



புதுவை மாநில அரசிதழ்

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GOVERNMENT OF PONDICHERRY

TRANSPORT SECRETARIAT

(G.O. Ms. No. 28/2005/Sectt./Tr., dated 29th August 2005)

NOTIFICATION

In exercise of the powers conferred by sections 28, 38, 65, 96, 107, 111, 138 and 176 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Lieutenant-Governor, Pondicherry hereby makes the following amendments to the Pondicherry Motor Vehicles Rules, 1989, the draft of the same having been prepublished in the notification issued in G.O.Ms. No. 17/2005/Sectt./Tr., dated 5th July 2005 and published in Extraordinary Gazette Part-II, No. 45, dated 7th July 2005 as required under sub-section (1) of section 212 of the said Act, and no objections and suggestions having been received in response thereto, namely :—

Short title and commencement.—(1) These rules may be called Pondicherry Motor Vehicles (Amendment) Rules, 2005.

(2) They shall come into force on and from the date of their publication in the official gazette.

AMENDMENT TO RULE 34

1. In the Pondicherry Motor Vehicles Rules, 1989, herein referred to the said rules, after sub-rule (13) of rule 34, the following shall be inserted, namely :—

“(14) The certificate of fitness shall not be issued or renewed, unless a copy of the certificate under rule 34-A is enclosed along with the application for the issue or renewal of the certificate of fitness.

(15) Sub-rule (14) shall come into force on such date on which the Government may, by notification in the official gazette, appoint competent authorities and authorise testing stations for the issue of such certificate.

2. In the said rules, after rule 34, the following shall be added, namely :—

34-A. Test for smoke emission level and Carbon-monoxide level of motor vehicles.— (1) The test specified in sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989 shall be made by the testing station authorised by the Transport Commissioner in this behalf or by the Pondicherry Pollution Control Board from time to time in respect of all vehicles including the vehicles of State Transport Undertakings.

(2) The fee, as specified at Serial number 1 of the Table appended to rule 34-B shall be paid to the authority authorised under sub-rule (1) for each test.

(3) (a) If the testing station authorised by the Government for this purpose finds that any motor vehicle submitted for a test as required under sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, including the vehicles of State Transport Undertakings in the Union Territory of Pondicherry does not comply with the standards prescribed in rule 115 of the principal rules, a report shall be made to the driver or the person in charge of the vehicle, specifying the standard of smoke emission or the levels of other pollutants or both.

(b) If the emission of smoke and the levels of other pollutants comply with the standards prescribed in the said rule 115, a certificate shall be issued by the Pondicherry Pollution Control Board or testing station authorised under sub-rule (1) to that effect and such certificate shall be valid for a period of six months from the date of issue, subject to the condition that if, during the period of validity of certificate, the vehicle exceeds the standard of smoke emission or the level of emission of other pollutants or both, the certificate issued under this clause shall cease to be valid.

34-B. Authorised Testing Station and Pollution Under Control Certificate.—(1) No person in charge of a testing station shall engage in testing motor vehicles for smoke emission level and carbon monoxide level for the purpose of issuing a Pollution Under Control Certificate as specified in sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, or otherwise publicly undertake to issue such a certificate unless such testing station is duly authorised by the Transport Commissioner under sub-rule (1) of rule 34-A.

(2) Any person desiring to seek authorisation to his testing station under sub-rule (1) of rule 34-A shall make an application in Form AGA (Application for the grant of an authorisation) to the Transport Commissioner along with the fee specified at Serial number 2 of the Table under 34-B.

(3) On receipt of the application under sub-rule (2), the Transport Commissioner shall refer it to the Committee represented by the officials of the Transport Department and the Pondicherry Pollution Control Board. The Committee shall check up as to the compliance of the requirements in sub-rule (7) and make a report in Form-IR (Inspection Report) to the Transport Commissioner.

(4) The Transport Commissioner may, after obtaining the report from the Committee under sub-rule (3), grant an authorisation in Form AETS (Authorisation to establish testing station) either for petrol driven vehicles or for diesel driven vehicles or for both as the case may be, to the applicant

for conducting the test for smoke emission level and carbon monoxide level in his testing station and for issuing the PUC certificate (Pollution Under Control) in respect of all the vehicles in the Union Territory of Pondicherry, subject to compliance of such conditions, as may be specified in the authorisation or refuse to grant the authorisation. Where an authorisation is refused, the Transport Commissioner shall in his written order, furnish to the applicant, the reasons for such refusal. The authorisation granted shall be valid for a period of one year and may be renewed from time to time for the like period.

