

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
TRANSPORT DEPARTMENT, OPERATION BRANCH
5/9 UNDER HILL ROAD, DELHI – 110054.**

No. NWZ-I/88/Tpt/2007/Pf. (075159051)/741/21105

Date : 7th June, 2019

ORDER

In accordance with the provisions of Rule 11(2)(d) of CMVR, 1989, you were given an authorisation for the purpose of issuance of certificate of possession of adequate knowledge and understanding of the matter referred to in sub-rule (1) of Rule-11 Central Motor Vehicle Rules, 1989. The rule is as under:

Rule- 11 (2) (d)

“the holder of a certificate to the effect of the possession of adequate knowledge and understanding of the matters referred to in sub-rule (1), issued by any institution recognized and notified in this regard by the State Government.”

This was informed that the State Government is the Competent Authority for such authorization, which is defined under section 2 (41) of the Motor Vehicles Act, 1988 and the Lt. Governor is the State Government for the purpose of the competent authority under the M.V. Act, 1988. The definition of State Government under Section 2(41) is as under :

“State Government in relation to a Union Territory means the Administrator thereof appointed under Article 239 of the Constitution”


The matter of these authorizations came up for examination before the Hon'ble High Court of Delhi in the matter of All Delhi Motor Driving Training School Association v/s The Chief Secretary & Ors in W.P. (C) No. 1457/2016 and your case was examined by this office from the point of view of compliance of the provision of CMVR, 1989.

You were authorized under Rule 11 (2)(d) of CMVR, 1989 without seeking the approval of Competent Authority and therefore such an authorization is not valid and requires to be cancelled in accordance with the provision of Law.

Contd. ... /2

Accordingly, a Show Cause Notice dated 29.04.2019 was served upon you, in response to this the explanation dated 04.05.2019 was received in this office on 09.05.2019, which was duly considered and not found satisfactory.

In view of above, the authorisation given to M/s. DSIR, M-129, Basement, Guru Harkishan Nagar, Paschim Vihar, New Delhi-110041 vide order dated 28.08.2012, as per provision of Rule 11(1) and Rule 11(2)(d) of Central Motor Vehicles Rules' 1989, and Notification No.NWZ/I/88/Tpt/2007/74 dated 30-06-2011, is hereby **withdrawn** with immediate effect.


(S S CHAUHAN)
DY. COMMISSIONER (OPS-II)

To

M/s. DSIR,
M-129, Basement, Guru Harkishan Nagar,
Paschim Vihar,
New Delhi-110041

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Copy forwarded for information to :

1. OSD to Pr. Secretary-cum-Commissioner (Tpt.), GNCTD
2. PS to Special. Commissioner (Ops), Tpt. Deptt., GNCTD
3. Sr. System Analyst, Tpt. Deptt., GNCTD, for uploading the Order on website.
4. All Motor Licensing Officers, Tpt. Deptt, GNCTD, for information and compliance.
5. M/s. DSIR (Regd. Office), M-4/27, Model Town, Part-III, Delhi-110009
6. Guard File.


7/6/19
SAETC(MS)


(S S CHAUHAN)
DY. COMMISSIONER (OPS-II)