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#### NOTIFICATION

No.D.21012/4/2011-TRP, the 7<sup>th</sup> June, 2011. In pursuance of the decision of the meeting of Council of Minister held on 18.5.2011 and in repellance of all previous condemnation and disposal of Government vehicles Rules with all amendments issued by this Department from time to time, the Governor of Mizoram is pleased to make the Mizoram Condemnation and Disposal of .Government vehicle Rules, 2011 to be issued separately in a book form.

T.V. Fambawl,  
Secretary to the Govt. of Mizoram,  
Transport Department

#### THE MIZORAM CONDEMNATION AND DISPOSAL OF THE GOVERNMENT VEHICLES RULES, 2011.

1. **SHORT TITLE, COMMENCEMENT AND APPLICATION :**
  - (1) These rules may be called the Mizoram Condemnation and Disposal of the Government Vehicles Rules, 2011.
  - (2) They shall come into force from the date of their publication in the Official Gazette.
  - (3) They shall apply to the vehicles of all Department and Autonomous Bodies under the Government of Mizoram.
  
2. **DIFINITIONS :**

In these Rules, unless the context otherwise requires :

  - a) 'AUTONOMOUS. BODIES' means and include all the bodies having functional autonomy whether it is a corporate bodies or otherwise and such other government undertaking of the state Government of Mizoram.
  - b) 'BOARD' means all the vehicle Condemnation Board constituted by the Government under sub-rule (1) of rule 8.
  - c) 'DEPARTMENT' means all the Department includes in the Scheduled appended to the Government of Mizoram Allocation of Business rules 1987, as amended from time to time, and includes, all Autonomous Bodies under the State of Mizoram.

- d) 'GOVERNOR' means the state Governor of Mizoram.  
 e) 'GOVERNMENT' means the state Government of Mizoram.  
 f) 'VEHICLE' means all kinds of Vehicles belonging to Government Department and various Autonomous bodies. For the definitions of Light Motor Vehicle, Medium Motor Vehicle and Heavy Motor Vehicle, the definition in the Motor Vehicle Act, 59 of 1988 shall be deemed as the definition under these rules.

### 3. MINIMUM LIFE AND DISTANCE COVERED:

- 1) Only those vehicles which have covered both minimum life and distance as prescribed below shall be proposed for condemnation :-

Sl.No.	Type of Vehicle	Minimum life	Minimum distance covered
1.	HMV & MMV	10yrs	2,00,000 kms
2.	LMV	8 yrs	1,50,000 kms
3.	2/3 wheelers	6yrs	80,000 kms

In case where a vehicle has not covered the above prescribed minimum life and distance, justifications for condemnation should be furnish.

- 2) The Department proposing condemnation of the vehicles should ensure that the above conditions are fulfilled. The concerned departments after having been satisfied with the above conditions shall make a request to the Secretary, Vehicle Condemnation Board, Aizawl to detail Motor Vehicle inspectors(s) or any other Technical qualified personnel under Transport Department to carry out detail Technical Inspection of the vehicle and to submit report as per Annexure-1. The Department concerned shall placed all necessary documents before the Vehicle -Inspector or other Technical qualified personnel under Transport Department and render all possible help for the Inspection.

After the said technical report is <sup>ad</sup>obtain, the Department should submit a proposal for Condemnation of Vehicles alongwith the following documents to the Secretary, Vehicles Condemnation Board, Mizoram for placing the same before the Vehicle Condemnation Board:

- i) Annexure-I&II
- ii) Attested Copy of Motor Registration Certificate in form 23 issued by the Registering Authority.
- iii) Pencil print of Chassis number & Engine number on A-4 size tracing paper conforming with Chassis and Engine numbers in Registering Certificate.

### 4. PREMATURE CONDEMNATION.

1. In case where a vehicle has met with an accident before covering the life and distance prescribed at sub-rule (1) of the rule 3 and has been damaged beyond economical repair, reports from the police and Technical Inspection Report from Motor Vehicle Inspector or any other Technical qualified personnel under Transport Department in connection with the accident shall be obtained. A certificate to the effects that the case has been settled shall also be obtained from the appropriate authority and forwarded to the Secretary, Vehicle Condemnation Board alongwith the proposal for condemnation, reports from the Police and Technical Inspection report stated above. However, in case where the department proposes to condemned the vehicle during

pendency of settlement of the case, clearance from police or court of law shall be furnished. Further if the case is not referred to police or court of Law, reasons thereof shall be furnished alongwith the proposal.