(5) An application for the renewal of the authorisation shall be made in Form-ARA (Application for the renewal of an authorisation) with the fee specified in the Table under rule 34-B not less than fifteen days before the date of its expiry:

Provided that the Transport Commissioner, may entertain a belated application for the renewal of the authorisation beyond the prescribed period if he is satisfied that the applicant was prevented by good and sufficient cause from making an application for renewal within the time specified.

(6) (a) Any person aggrieved by an order of the Transport Commissioner under sub-rule (4) may file an appeal with the fee as specified at Serial number 5 of the Table under 34-B, to the Secretary to Government (Transport) within thirty days from the date of receipt of the order.

(b) The Secretary to Government shall give notice of the appeal to the Transport Commissioner and after giving an opportunity to the Transport Commissioner and the applicant to be heard on the appeal, pass such orders, as he deems fit.

(7) A testing station to be authorised to conduct the test either for petrol or diesel driven vehicles shall have the following facilities, namely:—

(a) must have adequate minimum open space or shed measuring a minimum area of 3 metres x 8 metres exclusively for carrying out the test. The premises of the emission test shall be either owned or hired by the applicant in his name ;

(b) must possess at least one gas analyser and one smoke meter for testing either petrol or diesel driven vehicles, or both, based on the authorisation granted, the equipment for the type of vehicles as specified in rule 116(3) of the Central Motor Vehicles Rules, 1989, shall be possessed. The equipment should have the approval of the testing authorities mentioned in rule 126 of the Central Motor Vehicles Rules, 1989.

(c) must have been equipped with minimum tools for tuning the engine; and

(d) must have persons possessing a Motor Mechanic Certificate issued by Industrial Training Institute (recognised by Government), or a diploma or a degree in Mechanical/Automobile Engineering.

(8) The Transport Commissioner shall, for the purpose of granting or renewing the authorisation under sub-rule (4) maintain a register containing the following particulars, namely :—

(i) that the applicant is engaged in the business of maintenance or servicing of vehicles;

(ii) that the applicant and or his staff is holding the qualification as prescribed in sub-rule 7(d);

(iii) that the applicant has the infrastructure in his testing stations required in sub-rule (7) for carrying out the jobs connected with emission control repairs;

(iv) that the premises where the testing station has been set up is either owned or hired by the applicant in his name and has a minimum open space or shed of 3 metres x 8 metres exclusively for carrying out jobs connected with testing of vehicles in addition to the infrastructure for keeping the equipments and office building; and

(v) that in the case of an application for renewal, the past performance and conduct of the testing station is satisfactory.

(9) (a) ~~The authorised testing station shall be subject to periodical inspection by the Officers of the Transport Department not below the rank of Motor Vehicles Inspector and authorised officers of the Pondicherry Pollution Control Board on the maintenance, calibration and efficiency of the equipments used by such stations.~~

(b) During the inspection, if any authorised testing station is found to have issued PUC certificate to any motor vehicle either without actually testing the vehicle or issued a false certificate, any office of the Transport Department/Pondicherry Pollution Control Board specified in item (a) shall recommend, in writing to the Transport Commissioner for suspension or cancellation of the authorisation.

(10) Every authorised testing station shall,—

(a) maintain a record of the vehicles tested for pollution levels indicating the following particulars, namely :—

- (i) the registration number of the vehicles;
- (ii) the make, model and year of first registration of the vehicle;
- (iii) Carbon monoxide or smoke levels (as the case may be) before minor adjustments and tuning; and
- (iv) Carbon monoxide or smoke levels (as the case may be) after minor adjustments and tuning ; and
- (v) whether the vehicle requires major repairs, if so, the repairs which have been recommended to the owner of the vehicle;

(b) submit to the Transport Commissioner such other information and returns as may be called for by him;

(c) issue to every driver or owner of the motor vehicle which needs the test of emission standard laid down under rule 115(2) of the Central Motor Vehicles Rules, 1989 in addition to the Pollution Under Control certificate as required under sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, a sticker in Form-P.U.C.S, as prescribed by the Transport Commissioner from time to time which shall be affixed prominently on the wind screen or body of the vehicle to show that the vehicle has been issued a Pollution Under Control certificate;

(d) not alter the venue of the testing station as mentioned in the authorisation, without prior approval of the Transport Commissioner;

(e) keep the premises of the authorised testing station open at all reasonable times for inspection by any officer specified in sub-rule (9)(a).

