

Motoryan Ke Pradushan KI Janch Ke Liye Pradushan Janch Kendra Ko Adhikrit Karne Sambandhi Yojna, 2001

MADHYA PRADESH

India

Motoryan Ke Pradushan KI Janch Ke Liye Pradushan Janch Kendra Ko Adhikrit Karne Sambandhi Yojna, 2001

Rule

MOTORYAN-KE-PRADUSHAN-KI-JANCH-KE-LIYE-PRADUSHAN-JANCH-KENDRA-KO-ADHIKRIT-KARNE-SAMBANDHI-YOJNA-2001

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Motoryan Ke Pradushan KI Janch Ke Liye Pradushan Janch Kendra Ko Adhikrit Karne Sambandhi Yojna, 2001Published vide Notification No. F. 22-95-93-8, dated 30-1-2001, M.P. Rajpatra, Part 4 (Ga) dated 9-2-2001 at pages 13-18In pursuance of sub-rule (7) of Rule 115 of the Central Motor Vehicles Rules, 1989, the State Government hereby make the following scheme, namely :-

1. Short title.

- This scheme may be called the Motoryan Ke Pradushan Ki Janch Ke Live Pradushan Janch Kendra Ko Adhikrit Karne Sambandhi Yojna, 2001.

2. Definitions.

- In this Scheme, unless the context otherwise requires,-(a)"Act" means Motor Vehicles Act, 1988 (No. 59 of 1988);(b)"Authorisation Letters" means the certificate issued to the pollution testing centre for authorising to inspect the Motor Vehicles;(c)"Certificate" means inspection certificate issued under sub-rule (7) of Rule 115 by the authorised testing centre to the owner of the motor vehicle;(d)"Form" means Form appended to this scheme;(e)"Pollution Checking Centre" means authorised centre under sub-rule (7) of Rule 115 of the Central Motor Vehicle Rules, 1989;(f)"Rule" means Central Motor Vehicle Rules, 1989.

3. Qualification for obtaining authorisation letter.

- For obtaining authorisation letter for pollution inspection under this scheme the following qualifications shall be necessary :-(a)Applicant must have passed High School or Higher Secondary Examination and should not be less than 18 years of age on the date of application;(b)Applicant or his employee to operate pollution checking centre must have minimum Mechanic (Diesel) Mechanical (Motor Vehicle) I.T.I. Certificate or equivalent qualification;(c)Applicant shall have smoke-meter (with printer) gas analyser (with printer complying the requirement under Central Motor Vehicle Rules for checking the smoke and gas emission from the motor vehicles and other necessary equipments for tuning of vehicles;(d)Applicant who operates motor workshop/motor service centre or have the motor vehicle equipped with pollution inspection equipments, shall be given preference;(e)If any one of the employees of the applicant working in the Motor Workshop/Motor Service Centre or Motor Vehicle equipped with pollution testing equipments is having automobile/mechanical engineering diploma/degree recognised by the State Government, he shall be given priority in obtaining the authorisation letter.

4. Procedure to issue authorisation etc.

(1)Application, for authorising pollution checking centres under this scheme shall be invited in Form I by the Regional Transport Officer/Additional Regional Transport Officer/District Transport Officer of the concerning District by publishing general advertisement in the local newspaper.(2)The Jila Yojana Samili having regards to the number of registered motor vehicles in the local area shall determine maximum number of pollution checking centres for authorising in that area. Subject to the maximum number determined by the Jila Yojana Samiti, the Collector shall submit the recommendation to the Adhyaksha of Jila Yojana Samiti/Minister Incharge of the District for approval of the proposal after deciding places where pollution inspection centres shall be established in the concerning district in consultation with Superintendent of Police/District Transport Officer. While determining, the place, the State Highway and movement of vehicles on particular places and volume of traffic shall be kept in mind. For determination of the place, number of Petrol and Diesel driven vehicle and light and commercial vehicle shall be the basis of consideration.(3)Selection of the applicant for issue of authorisation letter under this scheme shall be done by the Collector in the concerning district. The District Transport Officer shall implement this scheme under the direction of the Collector.(4)If number of applications received under sub-rule (1) are more than the specified number of testing centres for authorisation letter then the additional facilities provided at the motor service centre/Motor workshops for authorisation and the experience of the applicant shall be kept in view of selecting specified number of testing centres for authorisation letter. The applicants of reserved category shall be given proper representation.(5)The authorisation letter in Form 2 shall be issued to the selected applicants by the Regional Transport Officer/Additional Regional Transport Officer/District Transport Officer after approval of the Collector.(6)The following fee shall be charged for application, granting of authorisation letter and renewal of authorisation letter :-

