

**TRANSPORT DEPARTMENT, GOVT. OF NCT OF DELHI
5/9 UNDER HILL ROAD, DELHI-110 054.**

DC/OPS/TPT/1109/2017/ 3701-08 Dated: August 24, 2018

Guidelines for Scrapping of Motor Vehicles in Delhi, 2018

The Govt. of NCT of Delhi considers that guidelines for disposal of the vehicles should be formulated to offer an authorised place to the registered owners of End of Life Vehicles, to get their vehicles scrapped. Such scrapping guidelines and scrapping procedure will help in ensuring that the vehicles, so scrapped, do not cause damage to environment and there should be a proper disposal of hazardous components of the scraped vehicles. These guidelines are also required for effective implementation of various directions of Hon'ble National Green Tribunal and for improvement of air quality in Delhi. Further, a large number of junk vehicles are found abandoned on roads which need to be disposed off in an environment friendly manner.

In view of above, Transport Department, Govt. of NCT of Delhi has prepared the "**Guidelines for Scrapping of Motor Vehicles in Delhi, 2018**" in the following manner:-

1. SHORT TITLE AND APPLICATION:-

- (i) These guidelines shall be applicable in NCT of Delhi.
- (ii) They shall come into force with effect from date of issue.

2. IN THE GUIDELINES, UNLESS THE CONTEXT OTHERWISE REQUIRES:-

- (i) "Act" means the Motor Vehicles Act, 1988.
- (ii) "Scrapping" means complete dismantling, safe disposal of non-reusable parts of the motor vehicle and issuance of Scrapping Certificate to the registered owner of a motor vehicle.
- (iii) "Authorised Scrapper" means a person, firm or company which manages the facilitation of scrapping of vehicles and to whom a Scrapping License is issued by the Transport Department, Govt. of NCT of Delhi under these guidelines.

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- (iv) "Licensing Authority" means an Officer designated by the Commissioner (Transport) for this purpose of these guidelines, not below the rank of Dy. Commissioner.
- (v) "Enforcement Agency" means Delhi Traffic Police, Municipal Corporations, New Delhi Municipal Council, CEO, Cantonment Board and Transport Department, Govt. of Delhi.
- (vi) "ELV" means End of Life Vehicles i.e. vehicles completed 15 years of registration in case of Petrol vehicles, 10 years old in case of Diesel vehicles and the vehicles becoming unusable due to accidents or otherwise.

3. The vehicles registered in Delhi shall be scrapped only by an Authorised Scrapper, after expiry of 90 days of issuance of these guidelines.

4. Any vehicle originally registered in Delhi or registered on transfer from any other State shall be scrapped by an Authorised Scrapper only upon completion of its age.

5. CONDITIONS OF ELIGIBILITY:-

The following are the eligibility conditions to grant authorisation of Scrapping:-

- (i) Should have a office in the National Capital Territory of Delhi.
- (ii) Should have a valid GST Registration Number.
- (iii) Should have valid PAN & Aadhar Card.
- (iv) Shall apply for accreditation of ISO 9001/14000/ 18000 for Health, Safety and environmental compliances and should possess or applied for DPCC certificate / certificate of Pollution Control Board of NCR State, subject to the condition that the applicant shall obtain such certificates within a period of six months, failing which the license shall deemed to be cancelled.
- (v) The provisions of Labour Laws, Minimum Wages Act, Employees Provident Fund Act, Workmen Compensation Act and all regulatory and other statutory compliances shall be followed by the Authorised Scrapper, wherever applicable.

6. LICENSING PROCEDURE:-

- (i) Application alongwith attested copies of supporting documents mentioned at 'Conditions of Eligibility' should be addressed to the 'Licensing Authority' alongwith a bank guarantee of Rupees Ten Lakhs in favour of the Commissioner (Transport) as Security amount.

7.. VALIDITY & RENEWAL OF LICENSE:-

The license shall be valid for a period of 5 years in the first instance, which shall be renewable for another 5 years at a time, subject to satisfactory performance.

