

## NOTIFICATION

### Ports and Transport Department

Sachivalaya, Gandhinagar.

Dated the 7<sup>th</sup> October, 2019

Motor  
Vehicles  
Act, 1988.

No:- PT/2019/17/MVD/102019/1471/KH:- The following draft of rules, which is proposed to be issued under clause (b) of sub-section (3) of section 110 read with sub-section (1) of section 111 and sections 211, 211A, clauses (a) and (d) of sub-section (2) of section 215 D of the Motor Vehicles Act, 1988 (59 of 1988) is hereby published as required by sub-section(1) of the 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 will be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of this notification in the *Official Gazette*.

2. Any objection or suggestion which may be received by the Principal Secretary to the Government of Gujarat, Ports and Transport Department, Block No. 2, 2<sup>nd</sup> floor, Sardar Bhavan, Sachivalaya, Gandhinagar, from any person with respect to the said draft rules on or before the expiry of the aforesaid period, will be considered by the Government.

**DRAFT NOTIFICATION**

No. PT/2019/17/MVD/102019/1471/KH:- In exercise of the powers conferred by clause (b) of sub-section (3) of section 110 read with sub-section (1) of section 111 and sections 211, 211A, clauses (a) and (d) of sub-section (2) of section 215D of the Motor Vehicles Act, 1988 (59 of 1988), the Government of Gujarat hereby makes the following rules further to amend the Gujarat Motor Vehicles Rules, 1989, namely :-

1. (1) These rules may be called the Gujarat Motor Vehicles (2<sup>nd</sup> Amendment) Rules, 2019.

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

2. In the Gujarat Motor Vehicles Rules, 1989 (hereinafter referred to as "the said rules"), after rule 177, the following rule shall be inserted, namely:-

**"177A. Exemption of goods vehicles from the provisions of clause (a) of section 110 of the Act.-**

(1) Notwithstanding anything contained in Rule 177 subject to such conditions as may be prescribed by the Central Government, the Government of Gujarat, if satisfied, may exempt, on an application made by the owner of the motor

(3)

vehicle alongwith payment of fees as specified in clause (a) of sub-rule (4) and submission of documents as specified in clause (b) of sub-rule (4), any motor vehicle or class of motor vehicles from any of, or all the provisions specified in rule 93 of the Central Motor Vehicles Rules, 1989, either generally for such area or areas or on such route or routes and subject to the fulfilment of the following criteria, namely: -

(i) having regard to the availability and utility of such vehicle or class of vehicles, their use is expedient, or

(ii) it is necessary to do so.

(2) The State Government may, in the public interest, also impose such other conditions necessary to ensure road safety.

(3) (a) The application referred to in sub rule (1) shall be made through online portal of the Motor Vehicle Department in form EXA.

(b) After verification of the application referred to in clause (a), if the application is found appropriate, the Exemption certificate in Form EXO Shall be communicated to the applicant through online portal.



(4)

(c) After verification of the application as referred to in clause (a), if the application is found inappropriate, the same shall be rejected and the decision shall be communicated to the applicant showing the reasons for rejection through online portal.

(4) (a) The fees shall be paid through online portal for different types of vehicles alongwith application made under sub-rule (1) as under;

**TABLE-A**

Rates of fees for exemption under sub-rules (1) to (7) of rule 93 of the Central Motor Vehicles Rules, 1989.

	Type of Vehicle	Fees in rupees (per dimension)
1	Car carrier or Automobile Carrier	1,000/-
2	Rigid Chassis Vehicle/Articulated Trailer/Truck Trailer Combination/ Tractor Trailer Combination/Multi axle hydraulic trailer	10,000/-

(5)

**TABLE-B**

Rates of fees for exemption under sub-rule (8) of rule 93 of the Central Motor Vehicles Rules, 1989.

Sr. No.	Type of vehicle	Type of Goods loaded	Fees in Rupees (per dimension)
1.	Rigid Chassis vehicle	Agro product and House Keeping	Rs.1,000/-
2.	Rigid Chassis vehicle	Loose goods/ODC/Metal Plates/pipes/ channels	Rs.2,000/-
3.	Articulated Trailer/ Tractor Trailer combination / Truck Trailer combination.	Loose material and Agro product, House Keeping.	Rs.4,000/-
4.	Articulated Trailer/ Tractor Trailer combination/ Truck Trailer combination.	Indivisible Goods/ O D C/ Metal, Plates/ Pipes/ Channels	Rs.10,000/-
5.	Car Carrier or Auto Mobile Carrier.	Automobiles	Rs.1,000/-

**Explanation.-** The goods, other than the one piece and indivisible goods which passes across the body of the vehicle, shall be considered as a loose material. (*Example:-* Goods packed in bags or sack ).

b) The following documents shall be uploaded alongwith the application, namely: -

(6)

- (1) Registration Certificate,
- (2) Fitness Certificate of motor vehicles,
- (3) Valid P U C Certificate,
- (4) Current Insurance Policy,
- (5) Permit issued by the designated authority,
- (6) Receipt of Payment of tax,
- (7) Description of goods,
- (8) Work order issued for transportation,
- (9) Any other document as may be required by the authority:

Provided that no documents shall be required to be uploaded in case where the documents are available in the Government data base.