(a) For application	Rs. 250/-
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(b) For granting authorisation letter Rs. 2500/-

(c) For renewal of authorisation letter Rs. 2500/-

5. Periodicity of the Authorisation Letter etc.

(1)The authorisation letter issued for pollution checking centre shall be valid for three years and it may be renewed by the Collector for a period of one year.(2)The renewal application accompanied with fee of Rs. 250/- shall be submitted before 30 days to the expiry of the period of the validity Rs. 100/-per month on account of delay shall be deposited on the application submitted after the expiry of the validity period.(3)Regional Transport Officer/Additional Regional Transport Officer/ District Transport Officer by approval of the Collector may refuse to issue/ renew the authorisation letter by reducing the reasons in writing after giving the opportunity of hearing to the owner of testing centres.(4)Against the order of refusal of issue/renewal of authorisation letter passed by the Collector, the owner of the testing centre may file appeal before the Transport Commissioner. Order of Transport Commissioner passed in such appeal shall be final.(5)The owner of the authorised testing centre may surrender the authorisation letter at any time to the Collector and the authorisation letter shall be treated as cancelled from the date of such surrender.

6. Suspension/Cancellation of authorisation Letter.

(1)The Collector, if satisfied that any pollution centre authorised under this scheme does not comply with the provisions of Act or Rules made thereunder and the conditions of authorisation letter then after making such inquiry as he deems fit, and after giving opportunity of hearing to the authorisation letter holder, may by order cancel/suspend the Authorisation letter.(2)The Regional Transport Officer/Additional Transport Officer/ District Transport Officer if satisfied, that the Pollution Testing Centre authorised under this scheme does not comply the provisions of the Act, rule made thereunder and conditions of the authorisation letter then he may by order after making such enquiry as he deems fit and after giving opportunity of hearing to the holder of authorisation letter, suspend the authorisation letter.(3)Against the suspension order passed by the Regional Transport Officer/Additional Regional Transport Officer/District Transport Officer, the appeal shall be made to the Collector and against the order of Cancellation or suspension passed by the Collector the appeal shall be made to the Transport Commissioner and the order passed by the Appellate Authority in appeal shall be final.

7. Testing Certificate.

(1)The owner of authorised pollution testing centre for the purpose of sub-rule (7) of Rule 115, shall issue certificate in Form 3 to the owner of the vehicle which shall be valid for six months.(2)The owner of authorised pollution testing centre shall charge fee from the owner of vehicle for issuing Certificate on the following rates :

	Rs.
(a) For Two Wheeler Vehicle	20.00
(b) For Three Wheeler Motor Vehicle	30.00

- (c) For Four Wheeler Light Motor Vehicle 40.00
- (d) Medium Motor Vehicle 50.00
- (e) Heavy Motor Vehicle 100.00

8. Inspection of Pollution Testing Centre.

(1) Any Gazetted Officer of the Transport Department, Collector of the district or any officer authorised by him may inspect pollution testing centre within their jurisdiction and he shall send inspection report or each such inspection to Senior Officer/ Collector. (2) The Inspecting Officer during inspection shall inspect that whether the Act, Rules made thereunder and conditions of the authorisation letter are being complied by the Pollution Testing Centre or not.

9. Maintenance of Register.

(1) Every Regional Transport Officer/ Additional Regional Transport Officer/ District Transport Officer shall maintain the details of authorised pollution testing centres under their Jurisdiction in the register in Form 4. (2) The Regional Transport Officer/ Additional Regional Transport Officer/ District Transport Officer shall send return in Form 5 for every quarter to Transport Commissioner, Madhya Pradesh. (3) At the end of the financial year Collector/ Transport Officer shall send the report in that form which shall be prescribed by the State Government to the Transport Department, Madhya Pradesh and Transport Commissioner, Madhya Pradesh.

10. Pollution Testing Certificate.

(1) The Pollution Testing Centre shall issue to those owners "The Pollution under Control Certificate" (Sticker type) in Form 6 to those owners whose the certificate in Form 3 has been issued which shall be in dark green efflorescent background 10 + 6 Centi Meter and which shall be provided for affixing on the vehicle. (2) The certification of Form 6 shall be maintained in duplicate in a book form one copy in yellow paper and second copy shall be in white paper. First copy in yellow colour shall be given to the owner of the vehicle. Book in Form 6 shall be maintained serially. (3) Authorised pollution testing centre shall punch the date and month on certificate issued in Form 6.

