with the provisions of this Chapter.

4. In the said rules, in Rule 34, -

(i) in sub rule (1), -

(a) after the words “trade certificate shall be made” the words “electronically on the VAHAN portal” shall be inserted.

(b) after the words “fee as specified in rule 81” the words “submitted electronically on the VAHAN Portal” shall be inserted.

(ii) in sub rule (2), the words “separate” shall be omitted.

(iii) after sub rule (2), following sub rule shall be inserted, namely: -

“(3) Numbers of Trade registration marks required shall be specified in the application.”

5. In the said rules, for Rule 35, following rule shall be substituted, namely: -

“35. Grant or renewal of trade certificate. —

(1) On receipt of an application for the grant or renewal of a trade certificate in respect of a vehicle, the registering authority may, if satisfied, issue to the applicant Trade certificate, electronically on portal, in downloadable and printable form, in Form 17 within fifteen days from the date of receipt of such an application.

Trade certificate number shall be as follows -

AB 12 A 1234 TC

AB—Represents State Code,

12—Represents RTO Code,

A. - Represents serial number of class of vehicle as prescribed in Rule 34(2) i.e. from A to J,

1234- Represents four digit unique identification number to be assigned by the concerned authority to the holder of a trade certificate,

TC—Represent trade certificate,

A trade registration mark will be trade certificate number followed by four digit numerals starting from 0001 to 9999 as follows-

AB 12 A 1234 TC 0001

(2) No application for trade certificate shall be refused by the registering authority unless the applicant is given an opportunity of being heard and reasons for such refusal are given in writing.”

6. In the said rules, after rule 35, the following rules shall be inserted, namely: -

(i) “35A. Application for additional Trade registration mark. —

1. An application for the grant of additional Trade registration mark shall be made electronically on portal in Form 17A to the registering authority which granted the trade certificate and shall be accompanied by the appropriate fee as specified in rule 81. The fees shall be submitted electronically on portal.

2. On receipt of an application for the grant of additional Trade registration mark in respect of a Trade certificate, the registering authority may, if satisfied that the applicant holds a valid Trade certificate and requires additional Trade registration mark, issue to the applicant additional Trade registration mark, in Form 17B within seven days from the date of receipt of such an application”

(ii) “35B. Intimation of change of address of place of business in trade certificate—

1. If the place of business specified in the trade certificate is changed, then the holder of trade certificate shall immediately intimate to the authority which granted the trade certificate, about such change, electronically on portal in Form 17C accompanied by the appropriate fee as specified in rule 81.
 2. On receipt of intimation of change of place of business, the registering authority may, if satisfied that the applicant holds a valid Trade certificate, record new address in the trade certificate.”
7. In the said rules, in Rule 37, for the words “twelve months” the words “five years” shall be inserted.
8. In the said rules, rule 38 shall be omitted.
9. In the said rules, in Rule 39, -
- (i) in sub rule (1), for the words “the dealer or manufacturer of automobiles or automobiles ancillaries or a test agency specified in rule 126” the words “the holder of trade certificate” shall be substituted.
 - (ii) for sub rule (2), the following sub rule shall be substituted, namely: -
“(2) The trade registration mark shall be in white colour on red background as per dimensions specified in rule 51 and shall be exhibited on front and rear of motor vehicle.”
10. In the said rules, in the heading of Rule 40, for the words “Restrictions on use of trade certificate or trade registration mark and number” the words “Restrictions on use of trade registration mark” shall be substituted.
11. In the said rules, in Rule 40,
- (a) for the word “certificate” the words “registration mark” shall be substituted.
 - (b) for the words “certificate or the number” the words “trade registration mark” shall be substituted.
12. In the said rules, in the heading of Rule 41, for the words “Purposes for which motor vehicle with trade certificate may be used” the words “Purposes for which motor vehicle with trade registration mark may be used” shall be substituted.
13. In the said rules, in Rule 41,
- (a) for the words “trade certificate”, the words “trade registration mark” shall be substituted.
 - (b) for clause (h) following clause shall be substituted, namely: -
“(h) for proceeding to or returning from the place of demonstration of vehicle for sale purpose or for keeping vehicle for display at such place of demonstration.”
14. In the said rules, in the heading of Rule 43, for the words “Register of trade certificate” the words “Register of trade registration marks” shall be substituted.
15. In the said rules, after rule 43, the following rules shall be inserted, namely: -
- “43A. Register of inventory—Every dealer of motor vehicle holding a trade certificate shall maintain a register of inventory of motor vehicles electronically in Form 19A on the portal.”
16. In the said rules, for rule 44, the following rules shall be substituted, namely: -
- “44. **Suspension or cancellation of trade certificate.** - If the registering authority has reason to believe that the holder of any trade certificate has not complied with the provisions of rules 39 to 43A, it shall report the fact of non-compliance of the said provisions along with reasonable proof, to the head of the Motor Vehicles Department established under section 213. The head of the department may, after giving the holder of trade certificate an opportunity of being heard, suspend or cancel the trade certificate held by him.”
17. In the said rules, in Rule 45, for the words “head of the Motor Vehicles Department established under section 213” the words “state transport appellate tribunal or any authority decided by the respective states/UTs in this respect” shall be substituted.

