

পৰীক্ষিত নম্বৰ ৭৩৮/৯৭

Registered No.768/97

অসম



ৰাজপত্ৰ

# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

TRANSPORT DEPARTMENT : : DISPUR

NOTIFICATION

The 25th April, 2000

No. TMV.45/96/183.-- As per Rule 115(7) of the Central Motor Vehicles Rules, 1989 it requires that every Motor Vehicle on expiry of one year from the date of first registration should carry a pollution under control certificates issued by an agency authorised for the purpose by the State Government. With the growing numbers of vehicles, it has been difficult for the Transport Department to provide adequate testing facilities to meet the requirements of all the vehicles. It is therefore necessary that more



testing centres should be established. The Government in the Transport Department, have decided to allow testing centres to be set-up by private parties under strict guidelines and directions.

The Governor of Assam is therefore pleased to lay down guidelines/directions for setting up of testing centres by private parties as per enclosed Annexure.

#### ANNEXURE

#### GUIDELINES/DIRECTIONS FOR SETTING UP OF PRIVATE AUTO EMISSION TESTING STATIONS.

(1) Testing of motor vehicles for the purpose of issuing of pollution under Control Certificate as required under Rule 115(7) of the Central Motor Vehicles Rules, 1989 shall be done by a Testing Station authorised by the State Government for this purpose under a Licence issued by the Commissioner of Transport, Assam on the basis of application on the following terms and conditions.

#### EQUIPMENTS

(2) A testing station for testing either petrol or diesel or both petrol and diesel driven vehicles should install atleast one set of Smoke Meter and/or Gas Analyser at its premises within 45 days from the date of receipt of the offer letter for licence for opening auto-emission Testing Station. The time limit may be extended for a further period of 30 days on application with valid grounds.

(a) The Smoke Meter/Gas Analyser to be installed should be of type as specified in Rule 116(3) of the Central Motor Vehicles Rules, 1989.

(b) These should be procured by the licencees of the Testing Station at his/their own cost for which he/they may enter into necessary contracts with the producing companies or their authorised dealer/representative for repairs and maintenance of the equipments for continuous services.

#### WORKING AND QUALIFICATION AND TRAINING OF PERSONNEL

(3) The emission from Motor Vehicles in a Testing Station shall be tested only by/under superintendance of a person having a basic educational qualification of H.S.L.C. and any one of the technical qualification specified below :-

- (i) The National Trade Certificate in Mechanic (Diesel) or Mechanic (Motor Vehicles).



(ii) Motor Mechanic Certificate issued by the Industrial Training Institute ; and

(iii) Two years' experience in engine adjustment (a certificate in this regard from any reputed workshop or motor garage may be treated as adequate).

(4) The Licence of the Testing Station will be required to employ at least one technically qualified person for each machine installed having the qualifications prescribed at clause 3.

(5) The licence of the Testing Station will be required to employ other staff for collection of test fees. A minimum of one technical staff for each machine and one helping hand to the technical staff may be employed by the licence. Normally the technical knowledge of handling the Smoke Meter/Gas Analyser will be imparted by the Sale Agents of the manufacturing firms. But before allowing the staff to start testing and issuing necessary certificate at a testing station, competence of the staff will be tested by the licence Issuing Authority or competent Authority so delegated.

(6) Application for licence for installation and running of Mechanical/Electronic testing station for petrol/diesel driven vehicles shall be made to the Commissioner of Transport in Form E.I.S.A. (Annexure-I) in duplicate.

(7) The Commissioner of Transport after having satisfied himself that the applicant fulfill all the requirements set forth for establishment of a testing Station, will issue an allotment letter in Form-ETS-Allotment. On receipt of the allotment letter, the allottee will take necessary steps to establish the testing station as prescribed at clause 2 above.

On receipt of allotment letter, the allottee will submit a licence fee for the first time @Rs. 5000.00 (Rupees five thousand) only in the form of Bank Draft in favour of the Commissioner of Transport, Assam, Guwahati. Separate licence will be issued for emission test for petrol and diesel vehicles and separate licence fee will be payable for each such licence.