8. RIGHT TO INSPECTION:-

In order to ensure compliance of these Guidelines, the Authorised Scrapper should keep office and Scrapping yard and the records and registers maintained by him and all the machinery, equipment and apparatus in the premises at all reasonable time open for inspection by the Licensing authority or authorised representative of Transport Department.

9 SCRAPPING PROCEDURE:-

The scrapping of vehicles shall be done by an Authorised Scrapper by following the procedure mentioned below in respect of all ELVs, except the impounded / abandoned vehicles:-

- (i) The scrapping shall be done in accordance with these guidelines issued by Transport Department from time to time.
- (ii) The registered owner or his authorised representative shall hand over the ELV to an Authorised Scrapper for scrapping.
- (ii) An Authorised Scrapper will first ensure that the application for scrapping is received from the registered owner or his/her authorised representative as per the registration certificate of the vehicle.
- (iii) An Authorised Scrapper shall maintain computerised record of the vehicles scrapped by him (Registration Mark, Name and address of the Registered Owner / Applicant, Copies of his PAN, Aadhar Card, Insurance details of the vehicle etc.) alongwith CCTV footage of each scrapping. Further proper records of scrapped parts and its disposal shall be maintained by the Authorised Scrapper. A monthly report in this regard will be submitted by him to the Registering Authority / MLO through on-line system.
- (iv) An Authorised Scrapper shall issue a Scrapping Certificate after scrapping of vehicle to the registered owner.
- (v) Safe-custody of cut piece of the Chassis Number will be the responsibility of an Authorised Scrapper.

- (vi) On-line intimation will be given by Authorised Scrappers to the Transport Department on real time basis.
- (vii) Removal /re-cycle or disposal of Hazardous parts of the scrapped vehicle in an environmentally friendly way will be the responsibility of the Authorised Scrappers as per guidelines issued by the Central Pollution Control Board (CPCB) and Department of Environment, Govt. of NCT of Delhi.
- (viii) Vehicles will not be scrapped until the fuel, oil, antifreeze, and other fluids etc. are completely drained.
- (ix) Photograph and video clip of scrapped vehicle shall be maintained in the format prescribed by Transport Department.
- (x) An yearly report of ELVs scrapped shall be furnished in the format prescribed by the Transport Department.
- (xi) Each Authorised Scrapper shall maintain a website on which any registered owner can contact the Authorised Scrapper to seek his services. The Authorised Scrapper shall be at liberty to offer the scrap value of vehicles brought for scrapping, however, a minimum value of each vehicle model will be displayed on the website.
- (xii) Recycling shall be carried out as per 'Guidelines for Environmentally Sound Management of End-of Life Vehicles (ELVs) published by Central Pollution Control Board (CPCB)

10. INSTALLATION OF CCTV CAMERAS:-

The Authorised Scrapper shall install CCTV cameras at the scrapping yard. The live feed of the scrapping recording be made available to the Operational Control Centre of the Transport Department on 24x7 basis with back up facilities for 3 months.

11. SCRAPING YARD:-

The Authorised Scrapper should have an office at Delhi and the Scrapping yard should have minimum area of 1000 Sq.yard at Delhi/NCR in any Non-Residential/ Commercial / Industrial area. These yards should possess proper equipments to move and handle ELVs within scraping yard. The provision for storage of ELVs prior to their dismantling should be made available. Scrapping yards should possess the equipment and facilities required for:-

- ✓ Removal of batteries
- ✓ Removal of liquefied gas tanks.
- ✓ Neutralization of potential explosive components like air bags.

- ✓ Removal, separate collection and storage of fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air-conditioning, gearbox oil, hydraulic oil and other fluid contained in the ELVs, unless they are necessary for the re-use of the parts concerned.
- ✓ Removal, as far as feasible, all components identified as containing heavy metals.
- ✓ Removal of catalytic converters from vehicles, to facilitate further extraction of noble metals by recyclers.
- ✓ Storage facilities shall be provided for dismantled spare parts, including impermeable storage for oil contaminated spare parts.
- ✓ Properly dispose the non-reusable/non-recyclable parts in such a manner that the effect on the environment is minimal.

