Registration of Manufacturer for Reflectors (AIS-057 Certified)/ Retro-reflective tapes (AIS-090 Certified)/ Rear marking plates (AIS-089 Certified) in Madhya Pradesh

No: 6061/Technical/TC/2021 Dated: 09/11/2021

By

Transport Commissioner's Office,
Gwalior, Madhya Pradesh
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Madhya Pradesh Transport Department
1. Background-

About 4.5 lakh road accidents occur every year in India in which about 1.5 lakh fatalities are recorded, as per the order on writ petition no. 295/2012 filed at hon. Supreme Court of India, a Supreme Court Committee on Road Safety has been formed in view to reduce the number of road accidents in India, committee has given instructions to all states to reduce road accidents by 10% per year. To control the road accident occurring at night hours, clear visibility of vehicles on road is essential. To ensure clear visibility of vehicles on road it is necessary that type approved reflectors/ Retro-reflective tapes / Rear marking plates are affixed on Motor vehicles as per rule 104 to 104 E of Central Motor Vehicle Rules, 1989.

On VAHAN 4.0 Portal, application module for fitment of SLD, VLTD, CNG kit etc is available which automatically checks and ensures that only Type approved devices with valid TAC (Type approval certificate) and valid COP (Conformity of product) are installed on vehicles and for tracking of such installed devices, MIS report is readily available on VAHAN Portal. But no such application module is available on VAHAN 4.0 Portal for fitment of reflectors/ Retro-reflective tapes/ Rear marking plates on vehicles and because of unavailability of such module there are chances of affixation of unapproved and substandard Reflectors/ Retro-reflective tapes/ Rear marking plates on vehicles, therefore in order to ensure affixation of type approved Reflectors/ Retro-reflective tapes/ Rear marking plates on Motor vehicles, it is necessary to formulate procedure for their fixation.

2. About Transport department in Madhya Pradesh –

The Madhya Pradesh transport department functions under the provisions of section 213 of Motor Vehicles Act, 1988. The Transport Department is primarily established for enforcement of the provisions of Motor Vehicles Act, 1988, Madhya Pradesh Motor Vehicles Taxation Act, 1991 and the rules framed under these two Acts. In state of Madhya Pradesh, Transport Commissioner office is located at Gwalior and RTO offices are located in all 52 districts of state.

3. Scope of Project –

In Central Motor Vehicle Rules, 1989 there are provisions that-

1. As per Rule 104, all vehicles manufactured on and after 01 April 2006 are required to be fitted with reflectors, all three wheelers and vehicles of Category M2, Category M3, Category N, trailers and semitrailers are required to be fitted with Retro-reflective tapes.
2. As per Rule 104A, construction equipment vehicles and combine harvesters are required to be fitted with reflectors and retro-reflective tapes.
3. As per Rule 104B, agricultural tractors are required to be fitted with reflectors.
4. As per Rule 104C, power tillers are required to be fitted with reflectors.
5. As per Rule 104D, Category N2, Category M3, vehicles with GVW exceeding 7.5 ton and trailers /semitrailers with GVW up to 10 ton with length exceeding 8 meter and trailers /articulated buses with GVW exceeding 10 ton are required to be fitted with rear marking plate.
6. As per Rule 104E, modular hydraulic trailer is required to be fitted with reflectors, retro-reflective tapes and rear marking plate.

- Reflectors shall conform to standards of AIS-057 (Rev.1): 2010.
- Retro-reflective shall conform to standards of AIS-090-2005.
- Rear marking plates shall conform to standards of AIS-089-2005.
At the time of granting fitness certificate to vehicles, affixation of type approved Reflectors/Retro-reflective tapes/ Rear marking plates is ensured as per above provisions.

4. Registration of Reflector/Retro-reflective tape/ Rear marking plate manufactures by Transport Department Madhya Pradesh –

Manufactures of Reflectors/ Retro-reflective tapes/ Rear marking plates, who have regularly obtained COP since last four years from any of the test agency as prescribed in rule 126 of Central Motor Vehicle Rules, 1989, can apply for registration to carry business in state of Madhya Pradesh for affixation of Reflectors/ Retro-reflective tapes/ Rear marking plates on Motor vehicles as per rule 104 to 104 E of Central Motor Vehicle Rules, 1989. Application shall be made in Form-1 and shall be accompanied by-

