

11. उक्त नियम के प्ररूप 32 में,-

(I) पहले पैरा के पश्चात्, निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

“मैं/हम को इस यान के संबंध में नामनिर्देशिती के रूप में घोषित करते हैं, जो मेरा/हमारा लगता है।”;

(II) “[आवेदक के हस्ताक्षर या अंगूठा चिन्ह]” शब्दों के पश्चात्, निम्नलिखित टिप्पण अंतःस्थापित किया जाएगा, अर्थात् :-

“टिप्पण : यान के रजिस्ट्रीकृत स्वामी की मृत्यु के पश्चात्, यान का स्वामित्व नामनिर्देशिती को अंतरित हो जाएगा।”।

[फा.सं. आरटी-11036/126/2020-एमवीएल]

अमित वरदान, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (I) में अधिसूचना संख्यांक सा.का.नि. 590(अ), तारीख 2 जून, 1989 द्वारा प्रकाशित किए गए थे और उनमें अधिसूचना संख्यांक 240(अ), तारीख 31. 03. 2021 द्वारा अंतिम बार संशोधन किया गया था।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 8th April, 2021

G.S.R. 277(E).—Whereas the draft rules further to amend the Central Motor Vehicles Rules, 1989, were published, as required under sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 739 (E), dated the 26th November, 2020 in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) inviting objections and suggestions from all persons likely to be affected before the expiry of the period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And, whereas, copies of the said Official Gazette in which the said notification was published, were made available to the public on the 26th November, 2020;

And, whereas, the objections and suggestions received from the public in respect of the said draft rules have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by section 64 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely: —

1. Short Title and commencement. - (1) These rules may be called the Central Motor Vehicles (Seventh Amendment) Rules, 2021.

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

2. In the Central Motor Vehicle Rules, 1989 (hereinafter referred to as the said rules) in rule 47, in sub-rule (1), after clause (l), the following clause shall be inserted, namely: -

“(m) proof of identity of nominee, in case nominee is mentioned.”;

3. In the said rules, in rule 55, in sub-rule (2), after clause (iii), the following clause shall be inserted, namely: -

“(iv) proof of identity of nominee, if any.”.

Communicate the rules to all the officers

concerned for information and ✓
17.4.21

4. In the said rules, for rule 56, the following rule shall be substituted, namely: -

“56. Transfer of ownership on death of owner of the vehicle. - (1) Where the owner of a motor vehicle dies, the person nominated by the vehicle owner in the certificate of registration or the person succeeding to the possession of the vehicle, as the case may be, may for a period of three months from the death of the owner of the motor vehicle, use the vehicle as if it has been transferred to him:

Provided that such person has, within thirty days of the death of the owner, informed the registering authority of the occurrence of the death of the owner and of his own intention to use the vehicle.

(2) The nominee or person succeeding to the possession of the vehicle, as the case may be, shall apply in Form 31 within the period of three months from the death of the owner of the motor vehicle, to the registering authority for the transfer of ownership of the vehicle in his name, accompanied by—

- (a) the appropriate fee as specified in rule 81;
- (b) the death certificate in relation to the registered owner;
- (c) the certificate of registration;
- (d) the certificate of insurance;
- (e) driving license and permit in case of E-rickshaw and E-cart; and
- (f) proof of identity of the nominee to be mentioned in the certificate of registration.

(3) Where the nominee is a minor, the registration of the motor vehicle be made in case -

- (i) where a person has been authorised to receive it, in name of that person;
- (ii) where there is no such person, in name of any natural guardian, testamentary guardian or guardian of the property of the minor appointed by a competent court.

(4) At the time of death of the owner of a motor vehicle, if there is no nomination in force, and probate of his will or letters of administration of his estate or a succession certificate granted under the Indian Succession Act, 1925 (39 of 1925) is not, produced to the specified authority within three months of the death of the holder, then the registering authority may register the vehicle in the name of any legal heir of the owner appearing to it to be entitled to get the vehicle registered in his name.

5. In the said rules, in rule 57, in sub-rule (1), after clause (e), the following clause shall be inserted, namely: -

“(f) proof of identity of nominee, if any.”.

6. In the said rules, in FORM 20, after serial number 9, the following serials and entries relating thereto shall be inserted, namely: -

“9A. Name of the Nominee.....

9B. Relationship with the Nominee.....”.

7. In the said rules, in FORM 23A, in the sub heading “Machine Readable Zone”, in the table, in serial number 2, after the entry “ownership type”, the following entries shall be inserted, namely: -

“

Nominee Name

Relationship with the nominee”

”

8. In the said rules, in FORM 24, in the table, in column 3, after the words “present address”, the following words shall be inserted, namely: -

“Nominee name, relationship with the nominee”.

9. In the said rules, in FORM 30, in Part II, after first paragraph, the following paragraph shall be inserted, namely: -

“I/We hereby declare as the nominee for this vehicle who is my/our”.

10. In the said rules, in FORM 31,

(a) for the heading, the following heading shall be substituted, namely: -

“APPLICATION FOR TRANSFER OF OWNERSHIP IN THE NAME OF PERSON NOMINATED/
SUCCEEDING TO THE POSSESSION OF VEHICLE

[see rule 56(3)]”;

(b) for serial number 3 and entries relating thereto, the following serial number and entries relating thereto shall be substituted, namely: -

“3. Name and age of the nominee/ person succeeding to the possession of the vehicle son/wife/daughter of”;

(c) for serial number 5 and entries relating thereto, the following serial number and entries relating thereto, shall be substituted, namely: -

“5. Proof of his nomination/succession....”.

11. In the said rules, in FORM 32, -

(i) after first paragraph, the following paragraph shall be inserted, namely: -

“I/We hereby declare as the nominee for this vehicle who is my/our”;

(ii) after the words, signature or thumb-impression of the applicant, the following note shall be inserted, namely: -

“**Note :** After the death of the registered owner of the vehicle, the ownership of the vehicle shall be transferred to the nominee.”.

[F.No. RT-11036/126/2020-MVL]

AMIT VARADAN, Jt. Secy.

Note.- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide notification number G.S.R. 590(E), dated the 2nd June, 1989 and last amended vide notification number G.S.R. 240(E) dated the 31.03.2021.