



MOTOR VEHICLES ACT

-COPY OF-

NOTIFICATION

Dated 4th March, 2022

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 sub-section (4) of section 59 and clause (p) of section 64 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 expiry of a period 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 or suggestions, if any, may be sent to the Joint Secretary (Transport), Ministry of Road Transport and Highways, Transport Bhawan, Parliament Street, New Delhi - 110 001 or by email at <comments-morth@gov.in> within the period specified above;

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

1. **Short title and commencement-** (1) These rules may be called the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility Amendment) Rules, 2022.

(2) These rules shall come into force on the date of final publication in the Official Gazette.

2. In the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021, (hereinafter referred as said rules), in rule 3 subrule (1) for clause (c), the following shall be substituted, namely:

“‘Certificate of Deposit’ means the certificate issued by the Registered Vehicle Scrapping Facility (RVSF) to recognise the submission of the vehicle from the registered owner to the RVSF for further treatment.”

3. In rule 4 for subrule (2), the following shall be substituted, namely:

“The Registered Vehicle Scrapping Facility must have necessary cyber security certifications for the IT Systems before start of operation for safe access to the VAHAN database.”

4. In rule 4 subrule (3), the following words, “as well as with the local Police” shall be omitted

5. In rule 5 for sub rule (h) clause (i), the following shall be substituted, namely:

“The entity shall have necessary cyber security certifications specified under sub-rule (2) of rule 4 before start of operation”

6. In rule 6, sub rule (1) clause (ii), the following words, “plus ninety days” shall be omitted

7. In rule 7, for subrule (5), the following shall be substituted, namely:

“The registration issued under this rule and rule 6 shall not be transferable”

8. For rule 10 and the entries relating thereto, the following shall be substituted, namely: -

“Scrapping Procedure: - (1) The scrapping of vehicles shall be carried out by an RVSF in respect of all End-of-Life Vehicles, by the following procedure, namely: -

i. The registered owner shall apply digitally on Vahan as per Form-2 to the RVSF or the designated Collection Centre for deposit and further treatment of the vehicle. The RVSF and the designated Collection Centre shall also act as facilitation centres to support citizens with digital application of Form-2.

ii. Vehicles impounded by an enforcement agency shall be handed over to the RVSF, if they meet the criteria for vehicle scrapping as per rule (8).

iii. The RVSF shall verify the records of the vehicles produced for scrapping with the database of the stolen vehicles held by National Crime Records Bureau through the Vahan portal.

iv. The Registered Vehicle Scrapping Facility shall also digitally verify through the Vahan portal -

a. that the hire-purchase, lease or hypothecation agreement in the certificate of registration of a motor vehicle required under sub-section (1) of section 51 of the Act has been duly discharged for the concerned vehicle,

b. that there are no pending dues on the vehicle, and

c. that the vehicle has not been blacklisted

If the vehicle fails any of these checks, the owner shall not be allowed to submit the digital application as per Form-2.

v. The following documents shall be uploaded along with Form-2 by the registered owner for verification by the RVSF -