2. In respect of Vehicles requiring premature condemnation, the department should, after obtaining the recommendation of the Board for such premature condemnation, refer the case to the concerned Administrative Department. The Administrative Department shall take a decision on such proposal in consultation with the Finance Department and convey its decision to the concerned Head of Department.
3. Any case which does not conform Rule 4, sub-rule 1-2 shall not be proposed for condemnation.

5.

**TIME LIMIT.**

The department having vehicle(s) for condemnation should submit the proposal(s) within 3 months from the date of off-roading the vehicle(s). During these 3 months and till the vehicle(s) is (are) finally disposed of, the off-roaded vehicles should be kept in safe custody by the concerned head of department.

In case, the department fails to submit proposal for condemnation within 3 months from the date of off-roading the vehicles detail reason and justification should be furnished.

**6. RATE OF DEPRECIATION,**

Rate of Depreciation is fixed at 20% for all types of vehicles.

**7. CALCULATION OF BOOK VALUE :**

For calculation of Book value, Reducing Balance of Written Down Value Method shall be used:

Example :-

Total/Capital Cost.	=	Rs.10,00,000.00
Minimum life	=	10yrs. For HMV
Rate of depreciation	=	20% for all types of vehicles.
Book value at the end of 1st year	=	Rs.8,00,000.00
$10,00,000.00 - (10,00,000.00 \times 0.2)$		
Book value at the end of 2nd year	=	Rs.6.40.000.00
$8,00,000.00 - (8,00,000.00 \times 0.2)$		
Book value at the end of 3rd year	=	Rs.5,10.200.00
$6,40,000.00 - (6,40,000.00 \times 0.2)$		
Book value at the end of 4th year	=	Rs.4,04.600.00
$5,10,200.00 - (5,10,200.00 \times 0.2)$		
Book value at the end of 5th year	=	Rs.3,27,680.00
$4,04,600.00 - (4,04,600.00 \times 0.2)$		
Book value at the end of 6th year	=	Rs.2,62,140.00
$3,27,680.00 - (3,27,680.00 \times 0.2)$		
Book value at the end of 7th year	=	Rs.2,09,710.00
$2,62,140.00 - (2,62,140.00 \times 0.2)$		
Book value at the end of 8th year	=	Rs. 1,62,770.00
$2,09,710.00 - (2,09,710.00 \times 0.2)$		

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Book Value at the end of 9th year = Rs. 1,30,216.00  
 $1,62,770.00 - (1,62,770.00 \times 0.2)$   
 Book value at the end of 10th year = Rs. 1,04,172.00  
 $1,30,216.00 - (1,30,216.00 \times 0.2)$

Thus, Book Value at the end of useful life is Rs. 1,04,172.00

**8. BOARD MEMBER:**

(1) There shall be a Vehicle Condemnation Board consisting of the following members :-

- (i) Commissioner/Secretary of Transport **Chairman**
- (ii) Director of Transport **Member Secretary**
- (iii) S.E., Mechanical Circle, PWD or his **Member**

**Representative**  
 (iv) Deputy Secretary, Finance **Member**

(2) The vehicle condemnation Board shall meet at least once in three months to consider proposals, if any for the condemnation of Government vehicles.

**9. POWER OF THE BOARD:**

Once the vehicle other than those requiring premature condemnation, is recommended by the condemnation board, it shall be treated as has been condemned and no separate condemnation by the Head of Department concerned is required.

**10. PROCEDURE FOR DISPOSAL OF CONDEMNED VEHICLES:**

- (1) All categories of condemned vehicle shall be disposed of by respective Head of Department by public auction on 'as is where is' basis. Reserved price shall not be less than the market value in Annexure-I or Book value assessed under the rule 7 which ever is higher.
- (2) In case the highest bidder fails to deposit the amount in Treasury within the prescribed time limit, the Head of Department concerned shall make the offer to the second highest bidder without referring to the Administrative Department and so on.
- (3) Once a person produces the Treasury Challan in proof of the deposit of the prescribed amount, the Head of Department concerned issue release order of the vehicle to the allottees asking to lift the vehicle within a prescribed limit of time, failing which he will be required to fine of Rs.50.00 (fifty) per day from the date of expiry of the prescribed time limit.
- (4) The condemned vehicles shall be disposed of within two weeks of their condemnation. Wide publicity through newspaper shall be given about the date and time of the auction of the vehicle.

