

No.C1/20702/TC/2007

Transport Commissionerate,
Kerala, Thiruvananthapuram.
Date:05.04.2009

From

The Transport Commissioner,
Thiruvananthapuram.

To

All Deputy Transport Commissioners,
All Regional Transport Officers,
All Joint Regional Transport Officers of sub offices

Sir,

Sub: Motor Vehicles Department – Implementation of circular 6/2008 and
21/2008 - reg

Ref: Letter No. L1/485/2009/A dated 06.03.2009 of RTO, Alappzha

Vide reference cited, the Regional Transport Officer, Alappuzha had forwarded some suggestions regarding the implementation of circular No.6/08 and 21/08 of the Transport Commissioner, giving instruction for taking action against over speeding and other offences by drivers. It is pointed out that presently some of the Licensing / Additional Licensing Authorities are forwarding the reports prepared in their jurisdiction to the Original licensing authority for taking action against the Driving Licence holder at their end.

This practise invariably cause inordinate delay and in many cases the accused escape from punishment.

Attention is invited to Section 19 of the Act which empowers all Licencing Authorities to disqualify a person from holding a driving licence or revoke it Sub Section 2 of Section 19 read with Section 24 of MV Act states that, upon issuing such an order

the holder of the licence shall surrender the licence to the Licencing Authority making the order and the Licencing Authority shall endorse the disqualification in the licence and keep it until the disqualification expires. Rule 19 of Kerala Motor Vehicles Rules stipulate that the Licencing Authority ordering disqualification or revocation shall communicate the order to the original Licencing Authority by whom licence was issued.

From these provisions it is clear that any Licencing Authority can exercise the powers under Section 19 irrespective of the fact that the licence issued by another Authority.

In order to avoid the delay the Licencing/Additional Licencing Authorities are hereby instructed to issue show cause notice to the driver upon detection of the offence, under intimation to the Original Licencing/Additional Licencing Authority concerned. The original Licencing Authority/Additional Licencing Authority upon receipt of intimation should enter the objection in the system so as to prevent issue of Duplicate Driving Licence and rendering of any other service. After completing the procedures for the suspension of Driving Licence, the Driving Licence with proceedings shall be forwarded to the concerned Licencing Authority/Additional Licencing Authority for endorsing it in his records.

Yours faithfully,
Sd/-
Transport Commissioner

Approved for Issue,

Senior Superintendent

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