- a. copy of the Permanent Account Number card of the owner;
 - b. cancelled cheque of the bank account of the owner;
 - c. letter of authorization on stamp paper for the authorized representative as per para 5 of Form-2, applicable if the vehicle is not to be submitted by the owner
 - d. identity proof of the authorized representative (if applicable) such as passport, voter card, Aadhar card, driving license or photo identity card issued by the State Government or the Central Government;
 - e. address proof of the owner such as electricity bill, water bill, land line telephone bill or piped cooking gas bill etc; and
 - f. digital photograph of the owner or authorized representative with the End-of-Life Vehicle
 - g. an undertaking, as per para 4 of Form-2 from the owner acknowledging that all information furnished in digital Form-2 application is true as per his knowledge
 - vi. Once the digital application as per Form-2 is submitted on Vahan, it shall be sent digitally to the regional transport office for no dues for vehicle scrapping as per rule 58A of CMVR.
 - vii. On receiving the no dues for vehicle scrapping from the regional transport office, the RVSF shall accept the digital application as per Form-2 and inform the owner to submit the vehicle for scrapping. If the no dues for vehicle scrapping is not provided by the regional transport office, the RVSF cannot accept the application for scrapping.
 - viii. The owner or his authorized representative shall submit the vehicle along with the original certificate of registration to the RVSF and sign a digital undertaking as per Form-2A. The RVSF shall also sign a digital undertaking as per Form-2B. In case of no action by the vehicle owner after acceptance of digital application as per Form-2 by the RVSF, the application shall expire along with the no dues for vehicle scrapping as per Rule 58A of CMVR.
 - ix. The RVSF shall digitally remit or pay by an account payee cheque, the agreed consideration for the vehicle and obtain a receipt for the same from the owner or his authorized representative for record.
 - x. The RVSF shall deface or punch the certificate of registration in the presence of the owner or his authorized representative and issue a digitally signed Certificate of Deposit in Vahan, as per Form 2C, as evidence of acceptance of vehicle for scrapping.
 - xi. The RVSF established in a State may accept and scrap the vehicles registered in any of the State or Union Territory under the jurisdiction of any Registration Authority.
 - xii. The whole process shall be seamlessly linked with VAHAN on pan India basis irrespective of the location of any vehicle registering authority.
 - xiii. The Certificate of Deposit shall be a necessary and sufficient document for the owner to avail incentives and benefits for purchase of a new vehicle as may be declared from time to time. The validity of this certificate shall be 2 years from the date of issuance.
 - xiv. The Certificate of Deposit shall be electronically tradeable. The transfer Certificate of Deposit shall be generated on the trading platform for each new owner as per Form 2D. The Certificate of Deposit once utilised shall be marked "Cancelled" in the Vahan database by the regional transport office or dealer providing the benefits to the bearer of the said certificate.
 - xv. The regional transport office/dealer registering the new vehicle purchased against the Certificate of Deposit shall verify and authenticate the Certificate of Deposit digitally.
 - xvi. The RVSF shall facilitate the process of transmission of original certificate of registration (defaced or punched) along with Certificate of Vehicle Scrapping to road transport or regional transport office, in the state of registration of the vehicle, to get the vehicle registration cancelled as per rule 52B of CMVR.
 - xvii. The RVSF shall have the cut piece of the chassis number in safe custody for a period of six months from the date of issue of Certificate of Vehicle Scrapping issued under rule 11.
 - xviii. The RVSF shall maintain digital scanned copy of all documents for a period of ten years for record and examination during inspection.
 - xix. The RVSF shall ensure that removal or re-cycling or disposal of hazardous parts of the scrapped vehicle is done as per CPCB guidelines for Environmentally Sound Management of End-of-Life Vehicles and AIS-129.
 - xx. Vehicles shall not be scrapped until the fuel, oil, antifreeze, and other gases, fluids etc. are drained and collected in certified standard containers.
 - xxi. A digital register of vehicles scrapped shall be maintained in Form-3."
9. In rule 11 subrule 1, the following shall be substituted, namely: -

“The RVSF, after completing the necessary treatment, shall issue a digital Certificate of Vehicle Scrapping including a digital photograph of the cut out of the chassis, in Form-4 to update the VAHAN Database and inform the competent authority of the State Government or Union territory Government for updating of records as per rule 52B of CMVR.”