- (5) An exemption obtained on the basis of false declaration or misrepresentation of facts shall be invalid and in such a case the penal provision provided under sections 190(2) or 194(1A) or both depending upon the nature of the offence, read with section 210A shall be imposed."

3. In the said rules, in the first schedule, after form CNA, the following forms, shall be inserted, namely:-

(7)

(a)

**"FORM-EXA**

(See sub-rule (3), sub-rule (4) and sub-rule (5) of rule 177A)

**APPLICATION FOR GRANT OF EXEMPTION**

1. Name of the Owner/Applicant:
2. Address:
3. Telephone No.(i) Landline.....(ii)(M).....
4. Address of the Office (Attach proof):
5. Details of the Driver-
  - (i) Name:
  - (ii) Valid license No.:
  - (iii) Mobile No.:
6. Details of the Vehicle-
  - (i) Make:
  - (ii) Type of Vehicle/Chassis:
  - (iii) Vehicle No.:
  - (iv) Age of the vehicle:
  - (v) Chassis No.:
  - (vi) Engine No.:
7. Description of Goods to be transported:
8. Route or Routes of the transportation:
9. Point of origin and destination of trip:
10. Time of commencement of journey:
11. Period of journey:



## 12. Type of exemption required:-

Type of exemption	Related Dimension	Requirement (Please mention measurement of exemption required) in meter	Confirmation of owner (Please mention '√' only)	Related sub-rule of rule 93 of CMVR
Exemption of vehicles	Width			1, 1-C
	Length			2, 3, 3-B
	Height			4
Exemption of Load carried	Width			8
	Length			8
	Height			8

## AFFIRMATION

I .....owner/applicant of the motor vehicle particulars of which are mentioned hereinabove do solemnly affirm that the information provided is true and correct to the best of my knowledge and belief and no material facts are suppressed. I am aware that making a false declaration is an offence. I am also aware that an exemption obtained on the basis of false declaration or misrepresentation of facts shall be invalid and in such a case the penal provision provided under sections 190(2) or 194(1A) or both depending upon the nature of the offence, read with section 210A shall be imposed.

Date:

Place:

Signature of Owner/ Applicant"



(b)

**"FORM-EXO**

(See sub-rule (3) and sub-rule (5) of rule 177A)

**ORDER FOR GRANT OF EXEMPTION**

On the basis of the declaration submitted by the vehicle owner, the vehicle bearing number ..... is hereby exempted for the period of ..... for the following purposes

Type of exemption	Related Dimension	Exemption granted (Please mention measurement of exemption required) in meter	Related sub-rule of rule 93 of CMVR
Exemption of vehicles	Width		1, 1-C
	Length		2, 3, 3-B
	Height		4
Exemption of Load carried	Width		8
	Length		8
	Height		8

1. Name of the Owner/Applicant:
2. Address:
3. Telephone No.(i) Landline.....(ii)(M).....
4. Address of the Office (Attach proof):
5. Details of the Driver-
  - (i) Name:
  - (ii) Valid license No.:
  - (iii) Mobile No.:

## 6. Details of the Vehicle-

Make:	
Type of Vehicle/Chassis:	
Vehicle No.:	
Age of the vehicle:	
Chassis No.:	
Engine No.:	

7. Description of Goods to be transported:

8. Route or Routs of the transportation:

9. Point of origin and destination of trip:

10. Time of commencement of journey:

11. Period of journey:

## CONDITIONS\*

Date:

Place:

Signature

Note:- An exemption obtained on the basis of false declaration or misrepresentation of facts shall be invalid and in such a case the penal provision provided under sections 190(2) or 194(1A) or both depending upon the nature of the offence, read with section 210A shall be imposed.

\* Conditions shall be imposed in accordance with sub-rule (1) and (2) of rule 177A"

By order and in the name of the Governor of Gujarat,

  
(Prakash Majmudar)

Deputy Secretary to Government.

Copy to:-

1. The Manager, Government Central Press, Gandhinagar With a request to publish Notification in Part-IV-A of Gujarat Government Gazette Extra Ordinary of today's date and supply spare copies of the Notification to the following departments as indicated against them.

	No. of copies
(a) Ports and Transport Department, Sachivalaya, Gandhinagar.	50
(b) Commissioner of Transport, Gujarat State, Gandhinagar.	50
(c) Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar.	5

2. The Assistant Draftsman, Translation Unit, L & PA Department, Sachivalaya, Gandhinagar with a request to translate the Notification in the Gujarati within three days and arrange its publication in appropriate part of Gujarat Government Extra Ordinary Gazette and supply 200 copies to this department.
3. Commissioner of Transport, Gujarat State, Gandhinagar.
4. OSD to Hon'ble Chief Minister, SS-1, Sachivalaya, Gandhinagar.
5. The Personnel Secretary to Hon'ble Deputy Chief Minister, SS-1, Sachivalaya, Gandhinagar.
6. The Personnel Secretary to Hon'ble Minister (Transport), SS-1, Sachivalaya, Gandhinagar.
7. The Personal Secretary to Hon'ble Minister of State (Transport), SS-2, Sachivalaya, Gandhinagar.
8. Branch Select file.