On expiry of validity of the licences the same can be renewed each year on prior application by the testing station along with a deposit of renewal fee of Rs. 2500.00 (Rupees two thousand five hundred) only per annum in the form of Bank Draft. Renewal application shall be submitted one month prior to the date of expiry of the licence along with the prescribed fee and other papers as instructed in the renewal form. Lates fee for renewal fee per licence in Rs. 25.00 (Rupees twenty five) only per week subject to a maximum limit of Rs. 400.00 (Rupees four hundred) only.



8. On receipt of remittance of the Licence fee, the Commissioner of Transport shall issue the licence for an initial period of 5 year in Form ETSL (Annexure-B). However the testing Station will have to seek renewal every year even during this 5 year period, by payment of the prescribed annual renewal fee and observance of prescribed terms and conditions of the licence.

WORKING AND DUTIES OF THE LICENCEES

(9) The Licencee shall operate on all working days for which the Petrol pump/Garage normally remains open for services. In case the testing station is installed on a separate non-residential vacant plot, which is not attached to any Garage or petrol pump, the testing station will remain open from 7 A.M. to 7 P.M. and with a break of 1 hour from 1 P.M. to 2 P.M. However, with prior approval from the local D.T.O. the time schedule may be modified to suit customer's interest.

(10) The licencee shall displays a signboard at a conspicuous space in bold letter that enables any customer to locate the testing station from a considerable distance with time schedule of its working hours.

(11) The licencee shall also display the licence and the prescribed standard for pollutants at a prominent place in the premises of the testing stations.

(12) The licencee shall not alter the place of business specific in the licence without prior approval of the Commissioner of Transport.

SERVICE AND ISSUE OF CERTIFICATE

13. The test will mean and include minor engine/fuel pump adjustment. The licencee will be entitled to a combined fee for testing the vehicle as well as for making necessary adjustment and for issuance of Test Report and pollution under Control Certificate at the prescribed rates mentioned in clause 20(a) hereinafter.

14. After causing necessary test for smoke emission level and carbon monoxide level for vehicles, the testing station will issue Test Report in Form ETSR-F for petrol driven vehicles (Annexure-C) and Form ETSR-D for diesel driven vehicles (Annexure-D).

15. (a) In addition to issuance of Test Report, the testing station will also issue a "pollution under Control Certificate" for a period of 6(six) months in the prescribed form against the vehicles passing such test. The Certificate must be signed by the technical man appointed by the Licence and seal of the Testing Station bearing licence number of the Testing Station must be duly stamped. Name and signature of the person should be furnished to the licencing Authority for approval.



the person will be liable to appoint another suitable person in terms and conditions referred to herein.

FEES

20. (a) For the above stated service i.e. testing of vehicles and minor adjustment the Testing Stations will be allowed to realise a consolidated amount of fees per vehicles of different categories at the rates, prescribed below :-

- |  |   |           |
|--|---|-----------|
| (1) Moped                              | - | Rs. 10.00 |
| (2) All Two wheelers other than moped. | - | Rs. 15.00 |
| (3) Three wheelers (Petrol)            | - | Rs. 25.00 |
| (4) Three wheelers (Diesel)            | - | Rs. 30.00 |
| (5) Motor Car (Petrol)                 | - | Rs. 30.00 |
| (6) All Diesel driven vehicles         | - | Rs. 50.00 |

20. (b) The above rates are inclusive of all costs, charges and fees. The Testing Station will not be entitled to claim any further amount or concession either from the customers of the Government on any account whatsoever until further order.

PROVISION OF CONTROL AND SUPERVISION OF THE  
TRANSPORT DEPARTMENT.

21. The testing Station are required to work under direct control and supervision of the Transport Department of Assam, the Commissioner of Transport and in case of districts the Districts Transport Officer of the concerned districts as the case may be. They will be required to implement all directions issued and conditions prescribed to the Testing Stations from time to time for effective implementation of the pollution control measures in the State and shall carry out or implement and abide by such other terms and conditions as may be imposed from time to time.

22. The Testing Station may be inspected by the Commissioner of Transport or any officer authorised in this behalf by him and the licensee are required to produce all registers, papers and equipments etc. on demand and allow examination of the activities of the personnels employed and efficiency of the equipments.

The Commissioner of Transport will be assisted by the Inspectors of Motor Vehicles.