a) Valid type approval certificates in regard to Reflectors/ Retro-reflective tapes/ Rear marking plates.
b) Valid COP in regard to Reflector/ Retro-reflective tape and rear marking plate.
c) Fee of Rs. 50000/- (rupees fifty thousand).
d) Bank guarantee of Rs. 1000000/- (rupees ten lakh). Format attached for ref.
e) It shall be mandatory for foreign companies to have registered office of their subsidiary company in India, the subsidiary company shall be 100% owned by such foreign company and shall be registered under companies act 1956 and all amendments thereafter.
f) Affidavit executed on non-judicial stamp paper of prescribed value, is to be submitted by the manufacturer to the effect that the manufacturer has not been blacklisted or debarred by any government or government authority and neither any case in this regard is pending against the manufacturer in any court of law or any investigating agency and borne responsibility of any fraudulent conduct by his authorized dealer for RFC (Retro fitment centers).
g) The manufacturer shall have to submit the samples of Reflectors, Reflective Tapes and Rear Marking Plates / Tape with the application. The manufacturers shall be registered after the submitted certificates are thoroughly checked verified.
h) It is the responsibility of the manufacturer to conduct the testing of their product (i.e. reflectivity and performance) once in a quarter, it has to be done jointly in coordination with the transport department and a report of minimum 50 vehicles to be submitted by 10th of the next month.
i) In case of any dispute area of jurisdiction shall be Gwalior, Madhya Pradesh.

5. Procedure for affixation of Reflectors/ Retro-reflective tapes/ Rear marking plate-

Authorized manufacturer of Reflectors/ Retro-reflective tapes/ Rear marking plate shall adhere to following procedure-

(a) Only those manufacturers who have obtained authorization letter from the Office of the Transport Commissioner shall be authorized to carry out business of affixation of reflector/ Retro-reflective tape/ rear marking plate on the vehicle.
(b) Reflectors/ Retro-reflective tapes/ Rear marking plates, shall be affixed on vehicles as per provisions of rule 104 to 104E of Central Motor Vehicle Rules, 1989.
(c) Manufactures of Reflector/Retro-reflective tape/Rear marking plate shall appoint dealers for RFC (Retro fitment centers) and shall provide login id to such dealers. The approved/authorized channel/distributors must issue GST invoice & MIS certificate to its customer.
(d) Only authorized dealers of manufactures can affix Reflectors/ Retro-reflective tapes/ Rear marking plates on vehicles.

(e) After affixation of Reflectors/ Retro-reflective tapes/ Rear marking plates on vehicles, authorized dealer shall generate installation certificate with QR code, through portal of manufacturers authorized MIS system, certificate shall contain-

(i) The details of affixed tape such as its length, width, colour, date of manufacturer, code, name of manufacturer, MRP of affixed products.

(ii) Vehicle details such as registration number, chassis number, engine number, vehicle category, type of body of vehicle etc.

(f) In order to get the information of Reflectors, Reflective Tapes and Rear Marking Plates / Tapes affixed on vehicles, MIS system is required to be developed with complete online access and is required to be submitted to the Commissioner of Transport office. After sticking the Reflective tape, Rear Marking tape and Reflectors of Authorized Manufacturer, the vehicle owner will be issued an Installation certificate with QR code from MIS. At the time of Fitness, the vehicle owners should submit such installation certificate with inbuilt QR code generated from MIS. The concerned MVI / ARTO or RTO at the time of fitness shall have to verify such certificate. Such vehicles who do not comply to the AIS 059, AIS 090 and AIS 089 specification Reflectors, Reflective Tapes and Rear Marking tapes shall not be issued Fitness Certificates. No registration certificate will be granted till there is a proof of fully developed operational MIS system with above mentioned capacities.

6. Terms and conditions-

(a) Portal maintained by manufactures of Reflectors/ Retro-reflective tapes/ Rear marking plates, shall be integrated with Vahan 4.0 portal of NIC.

(b) Portal maintained by the manufacturer shall be all time accessible by Transport commissioner, District transport officers, enforcement officers and such officers authorized by Transport commissioner.

(c) MIS report of affixation of reflector/ Retro-reflective tape/ Rear marking plate shall be available date wise and RTO wise, there shall be separate report of affixation of reflector, Retro-reflective tape and rear marking plate.

(d) Manufacturers of Reflector/ Retro-reflective tape/ Rear marking plate shall immediately stop the business of affixation of Reflector/ Retro-reflective tape/ Rear marking plate, on expiry of type approval certificate/ COP, business shall be resumed only after renewal of such certificate.