18. In the said rules, in rule 81,

a. in the table, for serial no.1, the following entries shall be substituted, namely:

1	Grant or renewal of trade certificate in respect of each trade registration mark or additional grant of each trade registration mark :		34(1), 35A(1)	
	(a) Motorcycle	Two thousand five hundred rupees		
	(b) Adapted vehicle	Five hundred rupees		
	(c) Others	Five thousand rupees		

b. in the table, for serial no.2, the following serial number shall be substituted, namely:

"2	Intimation for change of address of place of business in trade certificate	One thousand rupees	35B (1)"	
----	--	---------------------	----------	--

19. In the said rules, in Form 16, -

(a) in the heading, after the words "FORM OF APPLICATION FOR GRANT OR RENEWAL OF TRADE CERTIFICATE" the words "AND TRADE REGISTRATION MARKS" shall be inserted.

(b) in para 1, for the words "certificate(s)" the words "certificate" shall be substituted.

(c) after serial no. 3, the following serial no. shall be inserted, namely: -

"3A. Address of place of business"

(d) In serial no. 4, for the words "manufacturer or dealer of automobiles" the words "manufacturer of motor vehicles or dealer of motor vehicles" shall be substituted

(e) in serial no. 4, before the words "a test agency specified under rule 126 of the said rules" the words "or automobile ancillary" shall be omitted.

(f) in serial no. 4, after the words "a test agency specified under rule 126 of the said rules" the words and bracket "or importer of motor vehicles or any entity specified by central government, (In case applicant is dealer of motor vehicles letter of authority issued by vehicle manufacturer shall be submitted with application)" shall be inserted.

(g) in serial no. 4, the words and figure "in motor vehicles, approved repairer of vehicles, engaged in building bodies to vehicles, engaged in the business of hire purchase / lease / hypothecation of vehicles." shall be omitted.

(h) serial no. 5, 6, 7 and 8 shall be omitted.

(i) before the words "Declaration" following table shall be inserted namely:-

Sr. No.	Class of Vehicle	No. of Trade registration marks required	Fee amount paid	Receipt number

(j) after the words "signature of applicant" the words and figure "or digital/e signature of applicant" shall be inserted.

20. In the said rules, in Form 17, -

(a) in the heading, after the words "FORM OF TRADE CERTIFICATE" the words "AND TRADE REGISTRATION MARKS" shall be inserted.

(b) in the heading, the words, figures and brackets "(To be printed in diameter shape of 70 millimetres)" shall be omitted.

(c) in serial no. 1, for the words "Serial number of certificate" the words "Trade certificate number" shall be substituted.

(d) after serial no. 2, following serial no. shall be inserted, namely: -

"2A. Address of place of business"

(e) serial no. 3, 4, 6 and 7 shall be omitted.

(f) after serial no. 5, following table shall be inserted, namely: -

Sr. No.	Class of Vehicle	No. of Trade registration marks allotted	Fee amount paid	Receipt number
		0001 to ****		

(g) the words, figures "Region/" shall be omitted.

(h) after the words "Registering Authority of State", the words and brackets "(Digitally signed)" shall be inserted

(i) QR code shall be inserted in Form 17

21. In the said rules, in Form 17, SCHEDULE, and corresponding entries under it, shall be omitted.

22. In the said rules, after Form 17, the following Forms shall be inserted, namely: -

FORM 17A

[See Rule 35A (1)]

FORM OF APPLICATION FOR GRANT OF ADDITIONAL TRADE REGISTRATION MARKS

To

The Registering Authority,

.....
.....

I/We hereby apply for grant of additional Trade registration marks -

1. Applicant's name:

2. Son / Wife / Daughter of:

3. Applicant's full address

4. Address of place of business

Sr. No.	Trade Certificate number	Validity of trade certificate	Class of vehicle	Number of trade registration marks allotted	Additional trade registration marks required	Amount of fee paid	Receipt number
				From Serial no. - to serial no. -			

Signature of the applicant or digital/ e signature of applicant

FORM 17B

[See Rule 35A (2)]

GRANT OF ADDITIONAL TRADE REGISTRATION MARKS

1. Full name and address of certificate holder

2. Address of place of business-

Sr. No.	Trade Certificate number	Class of vehicle	Additional trade registration marks allotted	Amount of fee paid	Receipt number
			From Serial no. - to serial no. -		

QR Code

Station.....

Date.....

Registering Authority
Digitally signed
Valid throughout India

FORM 17C

[See Rule 35B (1)]

INTIMATION FOR CHANGE OF ADDRESS OF PLACE OF BUSINESS

To

The Registering Authority,
.....
.....

Address of place of Business recorded in trade certificate has been changed, I/We hereby request for recording changed address in trade certificate -

1. Applicant's name:
2. Son / Wife / Daughter of:
3. Applicant's full address
4. Address of place of Business --
5. Trade certificate number-----
6. Validity of Trade certificate-----

Signature of the Applicant or digital
signature/ e signature of applicant

22. In the said rules, Form 18 shall be omitted.

23. In the said rules, after Form 19, the following Form shall be inserted, namely: -

FORM 19A

[See Rule 43A]

Digital Register of inventory to be maintained on VAHAN portal

Sr. No.	Trade certificate number	Name of dealer of motor vehicles	District	State	Vehicle Class
1	2	3	4	5	6
Chassis number	Engine Number	Date of receipt of vehicle from manufacturer	Date of submission of application for registration/ TR	Registration number /TR Number	
7	8	9	10	11	

[No.RT-11036/193/2021-MVL]

MAHMOOD AHMED, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), vide notification number G.S.R....., dated the and last amended vide notification number(E), dated the