10. In rule 13 subrule 12, the following shall be substituted, namely:

“Collection centre may be established by an RVSF at any other place as well, other than the Scrapping Yard. If collection centre undertakes activities such as depollution and dismantling, then the requirements applicable for RVSF shall also be applicable to such collection centre”

11. Form-1 shall be substituted with the following, namely:

“FORM- 1

[Refer rule 6(1)]

APPLICATION FOR REGISTERED VEHICLE SCRAPPING FACILITY (RVSF)

“FORM- 1

[Refer rule 6(1)]

1. FOR OFFICE USE

Application for	Please tick as applicable
Registration for a new RVSF	
Renewal of Registration for existing RVSF	
Modification in existing registration	
APPLICATION NO	
APPLICATION DATE	
DATE	
FEE	
SECURITY DEPOSIT	

2. GENERAL INFORMATION

i	Name								
ii	Short name (max 35 chars)								
iii	Address								
iv	Tel								
v	FAX								
vi	Email								
vii	CIN								
viii	PAN								
ix	GST								
x	Status	Company	Firm	Trust	Society	Proprietor	Govt	JV	PPP
xi	Attach	MoA				AoA			
xii	Existing Activities of the Company (National Industrial Classification Code)								

3. PLANT DETAILS

a	Location (Provide Map)			
b	Area (sq m)			
c	Possession Details	Owned	Lease/Period	Years
d	State			
e	District			
f	Category of industrial zone			

4. Proposed Activities of the Company	L Vehicles	Yes	No	Capacity		Nos
	M Vehicles	Yes	No	Capacity		Nos
	N Vehicles	Yes	No	Capacity		Nos

	Other	Yes	No	Capacity		Nos
5. Proposed Capital Structure (INR Lakh)	Authorized					
	Subscribed					
	Paid-Up					
6. Proposed No of Employees						

7. Availability of Space

a	Plant Design and Layout, showing following spaces and areas (sqm):-	
b	Earmarked area for the safe and environmentally compliant parking of waste vehicles (sqm)	
c	Designated areas for storing the segregated scrap (sqm)	
d	Space for processed scrap and usable parts (sqm)	
e	Designated space for temporary storage of automotive hazardous waste (sqm)	
f	Provision of space for parking of safe transportation of spares, scrap and waste products (sqm)	

8. Availability of Equipment

a	Certified de-polluting equipment	Yes	No
b	Certified de-risking equipment	Yes	No
c	Safety and occupational health equipment	Yes	No

9. Environmental Clearance

a	Consent to Establish	
b	Consent to Operate	

10. Undertaking

	The Applicant hereby undertakes to	
a	Comply with CPCB Guidelines for the Safe Disposal of scrapped vehicles	Yes No
b	Obtain the Quality Certifications within 12 Months of Issue of Registration	
	i ISO 9001	Yes No
	ii ISO 14001	Yes No
	iii ISO 45001	Yes No
c	Comply with the Hazardous Waste Management Rules (2016)	Yes No
d	Security certifications for the IT Systems for safe access to VAHAN database	Yes No

Digital Signature/ Company Seal in case on offline form

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Date

”

12.

For Form-1A, entry 12 shall be substituted with the following, namely:

“

12.	CONDITIONS		
a	Registration is Non-Transferable		
b	Undertaking are to be liquidated by	Date	
c	Submit Compliance Self-Certification by	Date	
d	Facility Inspection Due	Date	
e	First Test Audit Due	Date	
f	Security certifications for the IT Systems for safe access to VAHAN database	Date	

”

13. Form-2 shall be substituted with the following, namely:

“FORM – 2

[Refer rule 10(1)]

APPLICATION FOR VEHICLE SCRAPPING

1. OWNER DETAILS			
A	NAME		
	ADDRESS		
	MOBILE NO		
	E MAIL		
	PAN		
	BANK ACCOUNT		
i	NAME OF BANK		
	BRANCH		
	ACCOUNT NUMBER		
	IFSC		
	CONSIDERATION RECEIVED (Rs)		
	RECEIPT NO AND DATE		
2. VEHICLE DETAILS			
REGISTRATION NO			
MAKE			
MODEL			
VEHICLE CATEGORY			
CHASSIS NO			
ENGINE NO			
MONTH/YEAR OF MANUFACTURE			
3. DOCUMENTS			
A	Original Certificate of Registration.		
B	Pan card of registered owner.		
C	Authorization from the registered owner on stamp paper		
D	Cancelled cheque of the bank account of the owner		
E	Identity Proof of the authorized representative, if applicable		

