

**OFFICE OF DY. COMMISSIONER OF TRANSPORT
TRANSPORT DEPARTMENT: GOVT OF NCT OF DELHI
DWARKA SECTOR-10, NEW DELHI-110075**

No.F.9/SWZ/Misc/2021/CD No. 075673387/ 292

Dated: - 12.01.2022

ORDER

(under rule 28 of the Central Motor Vehicles Rules, 1989)

Whereas, the license of M/s Manikaran Motor Driving Training School at Shop No. 24-22, DDA Market, Plot No. 13-14, Sector-6, Dwarka, New Delhi-110075 held by Sh. Gursharan Singh, R/o B-1, Double Story, Ramesh Nagar, New delhi-15 for establishment of a school for imparting instructions in driving of Light Motor Vehicles (non-transport) was renewed vide license no. F-09/MDTS/Manikaran/2017/3998 dated 03.04.2018 for the validity period till 05.11.2022 by the concerned licensing authority of this department.

And whereas, the said license had been issued interalia subject to certain conditions, including that the Motor Driving Training School (in short, MDTS) will comply with the conditions of CMVR, guidelines and instructions issued by the Transport Department, Delhi from time to time.

And whereas, the grant /renewal of licenses of the MDTS is interalia regulated as per the Order dated 06.08.2015 issued by the Secretary-cum-Commissioner (Transport), Transport Department, Govt. of NCT of Delhi.

And whereas, a complaint dated 22.09.2021 was received in this office, alleging therein irregularities in the functioning of said MDTS.

And whereas, the Motor Vehicle Inspector of Dwarka Zonal office was deputed to inspect the premises of the said MDTS on 11-10-2021 and as per his inspection report dated 09.11.2021, following deficiencies were reported:

- a) The requisite documents in Form 12, Form 13 and Ownership /lease deed of its premises and details of its area were not produced.
- b) Even though, the said MDTS was permitted to engage two vehicles, namely, DL8CAK5498 and DL8CAM4637 for imparting the driving training; but two additional unauthorized vehicles, namely, DL-1CAJ-8319 and DL-4CAY-7991 were found engaged for imparting the driving training by the said MDTS.

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- c) Details of the instructor having the requisite qualification as prescribed were not produced.

And whereas, in view of the above irregularities found in the said MDTS in violation of the guidelines issued vide Order no. DC/OPS/TPT/360/2014/1485-1525 dated 06.08.2015 of Transport Department, GNCTD a show-cause notice dated 08-12-2021 was issued to said MDTS as to why its license renewed vide communication dated 03.04.2018 for imparting instructions in driving of Motor Vehicles should not be cancelled.

And whereas, Sh. Gursharan Singh proprietor of M/s Manikaran Motor Driving Training School has submitted his reply dated 21-12-2021 to the said notice, interalia enclosing therewith copies of the sale deed of its premises at Shop No. 24, Ground Floor situated at Plot No. 13 & 14, Sector 6, Dwarka (measuring 9 sq.mtr), owned by Ms. Surjeet Kaur, w/o Sh. Gursharan Singh, the proprietor of the said MDTS. In addition, the licensee has submitted the copies of two rent agreements of premises bearing Shop No. 54 on First Floor measuring 18 sq. mtrs. and Shop No. 2 on Ground Floor measuring 9 sq. mtrs., both situated at LSC at Plot No. 13 & 14, Sector-6 Dwarka, New Delhi. However, neither the license of said MDTS had not been renewed at said premises; nor the rent agreements in respect of these premises are valid as both the rent agreements have expired in 2019. Hence, it is evident that the licensee MDTS has only one premises, bearing Shop No. 24 measuring 9 sq. mtrs i.e., 96.88 Square feet only; thereby violating the said Order dated 06.08.2015 of the Transport Department, GNCTD, stipulating that the minimum area required for grant/renewal of a motor driving training school is 500 Square feet.

And whereas, the said MDTS is using two additional unauthorized vehicles in addition to the two permissible vehicles for imparting the training for driving test of the vehicle without obtaining prior approval of the Licensing Authority. The licensee's explanation for using two unauthorized vehicles was not found satisfactory and cannot be accepted.

And whereas, as per the said order dated 06.08.2015 of the Transport Department, the licensee of any member of the staff employed by him as Instructor for imparting instructions, shall interalia undergo a refresher training courses for a period of two days every year and pass the same from the above institutes (i.e. IDTR/DTI) so that they are kept updated with latest instructions/ developments/ amendments in Act/ Rules etc.

And whereas, as per the particulars of the said MDTS's license no. F-09/MDTS/Manikaran/2017/3998 dated 03.04.2018, Sh. Gursharan Singh is allowed as the Instructor and the MDTS has not produced any proof of undergoing the said refresher training course in r/o its Instructor, namely, Sh. Gursharan Singh.

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And, now therefore, keeping in view the facts and circumstances of the case and after considering the reply of the MDTs, it is evident that the said MDTs is violating the guidelines prescribed vide Order dated 06.08.2015 of the Transport Department and as such, the undersigned, being the Licensing Authority, in exercise of powers under rule 28 of the Central Motor Vehicles Rules, 1989 hereby suspends the license of M/s Manikaran Motor Driving Training School, Shop No. 24-22, DDA Market, Plot No. 13-14, Sector-6, Dwarka, New Delhi-110075 held by Sh. Gursharan Singh with immediate effect.

The proprietor of the MDTs is further directed to remove the said deficiencies within a period of not later than two months from the date of the issuance of this order failing which the license of the said MDTs shall be cancelled without any further notice.


(Tarun Kapoor)

Licensing Authority/Dy. Commissioner (West)

To,

Sh. Gursharan Singh
Proprietor of M/s Manikaran Motor Driving Training School
Shop No. 24-22/ DDA Market: Plot No. 13-14
Sector 6 Dwarka, New Delhi-110075.

Sh. Gursharan Singh
R/o B-1, Double Story,
Ramesh Nagar, New Delhi-110015.

Copy forwarded for information / necessary action to:

1. PS to Pr. Secretary-cum-Commissioner (Transport), Transport Department
2. PS to Special Commissioner (Ops.), Transport Department
3. Dy. Commissioner (Ops. -II), Transport Department
- ✓ 4. SSA, IT branch, with the request to upload on the website of Department
5. DTO (Dwarka).
6. All DTOs, Transport Department
7. Computer Branch In-charge.