

Commercial Vehicles (Restriction on Re-sale) Order, 1979

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Commercial Vehicles (Restriction on Re-sale) Order, 1979

Whereas it appears to the Central Government that it is necessary so to do for securing the equitable distribution and availability at fair price of commercial vehicles; Now, therefore, 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 Commercial Vehicles (Restriction on Re-sale) Order, 1979.
- (2) It extends to the whole of India.
- (3) It shall come into force on the 21st day of March, 1979.

2. Definitions :-

In this Order, unless the context otherwise requires-

(a) "commercial vehicle" means a motor vehicle of any description specified in column (1) of the Schedule manufactured or assembled in India, or manufactured, in India from components imported into India or partly imported and partly manufactured in India, and includes every such description of motor vehicles whether called a truck chassis, bus chassis, three-wheeler, four-wheeler or by any other name;

(b) "Controller" means a person appointed by the Central Government to be the Controller of Commercial Vehicles for the purpose of this Order;

{c) "Government of a State", in relation to a Union territory, means the Administrator thereof.

(d) " Schedule" means the schedule annexed to thii Order.

3. Commercial vehicles not to be resold, etc :-

(1) No person shall before the expiry of two years from the date when a commercial vehicle was first purchased as a new commercial vehicles whether so purchased by him or by any person on his behalf and whether before or after the commencement of this Order, sgll or offer to sell) or eritef into any t"atisactit)n involving the transfer of possession of, the commercial vehicle to any other person except under and in accordance with the terms and conditions of a permit in writing from the Controller or, in a State, an officer appointed for the pur- pose by the Government of that State.

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

4. Power to obtain information :-

If the Controller or, in a State, an officer appointed for the purpose by the Government of that State, has reason to believe that a new commercial 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 of possession as the Controller or the officer may deem fi^ including the name of the person to whom the vehicle was so sold or its possession transferred.

SCHEDULE 1

SCHEDULE

\\ \\ \\ \\ [See Clause 2(a)] Description of commercial vehicles	Name of manufacturer
1. Hindustan/Bedford	Messrs. Hindustan Motors Limited, 9/1, R. N. Mukherjee Road, Calcutta-1.
2. Road Master/	Messrs. Premier Automobiles Limited, Gonstruc- PREMIER tion House, Ballard Estate, Bombay-1.
3. TATA	Messrs. Tata Engineering and Locomotive Com- pany Limited, Bombay House, 24, Homi Mody Street, Fort, Bombay-400023.
4. Leyland/Comet/	Messrs. Ashok Leyland Limited, 11/12, North Beavar/Hippo/ Beach Road, Madras-600001.
5. Jeep Truck	Messrs. Mahindra and Mahindra Limited, Akurii Road, Kandivii (East), Post Box No. 7655, Bombay-67NB.
6.	

Hanseat 3-wheeler/ Messrs. Bajaj Tempo Limited, Bombay-Poona
Matador/Viking Road, Akurdi, Poona-411 035. 4-wheeler 7. Standard 20
Messrs. Standard Motor Products of India Limited, 29, Mount Road, Madras-
2.