

**GOVERNMENT OF ASSAM**  
**TRANSPORT DEPARTMENT, DISPUR**

**ORDERS BY THE GOVERNOR OF ASSAM**  
**NOTIFICATION**

**Dated Dispur the 8<sup>th</sup> July, 2022**

**No.TMV.47/2021/327** :- As per the guideline issued by the Ministry of Road Transport & Highways vide No. RT-11017/13/2005-MVL, Dtd. 2<sup>nd</sup> August' 2016 and in supersession of the Notification issued vide No. TMV.117/2018/252, Dtd. 27 September, 2019, the Governor of Assam is hereby pleased to make the following procedure and guideline for VAHAN integration of Speed Limiting Devices Retro-Fitted into Transport Vehicles as defined in Rule 118 of the Central Motor Vehicle Rules, 1989 of Assam to comply with guidelines from Ministry of Road Transport and Highways (MoRTH) as well as directions of Hon'ble Supreme Court of India with regard to VAHAN integration of SLD retro-fitment data.

**PROCEDURE AND GUIDELINES FOR VAHAN INTEGRATION OF SPEED LIMITING DEVICES RETRO-FITTED INTO TRANSPORT VEHICLES OF ASSAM.**

Ministry of Road Transport and Highways ( MoRTH ) had through Gazette Notification No. G.S.R.290(E) dated 15-04-2015 amended the Central Motor Vehicles Rules, 1989 and made Speed Governor compulsory on certain categories of transport vehicles under Rule 118. The Ministry further amended the said Rule 118 vide Notification No. G.S.R. 424(E) dated 01-05-2017 to bring the transport vehicles that are four wheeled and used for carriage of passengers and their luggage, with seating capacity not exceeding eight passengers in addition to driver seat (M1 category) and not exceeding 3500 Kilogram gross vehicle weight under the ambit of Speed Governors or Speed Limiting Devices (SLD). The MoRTH has also issued procedure and guidelines to be followed for fitment of SLD vide RT-11017/13/2005 MVL dated 16-06-2016.

Hon'ble Supreme Court of India in WP(C) 295 of 2012 in Union of India Vs. Dr S. Rajasekaran has directed integration of SLD Unique Identification number (UIN) into VAHAN data base. Hon'ble Supreme Court Committee on Road Safety vide its communication No. F15/2016/CoRS dated 11-04-2017 directed states and Union territories to ensure uploading of Unique Identification No. of SLD into VAHAN at the time of fitment of type approved SLD into the vehicle, with the following directions that,

- a. The SLD should be type approved by any one of the testing agencies specified under Rule 126 of Central Motor Vehicle Rules, 1989.
- b. The SLD fitted in the model of the vehicle should have been type approved for that particular model.

The same direction also stated that each SLD manufacturer is required to take the following steps at the time of installing SLD in a vehicle:

- (a) A Unique Identification Number should be generated for the SLD installed in each vehicle.
- (b) Unique Identification Number of the SLD should be uploaded in the VAHAN data along with details of the vehicle such as chassis number, engine number etc.
- (c) The Registration Number of the vehicle should be engraved on the SLD to ensure that the same SLD is not used in another vehicle.
- (d) The SLD installed in a vehicle should be sealed at the time of installation.

It is further stated in the event the above directions are not strictly implemented during the installation of SLD, the approval certificate granted to the manufacturer should be withdrawn; in the event the SLD is tampered with, the fitness certificate should not be issued for the vehicle. The directions above will apply to the SLDS which are retrofitted on the existing vehicles.

In supersession of all earlier communications issued by the MoRTH regarding installation of speed limiting devices, it is clarified by MoRTH vide No.RT-11017/13/2005-

MVL, Dated 2<sup>nd</sup> August 2016 that a vehicle owner should be at his liberty to choose the Speed Limiting Device from any source/vendor as long as it is duly type approved by any of the test agencies under Rule 126 of CMVR. It is strongly recommended that the State Governments do not restrict the freedom of the vehicle owners to choose the type approved speed limiting device of any manufacturer. Again vide RT-11017/13/2005-MVL Dated 10th Feb, 2017 also reiterated that there are no requirements for the registration/empanelment and/or selection of vendors by the State Governments for the fitment of SLDs in privately owned vehicles. The only requirement is that the SLD should be type approved by the authorized testing agencies as per CMVR. It is stated that any such empanelment/restrictive practices including the imposition of any additional criteria for SLD manufacturers would restrict competition, may lead to higher prices, hurt the interest of the consumers and raise legitimate concerns regarding unfair practices.