11. Compliance of the Directions.

- The State Government and the Transport Commissioner in view of the smooth operation of this scheme, may issue necessary directions from time to time to the Collector, Transport Officers and the authorised pollution testing centre. The compliance of such directions, shall be binding.

12. Repeal.

- The Motoryan Ke Pradushan Ki Janch Ke Liye Pradushan Janch Ko Adhikrit Karne Ki Yojana, 1993 is hereby repealed. Form 1 [See Rule 4 (1)] Form of application for pollution testing centre

1. Name of Applicant (including Name of Father/Husband)

2. Full Postal Address (enclose the drawing map of motor workshop Motor Sewa Kendra & Certificate of Ownership).

3. Certificate of Qualification.

4. Details of make available with the Applicant and Complete specification of Gas Analyser (with Printer) & Smoke Meter (with Printer). (Enclose copy of purchase documents).

1.

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2.

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3.

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4.

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5. Categories of Vehicle for which Application is made to obtain authorisation letter in respect of pollution Testing.

1.

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2.

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3.

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4.

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6. Staff working under the Applicant,-

(a)Manager(b)Foreman/Engineer(c)Mechanic(d)Helper(e)Other Administrative Staff (alongwith their qualification).

7. Whether the following facilities are available in the workshop/Motor Service Centre Vehicles,-

(a)Arrangement of Water, or(b)Arrangement of Electricity, or(c)Arrangement of Toilets etc.

8. Whether proper place is available for parking 10 to 15 vehicles (shown in the drawing map) (not necessary in case of Vehicle),

9. Whether the operating staff of Gas Analyser & Smoke Meter is Trained.

10. Name of the person alongwith his specimen signature attesting the vehicle testing report.

Place : Signature of Applicant

Date : Name of the Applicant

Form 2[See Rule 4 (5)]Authority letter for Pollution Testing CentreFor issuing the pollution testing certificate about the following category of Vehicles within the jurisdiction of the Office of..... the Regional/Addl. Regional Transport Officer/District Transport Officer M/s.....is authorised from to under the following condition.Category of Vehicles :

1.

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2.

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3.

.....

Transport Commissioner, Madhya Pradesh, Gwalior. District Collector

Certificate has been renewed from.....to.....

Certificate has been renewed from.....to.....

Transport Commissioner, Madhya Pradesh Gwalior District Collector

Form 3[See Rule 7 (1)]Pollution Under Control Certificate(Authorised by Transport Department, Government, of M.P.)Serial No.Pollution Testing Centre Code

Number.....District.....Certify that the Vehicles CO initial level conforms to the Standards prescribed under Rule 115 (2) of C.M.V Rules, 1989.....

Class of Vehicle	Prescribed	Measured level	Name of the Testing Centre Code No. of the Centre District.....Testing Fee Rs Date of Testing
Idling CO Emission Limit for Petrol Driven Vehicles	2/3 Wheeled Vehicles 4.5% by Volume		
Four Wheeled Vehicles	3% by Volume		
Prescribed Limit of Smoke density for all Diesel Driven vehicles	Volume of Smoke 6.5 Heritage Unit		Signature of Authorised Signatory Name of Signatory & Seal
CO	14 gm/Kwh		
HC	3.5 gm/Kwh		
NO	18 gm/Kwh		

The certificate shall be valid on enclosing of report obtained from the printer. The certificate shall be valid for six months from the date of issue. Advised recheck after 90 days. Note. - In case of any complaint, please inform to concerning District Collector/Transport Department. Form 4[See Rule 9 (1)]Register showing details of Authorised agency in respect of pollution testing in the office of the Transport Commissioner District Collector Office Transport Office

S. No.	Name & Address of Authorised Agency	Name & Address of Owner of Authorised Agency	No. of Authority letter issued
(1)	(2)	(3)	(4)

Date of issue of authority letter	Validity Period of Authority letter	Details of suspension, cancellation, renewal of authority letter.
(5)	(6)	(7)

Form 5[See Rule 9 (2)]The Collector and the Regional Transport Officer/Additional Regional Transport Officer/District Transport Officer shall send return for every quarter to Transport Commissioner, Madhya Pradesh

S. No.	Name & Address of Authorised Agency	Name & Address of Owner of Authorised Agency	No. of Authority letter issued
(1)	(2)	(3)	(4)
	Date of issue of authority letter	Validity Period of Authority letter	Details of suspension, cancellation, renewal of authority letter.
	(5)	(6)	(7)

Form 6[See Rule 10]Pollution Under ControlTransport DepartmentGovernment of Madhya Pradesh

1.

-7 15-21

8.

-14 22-31Pollution Control Code

No.....District.....Produce on demand of valid pollution under control certificate.