(11) ~~The Transport Commissioner shall, by notification from time to time with the prior approval of the Government fix the service charges to be collected by every authorised testing station~~ from the drivers or owners as the case may be, of the vehicles including the vehicles of the State Transport Undertakings in the Union Territory of Pondicherry sent for test. The service charges shall be exclusive of any minor adjustments or tuning that may be required for the vehicles.

(12) No person in charge of the authorised testing station shall do anything in respect of a vehicle including the vehicles of the State Transport Undertakings in the Union Territory of Pondicherry sent for test, which shall amount to—

(a) giving the certificate without testing the Pollution levels or after a perfunctory test; or

(b) keeping the measuring instruments needed for measurement of pollutants in an improperly calibrated state; or

(c) misguiding the driver or owner of the vehicle regarding the repairs that are necessary to be carried out to enable the vehicle to meet emission standards.

(13) (a) The Transport Commissioner, may, by an order in writing, suspend or cancel an authorisation granted by him under sub-rule (4) if an authorised testing station contravenes any of the provisions of this rule or any of the conditions specified in the authorisation:

Provided that ~~no such order shall be made unless—~~

(i) ~~the holder of the authorisation~~ has been given an opportunity of showing cause as to why an order of suspension or cancellation, as the case may be, should not be passed in respect of his testing station;

(ii) ~~the reasons for suspension or cancellation of an authorisation are specified in the order.~~

(14) (a) ~~Any person aggrieved by an order passed by the Transport Commissioner under sub-rule (13) may, within thirty days from the date of receipt of such order appeal to the Secretary to Government (Transport) with the fees as specified at Serial number 5 of the Table under 34-B.~~

(b) The Secretary to Government (Transport) shall give notice of the appeal to the Transport Commissioner and after giving an opportunity to the Transport Commissioner and the applicant to be heard in the appeal, pass such orders as he deems fit.

THE TABLE

Sl. No.	Purpose	Amount	Rule
(1)	(2)	(3)	(4)
		Rs.	
1.	For issue of Pollution Under Control certificate with photo of Registration plate of the Motor Vehicle to measure the standard of smoke or the levels of other pollutants or both.		
	(i) for Motor Cycle or Light Motor Vehicles (three-wheeler).	30 50	34-A(2)
	(ii) for Light Motor Vehicles (four-wheeler).	50 100	34-A(2)
	(iii) for medium goods vehicle, medium passenger motor vehicle, heavy goods vehicle or heavy passenger motor vehicle.	100 200	34-A(2)
2.	For the grant of authorisation	1000	34-B(2)
3.	For renewal of authorisation	500	34-B(5)
4.	For the late submission of application for renewal for a calendar month.	100	34-B(5)
5.	For appeal against the orders of the Transport Commissioner.	100	34-B(6)(a) & (14)(a)

Service charge for fresh / Renewal - Rs 200/-

FORM-AGA

Application for the Grant of an Authorisation

[See rule 34-B(2)]

(To be filled in by the applicant for the grant of an authorisation to establish testing station)

1. Full name (in capital letters) and address of the :
applicant.
2. ~~Size of the open space or shed in metres,~~ :
whether the place is owned by him or hired
(evidence to be produced).
3. Full details of instruments purchased/proposed :
to be purchased (evidence to be produced).
4. Whether minimum tools are available to tune :
the engine or not.
5. Name of persons who will be signing the :
Pollution Under Control certificate along with
the specimen signature. Such a person so
authorised by the licensee shall also have the
qualification as prescribed in sub-rule 7 (d)
of rule 34-B. Qualification certificate in original
to be produced.
6. Details of the testing station.