(8)

267 THE ASSAM GOVT. EXTRAORDINARY, MAY 4, 2000

15. (b) The licence shall prepare the certificate in duplicate and issue one copy of the "P.U.C. Certificate" to the Driver or the person in control of the vehicles after obtaining acknowledgement and duplicate copy shall be retained by the Testing Station as Office copy.

16. (a) Only an officer not below the rank of Sub-Inspector of Police or Inspector of Motor Vehicles who has reason to believe that a motor vehicle is not complying with the provisions of Sub-Rule (2) or Sub-Rule (7) of Rule 115 powers vested in him under provision of Sub Rule (1) of Rule 116, may in writing direct the Driver or any person Incharge of the vehicle to submit the vehicle for conducting the test to measure the standards of emission in any one of the authorised Testing Stations and produce the Certificate at the address mentioned in the written direction in form ETSN (Annexure-E) within 7 (seven) days from the date of conducting the check.

16. (b) where a vehicle is detected by the competent authority as emitting excessive Smoke etc. and where the registered owner is directed to produce the concerned vehicle for retest within 15 days from the date of the Testing Station's issuing the "Pollution under Control Certificate" the Testing Station will be required to arrange for re-test of the vehicle and issuance of fresh certificate free of charge on production of the earlier PUC certificate issued.

17. No Testing Station cost more than 50 vehicles a day against a single set of equipment installed exceeding the number of vehicle re-tested free of cost under clause 16.

RETURNS

18. The Testing Station will be required to submit a monthly statement of vehicles tested data-wise in the following proforma :

Date	Regn. of Vehicle	Fuel Petrol/Diesel	Type of Vehicle	Smoke density Level after test adjustment	Remarks.
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19. The Testing Station are liable to submit a return showing the names of the Personnel employed describing in details, qualification and other particulars within 30 days from such appointment to the Commissioner of Transport, Assam who may approve or disapprove such appointment in writing within 30 days of such intimation. In the even of non-communication by the Commissioner as such it may be presume that approval has been given in the event the Commissioner disapprove then,



23. The Testing Station will maintain a register of testing vehicles having columns as per proforma below

Registration number of vehicles ; Class of vehicle ; Date and time reported ; Tested by ; Testing Report ; Number of Certificate issued ; Fees realised ; Other particulars

THE POLLUTION UNDER CONTROL CERTIFICATE

24. (a) The 'Pollution under Control' form referred to herein will be made available to the licensee from the office of the Commissioner of Transport and District Transport Officer of different Districts on payment of nominal charge as may be prescribed from time to time.

The licensees of the Testing Stations with prior permission of the Commissioner of Transport may print the other forms (except the PUC certificate) as per prescribed proforma.

24. (b) The Transport Department Govt. of Assam may revise the forms specified under any para of this order.

SUSPENSION OR CANCELLATION OF LICENCE

25. The licence issued to the Testing Stations may be suspended and or cancelled or revoked at any time, if the authority finds the Testing Stations and equipment installed therein not working as per the terms and conditions mentioned above or if the licensee is found to have adopted any unfair means in issuing PUC certificate or running the station in a manner which creates congestion of roads thereby causing hindrance to conveyance and vehicular traffic or on account of default or contravention of any of the terms of the licence.

26. In case of suspension revocation or cancellation of licence, the licensee will not be entitled to claim any compensation from the Govt. of Assam for such revocation suspension or cancellation. Before such action is taken the licence will be given an opportunity of being heard.

APPEAL

27. If any licensee is aggrieved by any such order issued by the Commissioner of Transport, Assam and/or District Transport Officers, the licensee may prefer an appeal before the Secretary, Transport Department, Govt. of Assam within 30 days from the date of receipt of such order or direction and his decision will be final and binding.



(60)

THE ASSAM GAZETTE EXTRAORDINARY, MAY 4, 2000 270

Provided that the authority may admit for reasons to be recovered recorded in writing an appeal filed after the prescribed period of 30 days.

REPEAL AND SAVINGS

28. On the commencement of the provisions of these guidelines/directions, all former guideline/direction correspondence to these guideline/directions shall stand repealed provided that any action taken under any of the said guideline/directions shall be deemed to have been done or taken under the corresponding provisions of these guidelines/directions so long as such action is not inconsistent with any of the provision of these guideline/directions.

ALOK PERTI,

Commissioner & Secy. to the Govt. of Assam,  
Transport Department.