12. SCRAPPING PROCEDURE FOR IMPOUNDED & ABANDONED (JUNK) VEHICLES:

(i) Diesel vehicles more than 15 years old:-

In compliance of the directions of the Hon'ble National Green Tribunal dated 26.11.2014 & 20.07.2016 in the matter titled "Vardhaman Kaushik v/s UOI & Others, Diesel vehicles more than 15 years old found plying or parked in public place or abandoned on public place as junk vehicle and impounded by any Enforcement Agency shall not be released to registered owner and the same shall be handed over to the custody of an empanelled / licensed Authorised Scrapper of Transport Department. The Registered owner shall get the scrap value of scrapped vehicle directly from the Authorised Scrapper.

(ii) Petrol / CNG vehicles more than 15 years old

The Hon'ble National Green Tribunal dated 26.11.2014 in the matter titled "Vardhaman Kaushik v/s UOI & Others ordered that:-

"...The vehicles which are more than 15 years old, will not be permitted to be parked in any public area and they shall be towed away and challaned by the police in accordance with law. This direction would be applicable to all vehicles without exception..."

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In order to ensure compliance of these directions, in an effective manner, the vehicles seized as per above directions will be released to registered owner only upon an undertaking that he will neither ply the vehicle nor will park it at any public place alongwith furnishing adequate proof of parking in his private premises. Verification of existence of such parking place shall be done by the concerned local body. On satisfactory report, the vehicle will be handed over to the registered owner.

However, such vehicle, if found parked at any public place or found plying, necessary legal action will be initiated against the registered owner under section 177 of Indian Penal Code for furnishing false undertaking besides penalty action under the Motor Vehicles Act and Rules made thereunder.

13. APPLICABLE ACT / RULES:-

Provisions of the following Act / Rules are applicable scrapping of ELVs:-

- a. The Motor Vehicles Act, 1988.
- b. The Central Motor Vehicles Rules, 1989.
- c. Delhi Motor Vehicles Rules, 1993.
- d. Indian Penal Code, 1860
- e. The Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016.
- f. The Municipal Solid Waste (Management and Handling) Rules, 2000 amended in 2016 as Solid Waste Rules.
- g. The Ozone Depleting Substances (Regulation and Control) Rules, 2000.
- h. The Batteries (Management and Handling) Rules, 2001.
- i. The e-waste (Management and Handling) Rules, 2011 amended in 2016.
- j. The Plastic Waste (Management and Handling) Rules, 2011 amended in 2016.
- k. Directions issued by the Hon'ble Courts/National Green Tribunal.

14. PENALTIES:-

In case of any violation of these Guidelines, the Licensing Authority may forfeit the security amount in part or full or / and may also cancel the licence of any Authorised Scrapper. However, an opportunity of hearing will be given before forfeiture of security and before issuance of cancellation orders.

15. APPEAL:-

(i) Any person aggrieved by any order of the licensing authority for forfeiture of security or issuance of cancellation orders, may within thirty days of the date of receipt of such order appeal to the Commissioner (Transport) within 30 days of issuance of penalty order.

(ii) The appeal shall be preferred in duplicate in the form of an application, setting forth the grounds of objections to the order of the licensing authority and shall be accompanied by a certified copy of the order appealed against and fee of Rs.1,000/- (Rupees One thousand only).

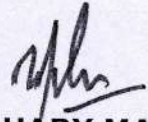
This issues with the prior approval of Hon'ble Minister (Transport).


(ASHA CHAUDHARY MALHOTRA)
DY. COMMISSIONER (OPERATIONS-I)

DC/OPS/TPT/1109/2017/ 3701-08 Dated: August 24, 2018

Copy forwarded for information and necessary action to:-

1. Secretary to Hon'ble Minister (Transport), Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
2. All Dy. Commissioners
3. OSD to Commissioner (Transport)
4. PAs to Special Commissioners
5. All Registering Authorities / MLOs
6. Sr. System Analyst to take up the matter with NIC immediately for developing a software for receiving online information from the authorised scrappers.
7. System Analyst for uploading on the website of the department.
8. Guard File


(ASHA CHAUDHARY MALHOTRA)
DY. COMMISSIONER (OPERATIONS-I)