The information given above is true to the best of my knowledge.
I understand that if any of the information given above is found to be incorrect
at any point of time, my authorisation for running a testing station is liable to be
revoked. I have read rules 34-A and 34-B of the Pondicherry Motor Vehicles
Rules, 1989 and understood the same.

Date :

Station :

Signature of applicant.

FORM-ARA

Application for the Renewal of an Authorisation

[See rule 34-B(5)]

1. Full name (in capital letters) and address of :
the applicant.
2. Authorisation number and validity :
3. Size of the open space or shed in metres. :
Whether the place is owned by him or hired?
(evidence to be produced).
4. Whether the instruments are in working :
condition.
5. Whether minimum tools are available to tune :
the engine or not.
6. Name of persons with qualification who will :
be signing the P.U.C. certificate along with the
specimen signature (evidence to be produced).
7. Authorised to test motor vehicles- :
Petrol / Diesel / both (use tick mark).
8. Whether, the authorisation suspended earlier. :
If so give details.
9. Name of the testing station. :

The information given above is true to the best of my knowledge. I understand that if any of the information given above is found to be incorrect at any point of time, my authorisation for running a testing station is liable to be revoked. I have read rules 34-A and 34-B of the Pondicherry Motor Vehicles Rules, 1989 and understood the same.

Date :

Station :

Signature of applicant.

FORM-IR

Inspection Report

(Issued by the Committee)

[See rule 34-B (3)]

Certified that Messrs..... testing station is having the testing facilities for smoke density/CO level in respect of Petrol/Diesel driven motor vehicles with the following approved equipments:—

1.for the measurement of CO/HC level in respect of petrol driven motor vehicles. Certified that the above instrument is in working order and approved by the competent authority.

2.for the measurement of smoke density in respect of diesel driven motor vehicles. Certified that the above instrument is in working order and approved by the competent authority.

3. Size of the testing station and additional details.

4. Whether hand tools are available.

5. Whether the applicant / staff technically qualified. If so details.

Date :

Station:

Signature

(to be signed by officials authorised
by the committee)

FORM-AETS

Authorisation to Establish Testing Station

[See rule 34-B(4)]

Authorisation No.....and date of authorisation
Authorisation is hereby granted to Thiru / Tmt.
to establish testing station in the style of name "....."
at the following address:

The testing station is authorised to test—

(i) Petrol driven motor vehicles ;

(ii) Diesel driven motor vehicles (use tick mark) and to issue Pollution Under Control Certificate (PUC certificate) in accordance with rule 115(2) of Central Motor Vehicles Rules, 1989 and 34-A(3)(b) of Pondicherry Motor Vehicles Rules, 1989.

This authorisation is valid from to

Transport Commissioner.

Conditions attached to the Authorisation :

1. The authorised testing station shall display the authorisation certificate issued by the Transport Commissioner prominently for public view.
2. The authorised testing station shall display banners, direction, indicators and provide related education material to the vehicle owners.
3. The authorised testing station shall depute the authorised pollution checking personnel to undergo training conducted by the Pondicherry Pollution Control Board.
4. The authorised testing station shall perform pollution checking of only those type of vehicles as prescribed in the authorisation.
5. The authorised testing station shall have a licence from the concerned local authorities to run the testing station/workshop garage etc.
6. The authorised testing station shall have facilities for engine diagnosis and repairs so that the vehicles which do not conform to prescribed standard can be rectified by the centre accordingly to ensure pollution under control in respect of such vehicles.
7. The authorised testing station shall have the approved exhaust gas analysers/smoke meters with printer facilities as per the rule 116(3) of the Central Motor Vehicles Rules, 1989 and the certificate issued by the Pondicherry Pollution Control Board shall be produced when demanded.