It is pertinent to mention here that AIS-018/2001 standard, which specifies the requirements and methods of test of the Speed Limitation Device, both as separate unit to be installed on the vehicle, and an add-on or on-board system built in the vehicle. Clause 4 of AIS-018/2001 in "General Requirements", there is specification for **design, construction, assembling and fitment** of SLD to the vehicle in such manners by manufacturers so that SLD performs satisfactorily. It is clarified by MoRTH vide No.RT-11017/13/2005-MVL, Dated 2<sup>nd</sup> August 2016 that it will be the responsibility of the manufacturer to comply with the requirements of the AIS 018 along with the guidelines prescribed in the letter MoRTH No.RT-11017/13/2005-MVL, Dtd. 16 June, 2016. The MoRTH clarifications read with AIS-018/2001 standard makes it very clear that only SLD Manufacturers or their authorized dealers can fit SLD on vehicles so as to comply with AIS-018/2001 specifications.

The MoRTH guidelines vide No. RT-11036/70/2017-MVL, Dated the 2<sup>nd</sup> February, 2018 regarding "Integration of the retro-fitted Speed Limitation Devices (SLD) / Speed Governor data on Transport Vehicles with the VAHAN database" provides that after the approval of Speed Limitation Devices (SLD) by test agency, NIC issues a unique username and password to each Speed Limitation Device (SLD) manufacturer for uploading the Type approval data on VAHAN portal including Unique identification number as per prescribed format & the RTOs shall enter the unique identification number of SLD device at the time of fitness testing. Accordingly, NIC has made web based provision in VAHAN for integration of SLD data with four different types of Logins:

1. **SLD Manufacturer Login**- To upload type approval data and inventory.
2. **Test Agency login**: To verify type approval data uploaded by SLD manufacturers.
3. **Retro-fitment Center Login**: To make entry of SLD fitting details, generate Fitment letter & upload Fitment Letter to VAHAN at the time of fitment of SLD.
4. **DTO/RTO login**: To verify UIN details of the SLD fitted into the vehicle at the time of fitness testing

Keeping in view of the above & in compliance with the instructions contained in different Communications/Notifications from Supreme Court Committee on Road Safety & Ministry of Road Transport & Highways (MoRTH) from time to time, the following procedure and guidelines are hereby issued for strict compliance by the Registering Authorities/ Inspection Authorities/Enforcement Agencies and the concerned SLD manufacturers, their Authorized Dealers & Retro-Fitment Centers (RFCs);

1. The Speed Limiting Device (SLD) shall be type approved by any of the test agencies authorized under Rule 126 of CMVR, 1989 for compliance to AIS-018 along with,
  - a. Valid Type Approval Certificate or COP as prescribed in AIS-037/2004, as amended from time to time.
  - b. Performance test report on different vehicle models and their variants approved as per AIS - 018/2001 as amended from time to time.



2. The Speed Limiting Device (SLD) shall conform to Electromagnetic Compatibility (EMC) requirements as per AIS-004 (Part - 3) / 1999 as amended time to time.
3. SLD fitted in the model of the vehicle should have been type approved for that particular model.
4. The concerned SLD manufacturer shall provide the documents mentioned in para (1) and (2) above to the concerned Registering Authority/Inspecting authority with up-to-date validity and duly attested by the authorized signatory of the company and bearing the company's official Seal.
5. Every SLD components(s) to be fitted shall be verified for the markings (may be in the shape of sticker) having barcode containing following information:-
  - a. The trademark/manufacturer emblem.
  - b. The serial number assigned by the manufacturer.
  - c. Reference Alphanumeric number of the type approval shall be indicated by a mark having six characters allotted by the test agency as per AIS-037/2004 as amended from time to time.
6. Each SLD manufacturer is required to generate a Unique Identification Number for the SLD installed in each vehicle. Besides, the Registration Number of the vehicle should be engraved on the SLD to ensure that the same SLD is not used in another vehicle.
7. Type approval and Serial number of the Speed Limiting Device shall be integrated with the VAHAN database.
8. A sticker of standardized size 100 mm x 60 mm has to be fixed on the left upper side of front windscreen from inside indicating the set speed limit in a circle of 55mm and the balance space to be used for the information as mentioned in (5) above. Destructible sticker containing the information of marking as mentioned in (5) above shall be fixed on the windscreen for quick audit purposes without reference to RC.
9. Speed Limiting Device has to be sealed at the appropriate points by the manufacturer(s) or their authorized dealer(s), any tampering of the speed governor, for which the responsibility will be with the vehicle owner. The Enforcement Authority may take appropriate action in case of such instances.
10. Each Speed Limiting Devices manufacturer will be required to maintain a Management information system (MIS) to keep record of each Speed Limiting Device (SLD) installed on the vehicle for audit/quick retrieval at any time.

