

TPT-18011/61/2022-SECTION(TPT)-Dept. of TPT-Part(1)



**Government of West Bengal
Transport Department
Paribahan Bhaban
12, R.N.Mukherjee Road, Kolkata-700001.**

No. 1250-WT/TPT-18011/61/2022 (Pt.-1)

Kolkata, the 29th March, 2023

ORDER

Consequent upon publication of notification to further amend the Central Motor Vehicles Rules, 1989, by the Government of India in the Ministry of Road Transport and Highways, vide their G.S.R. 901(E) dated the 22nd December, 2022 in the Gazette of India and adoption of the said notification by the Government of west Bengal;

Now, after careful examination of the said notification, with an objective to implement it smoothly, the Governor is pleased to order that -

Authorized dealers of registered vehicles may be allowed to keep vehicle(s) in possession at the closed premise, either owned by him/her/them or taken on a long term lease, on the strength of Form 29/ 29C duly signed by the Registered Owner accompanied by the system generated/ manual acknowledgement issued by Transport Departmental officers.

Such authorized dealers of registered vehicles shall maintain a stock register at their recorded office in the following format both electronically and physically :

Sl. No.	Vehicle Registration No.	Make	Model	Engine No.	Chassis No.	Date of taking possession	Date of sale	Remarks

The holder of such licence shall not use any such vehicle in a public place for any purpose other than the following:—

- For test, repair or movement for onward and/ or return journey to/ from any place for its registration; or
- For a reasonable trial or demonstration by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it; or
- for proceeding to or returning from the premises of the authorized dealer of registered vehicles to the purchaser for the purpose of delivery; or
- for proceeding to and/or returning from a workshop with the objective of painting or for repairs; or

- e) for proceeding to and/ or returning from airport, railway station and the like for/ or after being transported by air/ rail.

The authorized dealers of registered vehicles so licensed has to keep separate movement log book for each vehicle and record every movement of the vehicle in such log book and should be carried in the vehicle when used in public place.

On the first working day of every week, the authorized dealer of such registered vehicles shall produce Form 29, 29C, 29D (as applicable) duly signed and stamped, before the registering authority, having jurisdiction, along with the document of photo identification of the transferor and the transferee in person has to confirm the signature of the Registered Owner either physically or electronically.

In this context this is to make clear that generation of acknowledgement slip on deposition of Form 29/ 29C/ 29D will not be proof of transfer of ownership until the transaction is verified and necessary fees are deposited.

Office of the concerned Registering Authority will enter the same in the VAHAN portal, mentioning details of the authorized dealer of registered vehicles and the concerned Registering Authority will also maintain a manual register for this purpose.

Date of sale shall be counted from the day on which the transferor confirms the sale or the date on which the vehicle was handed over to the authorized dealer of registered vehicles (whichever is earlier).

If at any point of time, the registered owner desires to repossess the vehicle so handed over to the authorized dealer of registered vehicles, (s)he will have to submit a joint application before the registering authority for cancellation of the process initiated against his/ her vehicle and the Registering Authority will take necessary action after conducting necessary enquiry.

Liability for the period in which the vehicle remained within the custody of the authorized dealer of registered vehicles, shall lie with the authorized dealer of such registered vehicles.

No application for the purpose of repossession of vehicle shall be allowed to be submitted either electronically or manually if the vehicular documents are found to be invalid/ expired.

The authorized dealer of registered vehicles, after finalizing deal with the prospective buyer of the old/ used vehicle shall submit transfer documents before the Registering Authority having jurisdiction for disposing off the application as per existing procedure/ practice.

Tax liability of any vehicle so procured by the authorized dealer of registered vehicles will be the responsibility of the authorized dealer of such registered vehicles, as long as such vehicles remain in their custody.

The authorized dealer of registered vehicles will be allowed to keep the vehicle in his/ their possession at his recorded address and he will be treated as the deemed transferee until the vehicle is re-sold by him. The authorized dealer of

registered vehicles will be liable to update the vehicular documents including tax etc. from time to time till the vehicle is transferred in the name of the prospective buyer.

Till any dedicated online/ electronic portal/ platform is developed by the Central/ State Government, all records of such used/ registered vehicles shall be maintained in manual (hard) form both by the authorized dealer of registered vehicles and the registering authority before whom the Form 29/ 29C/ 29D has to be submitted.

Other provisions as stipulated in the Notification No. G.S.R. 901 (E), dated the 22nd December, 2022 shall be strictly followed by all stakeholders.

This will take immediate effect.

By order of the Governor

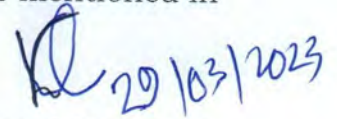


(Dr. Saumitra Mohan)
Secretary

No. 1250/1(7)-WT/TPT-18011/61/2022 (Pt.-1) Kolkata, the 29th March, 2023

Copy forwarded for information and taking necessary actions to:

1. Additional Director General (Traffic & Road Safety), West Bengal Police;
2. Director, Transport Directorate, West Bengal;
3. Additional Director, CNS/ Kolkata Zone, Transport Directorate, West Bengal;
4. District Magistrate (All);
5. Regional Transport Officer(All);
6. Additional Regional Transport Officer (All);
7. Shri A. Bhowmick, Technical Director, NIC, WBSC. He is requested to modify the software to accommodate the provisions as mentioned in the notification.

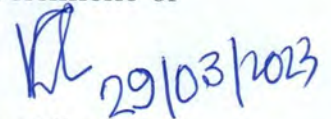


Additional Secretary

No. 1250/2(2)-WT/TPT-18011/61/2022 (Pt.-1) Kolkata, the 29th March, 2023

Copy forwarded for information and taking necessary actions to:

1. Private Secretary to the Hon'ble Minister-In-Charge, Transport Department, Government of West Bengal;
2. P.S. to Additional Chief Secretary, Finance Department, Government of West Bengal.



Additional Secretary