8. The authorised testing station shall have properly laid down facilities for checking pollution levels so that the vehicles have easy movement without congestion.
9. The authorised testing station shall issue the prescribed certificate duly signed by the authorised signatory only for those vehicles which conform to the standards prescribed under rule 115(2) of the Central Motor Vehicles Rules, 1989 and shall not issue such certificate to the vehicles which do not conform to the prescribed standards.
10. The authorised testing station shall not issue any other printed format in this respect other than one prescribed and approved. The printed format shall be in Book form containing 100 sheets for each book in duplicate and serially numbered for a calendar year. This book should be attested by the Transport Commissioner.
11. The authorised testing station shall remain open at all reasonable times for inspection by the authorised officers of Transport Department/Pondicherry Pollution Control Board so as to ensure proper facilities made to the customers.
12. The authorised testing station shall make the instrument always available for periodical inspection and calibration to ensure proper functioning of the exhaust gas analyser/smoke meter by the authorised officers of the Transport Department and Pondicherry Pollution Control Board.
13. The Authorised testing station shall maintain proper records of vehicles checked for pollution levels and submit monthly report to the Transport Commissioner and also to the Pondicherry Pollution Control Board.
14. The authorised testing station may charge the amount prescribed in the Table and an additional amount not exceeding Rs. 2.5 per vehicle and issue a receipt to that effect in respect of those vehicles who opt for spot adjustment of the vehicles at the testing station and issue the prescribed certificate after conducting a recheck only if such vehicles conform to the prescribed standards made under rule 115(2) of the Central Motor Vehicles Rules, 1989 as amended from time to time.
15. The authorisation is subject to cancellation if an authorised testing station:
 - (a) fails to maintain the instruments required for pollution testing in a properly calibrated and sound condition.
 - (b) does not conduct tests properly or does so in a perfunctory manner.
 - (c) does not advise the vehicle owner properly regarding the repairs that are necessary to be carried out to the vehicle.

Transport Commissioner

FORM - PUC CERTIFICATE

[Rule 34-B(4)]

Pollution Under Control Certificate

Name and address of the testing station :

Authorisation No. / validity :

Vehicles registration No. / Make / Model / :

Date of registration / Speedo meter reading

Fuel used

Date / time of test

Space for
photo of the
vehicle
along with
registration
plate.

Petrol Driven Vehicle		Diesel Driven Vehicle		
Test: Idling		Test: Free acceleration		
Pollution	Reading measured	Sl. No.	Light absorption coefficient (1/m)	Hartridge smd units
1. Carbon Monoxide (CO)	% by volume	1.		
2. Hydro carbon (HC)	PPM	2.		
		3.		
		4.		
		5.		
Average				

(Please see overleaf for permissible limits)

1. Certified that the pollution level of the abovesaid vehicle is within the limit prescribed in rule 115(2) of the Central Motor Vehicle Rules, 1989.

2. This certificate is valid from :..... to

3. This certificate is valid throughout India.

Name and signature
of the vehicle owner/
driver.

Seal of the
testing
station.

Name and
signature of the
authorised
testing person.

Sticker – PUCS to be supplied by the authorised testing station as approved by the Transport Commissioner.

(For permissible limit please see overleaf)

Permissible Limit Pollutant

Upper Limit of Carbon Monoxide (percentage of volume) in Petrol vehicles and Smoke Density (in Hartridge Units) in Diesel Vehicles are as follows:

Every motor vehicle operating on

Petrol/CNG/LPG shall comply with the idling emission standards for Carbon Monoxide (CO) and Hydro carbon (HC) given in the Table below:-

TABLE
Petrol/CNG/LPG/ driven vehicles

Sl. No. (1)	Vehicle type (2)	CO% (3)	HC(n-hexane equivalent) (4)
			ppm
1	2 and 3-wheelers (2/4-stroke) (vehicles manufactured on and before 31st March 2000)	4.5	9000
2	2 and 3 – wheelers (2- stroke) (vehicles manufactured after 31st March 2000)	3.5	6000
3	2 and 3 – wheelers (4-stroke) (vehicles manufactured after 31st March 2000)	3.5	4500
4	Bharat Stage-II compliant 4 wheelers	0.5	750
5	4-wheelers other than Bharat Stage-II Compliant	3.0	1500

Diesel: Other than Agricultural Tractors : 60-70% of maximum rated rpm declared by manufacturer Light Absorption Coefficient (K): Hartridge Units (HSU) : 65.

Diesel: Agricultural Tractors : 80% load corresponding to maximum developed in PTO performance tests- Light Absorption coefficient (K): Hartridge Units (HSU) : 75.

(By order of the Lieutenant-Governor)

V. VEERARAGAVAN,
Under Secretary to Government (Transport)

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