

MOTOR VEHICLES (ASSAM AMENDMENT) ACT, 1968

The 25th - April 1969 No.LJL.55/68A0.—The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information. . ASSAM ACT VI OF 1969 [Received the assent of the President on the 18th April, 1969] THE MOTOR VEHICLES (ASSAM AMENDMENT) ACT, 1968 (Published in the Assam Gazette Extraordinary, dated the 26th April, 1969) An Act to amend the Motor Vehicles Act, 1939, in its application to Assam. Preamble• Whereas it is expedient to amend the Motor Vehicles Act, 1939, in its application to Assam 'Act 4 of 1939 for the purposes and in the manner hereinafter appearing It is hereby enacted in the. Nine teenthj Year Qf the Republic of India by the Legislature of Assam, as iOllows:— tho (title. I. This Act may be called bhe (Assam Amendment) Act, 1968. 2 Applica(ion

2. The Motor Vehicles Act, 1939 (hereinafter refer- red to as the principal Act), shall, in its application to Assam, be amended in the manner hereinafter provided. Insertion of, 3. After section 31 of the principal Act, the follow- new section ing shall be inserted as section 31 A, namely 31A in Act 4 of 1939. "Specia l 31 A. (1) Where an application for registration of provisi o n s a motor vehicle which is held under a hire-purchase regard i n g motor vehi- agreement is made, the registering authority shall cles subject to make an entry in the certificate of registration hire-purchase regarding the existence of the said agreement. or hypothe_ cation agree- (2) Where any registered owner of a motor vehicle ment. enters into a hire-purchase agreement and reports che transfer of ownership of the motor vehicle to the registering authority and makeg an application to it to have the existence of the hire-purchase agreement entered in the certificate, the registering authority shall make an entry to that effect in the certificate of registration. (3) An entry made under sub-section (1) or sube section (2) may be cancelled by the registering authority on proof of the termination of the hire- purchase agctement. (4) No entry regarding the transfer of ownership of any motor vehicle which is held under a hire- purchase agreement shall be made in the certificate of registration except with the written consent of the person with whom the registered owner has entered into a hire-purchase agreement, (5) Where any person with whom the registered owner has entered into a hire-purchase agreement satisfies the registering authority that he has taken possession of the vehicle owing to the default of the registered owner under the provisions of the agreement and that the registered owner refuses to deliver the certificate of registration or has abscon- ded, such authority mays after giving the registered owner an opportunity to make such representation as he may wish to make (by sending to him a notice by registered post acknowledgement due at his address entered in the certificate of registration) and notwithstanding that the certificate of registration is not produced before it, cancel the certificate and issue a duplicate thereof to the person moresaid•. (6) The provisions of sub-sections (1) to (5) shall so far as may be, apply to a motor vehicle which is subject to hypothecation as they apply to any motor vehicle which is held under a hire-purchase agreement". Amend. 3 4, In clause (f) of sub-section (2) of section 41 ment of sec• of the principal Act, after the words "alteration of tion 41 of certificates of registration", the words c •for making Act 4 of 1939. A nead• ment of the First Sche- duleto Act of 1939. or cancelling an endorsement in respect of an agree- ment of hire•purchase or hypothecation on a cer- tificate of registration", shall be inserted

5. In the First Schedule to the principal Act,—(a) in Form E, for the existing Note, the following Note shall be substituted, namely "Nofe motor vehicle above described is— (i) subject to a hire-purchase agreement with (ii) subject to a hypothecation in favour of (iii) not held under hire-purchase agree- ment or subject to any mortgage. (Strike out whatever is not applicable and, if the motor vehicle is subject to hire-pur- chase agreement or hypothecation, obtain the signature of the hire-purchase company or the mortgagee, as the case may be) e"; (b) in Form G, for the existing Note, the following Note shall be substituted, namely :— fJVVote—The Motor vehicle above described is— (i) subject to a hire-purchase agreement with (ii) subject to a hypothecation in favour of P. C. DAS, Jt. Secy. to the Govt. of Assam, Law Dep tt