

TWO WHEELER VEHICLES (RESTRICATION ON RESALE), ORDER, 1981

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TWO WHEELER VEHICLES (RESTRICATION ON RESALE), ORDER, 1981

Ministry of Industry (Department of Heavy Industry), Noti. No. S.O. 735(E), dated October 6, 1981, published in the Gazette of India Extra part II, Section 3(ii), dated 6th October, 1981, pp. 1277-78 [No. 7(M)1 81-AEim] [C] In exercise of the powers conferred by Section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order, namely :-

1. Short title, extent and Commencement :-

- (1) This Order may be called the Two Wheeler Vehicles (Restriction on Resale) Order, 1981.
- (2) It extends to the whole of India.
- (3) It shall come into force on the 6th day of October, 1981.

2. Definitions :-

In this Order, unless the context otherwise requires,-

- (1) "two wheeler vehicles" means a motor vehicle of any description specified in column (1) of the Schedule, manufactured or assembled in India, or manufactured in India or from components imported into India or partly imported and partly manufactured in India, and includes every such description of motor vehicles, whether called a scooter, motor cycle, mini-motor cycle, moped or by any other name ;
- (2) "Controller" means a person appointed as such by the State Government or the Central Government, as the case may be, for the purposes of this Order ;
- (3) "State Government" in relation to a Union Territory, means the Administrator of the Union Territory ;
- (4) "Schcdule" means the Schedule annexed to this Order.

3. Restrictions on Regale :-

- (1) On and from the commencement of this Order, no person shall, before the expiry of two years from the date when a two wheeler vehicle is first

purchased as a new two wheeler vehicle, whether purchased by him or by any person on his behalf and whether purchased before or after the commencement of this Order, sell or offer to sell or enter into any transaction involving the transfer of possession of the two wheeler vehicle to any other person except under and in accordance with the terms and conditions of a permit, in writing, from the Controller who shall, where a permit is not granted, communicate to the person concerned, the reasons for such refusal.

(2) In granting or refusing a permit under sub-clause (1), the Controller shall have regard to the circumstances relating to the proposed sale or transaction, as the case may be, and to the purpose of this Order.

(3) Any person aggrieved by the refusal of the Controller to grant a permit under sub-clause (1) may, within thirty days from the date on which such refusal is communicated to him, prefer an appeal to the State Government : Provided that the State Government may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period aforesaid.

4. Power to obtain information :-

If the Controller has reason to believe that a new two wheeler vehicle has been sold or its possession has been transferred before the expiry of the period of two years referred to in sub-clause (1) of Clause 3, he may require the person, who has so sold or transferred its possession, to furnish the particulars relating to such sale or transaction involving such transfer or possession as the Controller may deem fit, including the name of the person to whom the vehicle was so sold or its possession transferred.

SCHEDULE 1

SCHEDULE

[See Clause 2(1)]

Description of two wheeler vehicles	Name of manufacturer
1	2
SCOOTERS: 1. Bajaj Chetak and Bajaj Super M/s. Bajaj Auto Ltd., Arkudi, Poona-411035. 150 cc 2. Priyal50cc M/s. Maharashtra Scooters Ltd., C/o Bajaj Auto Ltd., Arkudi, Poona-411035. 3. Lambyl50cc and 175cc M/s. Automobile Products of India Ltd., Lal Bahadur Shastri Marg, Bhandup, Bombay- 400078. 4. Vijay Super 150 cc M/s. Scooters India Ltd.. P.O. Sarojini Nagar, Lucknow-226008 (U.P.). 5. Aliwyn Pushpak M/s. Andhra Pradesh Scooters Ltd., 18-A, Industrial Development Area, Pattancheru (Medak Dut.) A.P. 6. Falcon 150cc M/s. Karnataka Scooters Ltd., P.B. No. 5316, 5, Crescent Road, High Grounds, Bangalore-560001. 7. Girnar 150cc M/s. Gujarat Small Industries Corpn. Ltd., Girnar Scooter Project, Odhav Road, Ahmedabad-380013. MOTOR CYCLES: 8. Enfield 350cc and 197cc M/s. Enfield India Ltd., Royal Enfield Bidg., Tiruvolthiyur, Madras-600019. 9. Yezdi 250cc and 60cc M/s. Ideal Jawa (1) Pvt. Ltd., Industrial Estate, Mysore-570002. 10. Rajdoot 175 and GTS Body M/s. Escorts Ltd., Motorcycle and Scooter Division, 19/6, Mathura Road, Faridabad (Haryana). 11. Saund 100 M/s. Saund Zweirad Union (1) Pvt. Ltd., A-18, Kailash Colony, New Delhi-110048. MOPEDS, SCOOTERETTES AND AUTO-CYCLES: 12. Vicky M/s. Saund Zweirad Union (1) Pvt. Ltd., A-18, Kailash Colony, New Delhi-110048. 13. Suvega M/s. Moped India Ltd., Post Box No. 3768, Avanashi Road, Coimbatore-641018. 14. Luna M/s. Kinetic Engg. Pvt. Ltd., D-1 Block, Plot No. 18/2A, Chinchwad, Pune-411019. 15. Auto-Cycles 49cc M/s. S and P Engineering Products Ltd., Moped Division, Narendrapur, West Bengal. 16. MAYURAM M/s. Tamilnadu Mopeds Ltd., Industrial Estate, Guindy, Madrai-600032. 17. Laxmi 48cc Scooterettes M/s. Kirloskar Ghatge Patil Auto Ltd., R.S. No. 307A P.O. Uchagaon, Kolhapur-	

416005. 18. 49cc Scooterettes M/s. Ramon Engineering Ltd., 79, Mchta House, Ground Floor, Bombay Samachar Marg, Fort, Bombay- 400023. 19. Hero Majestic M/s. Majestic Auto Ltd., C-48, Focal Point, Ludhiana-141010. 20. Auto-Cycles 50cc M/s. Atlas Cycle Industries Ltd., Post Box No. 20, Sonapat-131001. 21. Sundaram M/s. Sundaram-Clayton Ltd., Padi, Madras-600050.