F	Address proof of the owner	
G	Digital photograph of authorized representative or owner	
4. UNDERTAKING BY APPLICANT AT TIME OF FORM-2 SUBMISSION		
I/We Resident of hereby declare that all the particulars furnished by me / us in this form are true and correct; the subject vehicle is not engaged in any kind of criminal activity/litigation and realize that I/WE are fully liable for any false declaration furnished above.		
5 LETTER OF AUTHORIZATION		
<p>1. I.....son/daughter of.....resident of.....owner of vehicle registration number.....do hereby authorize..... son/ daughter of..... resident of.....as my legal authority to deposit the above stated vehicle for the purpose of scrapping at the <RVSF Name></p> <p>2. That the above stated vehicle deposited by the above stated authorized person shall be deemed as if deposited by me only for all legal purposes and intents</p> <p>Signature (Authorized Representative)</p> <p>Signature (Registered vehicle owner)</p> <p>Signature attested</p> <p>Date:</p> <p>Place:</p>		

15. The following Form-2A, Form-2B, Form-2C and Form-2D shall be added after Form-2, namely:

“FORM – 2A

UNDERTAKING BY APPLICANT AT THE TIME OF VEHICLE SUBMISSION

[Refer rule 10(1)]

I/ We,..... Resident of hereby declare that all the particulars furnished by me / us in Form 2 application are true and correct; the subject vehicle with registration number..... is not engaged in any kind of criminal activity/litigation and realize that I/We are fully liable for any false declaration furnished in Form-2. I/We hereby declare that there are no pending dues on the said vehicle; the hire-purchase, lease, or hypothecation agreement in the certificate of registration of the said vehicle has been duly discharged and that I/We shall be fully liable for any such dues and charge pending before this <date and timestamp> and I/We fully indemnify the Registered Vehicle Scrapping Facility <RVSF name>..... from all such charges.

FORM – 2B

UNDERTAKING BY RVSF AT THE TIME OF VEHICLE SUBMISSION

[Refer rule 10(1)]

I/We,.....on behalf of <RVSF Name> hereby declare that I/We are fully liable for any kind of criminal activity/litigation charges and financial dues such as challans, motor vehicle tax etc. accrued on the subject vehicle with registration number..... after this <date and timestamp> and I/We fully indemnify the registered vehicle owner <name>..... from all such charges.

FORM – 2C

CERTIFICATE OF DEPOSIT [Refer rule 10(1)]

FORM – 2D
TRANSFER CERTIFICATE OF DEPOSIT [Refer rule 10(1)]

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15. Form-3, entry 3A (v) shall be substituted with the following, namely:
“GRAND TOTAL (i+ii+iii+iv =X)”
16. Form-3, entry 3B (ix) shall be substituted with the following, namely:
“SUB-TOTAL (a)”
17. Form-3, entry 3C (vi) shall be substituted with the following, namely:
“SUB-TOTAL (b)”
18. Form-3, entry 3D (iii) shall be substituted with the following, namely:
“SUB-TOTAL (c)”
19. Form-3, entry 3E shall be substituted with the following, namely:
“GRAND TOTAL (a+b+c =Y)”
20. Form-3, entry 3F shall be substituted with the following, namely:
“MASS BALANCE (X-Y)”
21. In Form-4, entry 4 (d) shall be substituted with the following, namely:
“Year of Manufacture (YY)”
22. In Form-4, entry 6 shall be substituted with the following, namely:
“It is requested that the records in respect of above-mentioned vehicle may be updated.”

Sd/-
(Amit Varadan)
Jt. Secy.

G.S.R.172(E)
F. No. RT-23013/01/2018-T
Issued by:
Ministry of Road Transport and Highways
New Delhi

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