REGISTRATION OF MULTIMODAL TRANSPORT OPERATORS RULES, 1992[1]

In exercise of the powers conferred by section 30 of the Multimodal Transportation of Goods Ordinance, 1992 (18 of 1992), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called THE REGISTRATION OF MULTIMODAL TRANSPORT OPERATORS RULES, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(*a*) "applicant" means a person duly authorised on behalf of a company to make an application to the competent authority under section 4;

(*b*) "application" means an application made to the competent authority under section 4;

(*c*) "certificate" means a certificate of registration granted by the competent authority under sub-section (3) of section 4;

(*d*) "form" means any of the forms annexed to these rules;

(*e*) "Ordinance" means the Multimodal Transportation of Goods Ordinance, 1992 (18 of 1992);

(*f*) "section" means a section of the Ordinance[2];

(*g*) the words and expressions used herein and not defined but defined in the Ordinance shall have the meanings respectively assigned to them in the Ordinance.

3. Registration of Multimodal Transport Operator.—Every company intending to be registered as a Multimodal Transport Operator shall apply to the competent authority for registration.

4. Procedure for filing applications.—(1) An application for registration shall be presented in Form I to the competent authority or any other Officer authorised in writing by the competent authority, to receive the same or shall be sent by registered post with acknowledgment due and addressed to the competent authority;

(2) The application under sub-rule (1) shall be accompanied by the fee referred to in sub-section (2) of section 4;

5. Powers and functions of the competent authority.—The competent authority shall, after complying with the procedure laid down in sub-section (3) of section 4, grant a certificate in Form II.

6. Renewal of registration.—(1) An application for renewal of certificate shall be made to the competent authority at least two months before the date of its expiry in Form III alongwith the documents referred to therein and the renewal fee.

(2) The renewal granted under sub-section (4) of section 4 shall be in the form of an endorsement on the certificate which shall indicate the period up to

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1. *Vide* G.S.R. 815(E), dated 20-10-1992, published in the Gazette of India, Ext., Pt. II, S. 3(*i*), dated 20-10-1992.

2. Now *see* Act 28 of 1993.

which the certificate is intended to be valid and it shall be duly signed and stamped by the competent authority.

7. Manner of appeal.—A person aggrieved by an order made by the competent authority under section 5 may prefer an appeal in Form IV to the Central Government within a period of one month from the date of receipt of such order and the appeal shall be accompanied by a fee of rupees five hundred.

FORM I

(*See* rule 4)

APPLICATION FOR REGISTRATION AS MULTIMODAL TRANSPORT OPERATORS UNDER SECTION 4 OF THE MULTIMODAL TRANSPORTATION OF GOODS ORDINANCE, 1992

1. Name of the Company.

2. Registered Office and address of the Company.

3. Nature of present business and the year from which continuously engaged in the present business (attach a copy of the Articles of Association and a copy of certificate of Registration as Company).

4. Particulars of branches of the Company/agents in India and foreign countries, if any.

5. Details of infrastructural facilities available, such as buildings, telecommunication facilities, etc.

6. Details of experience/capacity of the applicant in transport-related activities.

7. Financial status of the Applicant (attach a copy of the last audited balance sheet, Annual Turnover during the previous three years, subscribed share capital and any other relevant particulars duly certified by a Chartered Accountant).

8. Particulars of the application fee paid (Bank draft/cheque to be attached).

I hereby submit an application for grant of registration under section 3 of the Multimodal Transportation of Goods Ordinance, 1992.

I affirm that the particulars given above are true to the best of my knowledge and belief.

I agree to furnish any other information/produce any record for inspection as may by required by the competent authority or any officer duly authorised by the competent Authority.

Applicant's name and address
Name of the person signing the application and his status in the Company

.....
Signature

Place :

Date :

FORM II

(*See* rule 5)

CERTIFICATE OF REGISTRATION (ISSUED UNDER RULE 5 OF THE REGISTRATION OF MULTIMODAL TRANSPORT OPERATORS RULES, 1992)

It is hereby certified that M/s. ..... (here mention the name of the company) having registered office at ..... (here give full address of the company) has been registered as a Multimodal Transport Operator under the Multimodal Transportation of Goods Ordinance, 1992 to *carry on/commence the business of multimodal transportation.

2. This certificate is valid for a period of one year from the date of its issue unless renewed before its expiry.

3. This certificate is given subject to the provisions of the Multimodal Transportation of Goods Ordinance, 1992 and the Registration of Multimodal Transport Operators Rules, 1992.

4. The registration bears the following particulars:—

Registration Number .....
Date of issue of certificate .....
Registration is valid up to .....
Registering Authority.....
Signature.....
Designation.....
Place.....
Date.....

This portion is to be repeated for yearly entries.

Date of Renewal.....

Registration is extended up to.....
Registering Authority.....
Signature.....
Designation.....
Place.....
Date.....

(*Strike out whichever is not applicable)

FORM III

(*See* rule 6)

FORM OF APPLICATION FOR RENEWAL OF REGISTRATION

1. Name of the Company.
2. Registered office and Address of the Company.
3. Registration Number of the certificate issued.
4. Date of Registration.
5. Registering Authority by which the certificate was issued.
6. Registering Authority by which the registration was last renewed.
7. Date of last renewal.
8. Number of contracts entered for Multimodal Transportation of Goods after Registration.
9. Financial status of the Company.

(Attach a copy of the last audited Balance Sheet, Annual Turnover during the previous three years and subscribed share capital and any other relevant particulars duly certified by a Chartered Accountant).

10. Infrastructural facilities available.
11. Particulars of branches of the Company/agents in India and foreign countries.
12. Particulars of renewal fee paid (Bank draft/cheque to be attached).

I affirm that the particulars given above are true to the best of my knowledge and belief.

I agree to furnish any other information/produce any record for inspection as may be required to consider the request for renewal of registration.

Applicant's name and address

Name of the person signing the application and his status in the Company

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Signature

Place:

Date:

FORM IV

(*See* rule 7)

(APPEAL TO BE PREFERRED BY MULTIMODAL TRANSPORT OPERATOR TO THE CENTRAL GOVERNMENT)

1. Name of the Company.

2. Office and Full Address of the Company.

3. Registration No. of Certificate.

4. Date of expiry of validity of Registration.

5. Date of passing of order by the Competent Authority cancelling the Certificate of Registration.

6. Brief reasons for cancellation of Certificate. (Please add a copy of order appealed against.)

7. Please state whether appeal is being preferred within a period of one month from the date of the order of cancellation, and if not, reasons for not preferring the appeal within the prescribed period.

8. Brief reasons as to why the appeal should be allowed.

9. Particulars of fee paid (Bank draft/cheque to be attached).

Name of the appellant

Name of the person signing the appeal and his status in the Company

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Signature

Place:

Date:

IndiaCode