(e) If at any time it is proved that unapproved/ substandard Reflectors/ Retro-reflective tapes/ Rear marking plates are affixed on vehicles by authorized dealer of manufacture or such dealer is indulged in fraudulent practice, then in this case bank guarantee of the manufacturer shall be forfeited by department and manufacturer shall be liable for prosecution under prevailing law. An affidavit in this regard executed by the OEM on a non-judicial stamp paper should be submitted to the department.

(f) Manufacturers must decide the rates for installation of retro-reflective tape, reflectors and rear marking plates etc. excluding the tax for vehicle category and present them to this department along with the requested application. The said rates will be published on the department’s website and authorized officer of company must update transport commissioner officer about revisions made in these rates from time to time. It must be ensured that the authorized distributors / dealers are not charging amount higher than the decided rate from the vehicle owner and if there is any violation then appropriate action will be taken against them, and this may lead to cancellation of registration also.
FORM-1
Application Form for Registration of Reflectors/ Retro-reflective tapes/ Rear marking plate manufactures in Madhya Pradesh

Format of Application Form
(On the official letter head of manufacturer)

Date:

To,
Transport Commissioner’s Office,
Gwalior, Madhya Pradesh
E-mail ID - tcoffeegwalior@gmail.com

Sub: Registration of reflectors, Retro-reflective tapes and rear marking plate manufactures in the state of Madhya Pradesh.

Sir,
We have fully understood the requirements of the process " Registration of reflectors, Retro-reflective tapes and rear marking plate manufactures in the state of Madhya Pradesh" and are submitting our application for the following-
(1) Reflectors,
(2) Retro-reflective tapes,
(3) Rear marking plates.

being manufactured by us together with the required details, other information as per the registration process and the compliance report for reflectors, Retro-reflective tapes and rear marking plate specification and protocols.

<table>
<thead>
<tr>
<th>Reflectors/ Retro-reflective tape/ Rear marking plate Manufacturer name and address – Details of registration of company and its directors along with their DIN numbers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturer address</td>
</tr>
<tr>
<td>Address of manufacturing plant of Reflectors/ Retro-reflective tape/ Rear marking plate</td>
</tr>
<tr>
<td>Email address of manufacturer</td>
</tr>
<tr>
<td>Mobile number of manufacturer</td>
</tr>
<tr>
<td>Web address of manufacturer</td>
</tr>
<tr>
<td>Type approval certificate number and validity for Reflector</td>
</tr>
<tr>
<td>Name of agency by which Reflector is Type approved</td>
</tr>
<tr>
<td>COP and its validity for Reflector</td>
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<td>----------------------------------</td>
</tr>
<tr>
<td>Name of agency by which COP is issued for Reflector</td>
</tr>
<tr>
<td>Type approval certificate number and validity for Retro-reflective tape</td>
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<tr>
<td>Name of agency by which Retro-reflective tape is Type approved</td>
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<tr>
<td>COP and its validity for Retro-reflective tape</td>
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<tr>
<td>Name of agency by which COP is issued for Retro-reflective tape</td>
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<tr>
<td>Type approval certificate number and validity for Rear marking plate</td>
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<td>Name of agency by which Rear marking plate is Type approved</td>
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<td>COP and its validity for Rear marking plate</td>
</tr>
<tr>
<td>Name of agency by which COP is issued for Rear marking plate</td>
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<tr>
<td>Details of the Bank Guarantee submitted</td>
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<tr>
<td>Details of the affidavit as per clause 4 (f)</td>
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<tr>
<td>Details of the affidavit as per clause 6 (e)</td>
</tr>
<tr>
<td>Details of the authorised MIS provider company</td>
</tr>
</tbody>
</table>

I have paid the prescribed fee of Rs. ............... wide receipt number .................. dated ..................

I hereby solemnly declare that the information given above is true and correct. Further, I hereby declare that I shall abide by the procedure set by the Madhya Pradesh transport department for installation of Reflectors/ Retro-reflective tapes/ Rear marking plate.

In relation to our application, We certify the following points;
1. Our application is unconditional and all information provided in the application is true and correct.

2. We confirm that we are not blacklisted by any state government or central government/department/ agency in India from participating in bids for last seven financial years. And neither the manufacturing firm nor its holding company has any court case pending in court of law or with any investigating agency of the country. We have also printed list of cases against the directors of the firm pending in court of law or with any investigating agency of the country.

3. We acknowledge the right of Transport Department, Govt. of Madhya Pradesh to reject our application without assigning any reason and accept the right of Transport Department to cancel the registration process at any time without incurring any liability to the registered Manufacturers.
Sincerely,

(Signature, name and designation of the authorised signatory)

(Contact no. including, phone no., fax, email and contact address)