**11. DISPOSAL OF CONDEMNED VEHICLES BELOW MARKET VALUE AND BOOK VALUE.**

If the condemned vehicle cannot be disposed of even at the Market value or Book value, the concerned Head of Department will refer the case to the concerned Administrative Department for appropriate decision.

**12. INTERPRETATION.**

All matters regarding interpretation of any provision of these Rules shall be referred to the Transport Department for interpretation.

**13. POWER TO RELAX**

Where the Government is of the opinion that it is necessary/expedient to do so, he may, by order and for reasons to be recorded in writing, dispense with or relax any of the provisions of these rules to such extent and subject to such exception and conditions as it may consider necessary for dealing with the case in a just and equitable manner.

**14. REPEAL AND SAVING**

On the commencement of these rules, all the previous guidelines for the condemnation and disposal of Government Vehicles notified by the Government shall stand repealed.

Provided that anything done or any action taken under the said guidelines so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

By order etc.

Secretary to the Govt. of Mizoram,  
Transport Department

**ANNEXURE - I  
TECHNICAL INSPECTION REPORT**

1. Vehicle registration no:
2. Name of Department:
3. Year of Manufacture:
4. Chassis no:
5. Engine no:
6. Date of Purchase:
7. Cost of Vehicle:
8. Date of last repair & amount expenses:
9. Total expenditure for repair:
10. Date of inspection:
11. Place of inspection:

**A. CONDITION OF VEHICLE (At the time of inspection)**

<u>Sl. No</u>	<u>Name of Parts</u>	<u>Conditions/Remarks</u>
1.	Engine	_____
2.	Chassis	_____
3.	Body & Hood (if any)	_____
4.	Gear box assembly	_____
5.	Differential assembly	_____
6.	Steering linkage	_____
7.	Suspension system	_____
8.	Electrical system	_____
9.	Battery	_____
10.	Seats	_____
11.	Wheels & Tyres	_____
12.	Other items if any	_____

**B. PROBABLE MARKET VALUE (To be calculated based on parts available)**

<u>Sl no</u>	<u>Name of parts</u>	<u>Probable market value</u>
1.	Engine	_____
2.	Chassis	_____
3.	Body & Hood (if any)	_____
4.	Gear box assembly	_____
5.	Differential assembly	_____
6.	Steering linkage	_____
7.	Suspension system	_____
8.	Electrical system	_____
9.	Battery	_____
10.	Seats	_____
11.	Wheels & Tyres	_____
12.	Other items if any	_____
	<b>Grand Total</b>	<b>Rs _____</b>

**C. REMARKS :** After careful inspection of this vehicle & in consideration of the history of the repair done, I am of the opinion that it is fit/no longer fit for economical repair (Score out whichever is not applicable).

Sign of Inspecting Officer

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

PARTICULARS OF VEHICLES TO BE FURNISHED BY THE CONCERN  
ANNEXURE - II

PARTICULARS OF VEHICLES TO BE FURNISHED BY THE CONCERN  
HEAD OF DEPARTMENT

1. Registration no: \_\_\_\_\_
2. Name of Department: \_\_\_\_\_
3. Type of Vehicle: \_\_\_\_\_
4. Year of Manufacture: \_\_\_\_\_
5. Manufacturer: \_\_\_\_\_
6. Chassis no: \_\_\_\_\_
7. Engine no: \_\_\_\_\_
8. Original cost: \_\_\_\_\_
9. Date of Commission: \_\_\_\_\_
10. Utility of vehicle: \_\_\_\_\_
11. Total distance covered: \_\_\_\_\_
12. Date of Off-Road: \_\_\_\_\_
13. Total amount of repair cost: \_\_\_\_\_
14. Location of vehicle: \_\_\_\_\_
15. Brief history of Vehicle (Briefly mention the manner of utilisation of the vehicle during its lifetime&the cause of off road) \_\_\_\_\_

The vehicle is hereby proposed for condemnation.

SEAL

Sign of Head of Department