A Monthly report shall be submitted to the Registering Authority, under which jurisdiction it operates, by the concerned SLD manufacturers/Authorized dealers containing the following information,

- i. Monthly list of vehicles applied for SLD fitment with the date of application
- ii. Monthly list of vehicles fitted with SLD with the date of fitment
- iii. Total Numbers of vehicles yet to be fitted with SLD

DTOs shall verify the monthly reports submitted by the concerned SLD manufacturers/Authorized dealers & ensure sending quarterly report on SLD fitment as per prescribed format already circulated containing the information like Total Nos. of vehicle applied for Fitness Certificate (which requires fitment of SLD by the vehicle owner), Nos of Fitness Certificate issued & Nos of fitness certificate rejected due to non-fitment or improper fitment of SLD to the office of the Lead Agency on Road Safety, Assam for onwards submission to the Hon'ble Supreme Court Committee on Road Safety.

11. The Inspection Authorities shall ensure proper installation of the Speed Limiting Device before granting fitness certificate to the vehicle owner. They shall ensure that genuine fitment certificate has been issued by the company with proper billing. Any deviation with respect to marking, sealing and performance etc. shall be immediately shared with the office of the Commissioner of Transport, Assam for appropriate action.
12. Each manufacturer shall submit an undertaking to the Commissioner of Transport, Assam that their operations have not been suspended/cancelled/black-listed by any state government/central government. Further, the manufacturer must not have been

prosecuted or convicted for infringement of Intellectual Property Rights of any third party under the provisions of the Patent Act, Copyright Act or the Trademark Act as the case may be with regard to speed governors being manufactured by it.

13. Each manufacturer shall submit an application furnishing a Certificate approving their dealer in the State/area indicating, inter-alia, the particulars and address of the Authorized Dealer, Validity of the authorization, TIN, Complaint redressal system, Price-list of all categories of approved SLDs and other requisites in respect of the authorized Dealer to the Commissioner of Transport, Assam as well as the District Transport Officer, under which jurisdiction, it intends to operate.
14. SLD manufacturer(s) or its Authorised dealer(s) may operate Retro-Fitment Centre(s) anywhere in Assam for smooth retro-fitment of approved SLDs at vehicles to cater to the needs of public for prompt delivery of services. Such authorised dealers/RFCs shall ensure hanging/affixing a notice with price-list of each category of approved SLDs in prominent location of its fitment centre along with the public grievance redressal number of the Commissionerate of Transport, Assam so that public may directly send complaint/grievance, if any. DTOs shall conduct periodical checking of the Retro-Fitment Centre(s) to ensure that the notice is properly displayed and vehicles are not facing any kind of inconvenience and there is no such instance of over-charging of the price of SLD etc. and submit report to the Commissioner of Transport, Assam accordingly.

The responsibility of fitment of SLD through authorised RFCs lies with the SLD manufacturers as per AIS 140 specifications & therefore, SLD manufacturers must ensure that well trained technicians are deployed well conversant with technical specifications in fitment of SLDs.

15. In case, the vehicle is found tampered with or running at excess speed by the enforcement agency at any time or it is established that despite seals of the device being intact, some technical arrangement has been made by the driver/owner or the permit holder to make the speed governor ineffective, same shall be considered guilty for violation of rule 118 of CMVR, 1989 and for such violation under the provisions of law and conditions of the fitness, action shall be taken under Motor Vehicles Act, 1988.
16. No fitness Certificate shall be issued unless the vehicle is fitted with the Speed Governor of the prescribed type and standards. In case the vehicle is found without a valid Fitness Certificate issued and wherein the speed governor installation details are not mentioned, then under section 53, the vehicle registration can be suspended.
17. The maximum speed of the vehicles should be as specified in rule 118 of CMVR 1989, as amended from time to time, during installation of the SLD.

All the concerned agencies are hereby enjoined upon to comply with the above procedure, guidelines and the other Notifications/instructions of MoRTH, Supreme Court Committee on Road Safety from time to time, as contained in the afore-mentioned references. Any deviation in this regard shall invite strict disciplinary action against the SLD manufacturers/ defaulting officials.

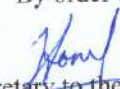
Sd/- Adil Khan, IAS  
Secretary to the Govt. of Assam  
Transport Department  
**Dated Dispur the 8<sup>th</sup> July 2022**

**Memo.No.TMV.47/2021/327-A**

Copy to :-

1. The Commissioner of Transport, Assam for kind information
2. The District Transport Officers & Motor Vehicle Inspectors (All) for information and necessary action.

By order etc.,

  
Joint Secretary to the Govt. of Assam,  
Transport Department