

No.C1/3173/TC/2003

9/10/03
22
2/10/03

Head Office,
Motor Vehicles Department,
Thiruvananthapuram,
Date: 24.07.2003.

Circular No.26/03

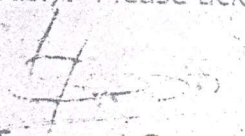
Sub: Motor Vehicles – Judgement passed by the Honourable High Court in O.P. No.864 of 2003 (C) – further instructions issued – reg.

- Ref: 1) G.O. (P) No.28/2002/Tran. dated 07.10.2002.
2) Clarification issued by Transport Commissioner vide order No. C1/9044/TC/2001 dated 23.11.02.
3) Judgement passed by the Honourable High Court in O.P. No.864 of 2003 (C) dated 06.02.03.

The Honourable High Court of Kerala while disposing various OPs filed by vehicle operators against the decision of the Department to collect the balance fee for permit is null and void. The Honourable High Court has prohibited the collection of the enhanced permit fee for valid application pending upto 31st October 2002; since the enhanced fee for the issue of permit is applicable only at the time of submission of application form and not at the time of actual grant of permit.

In the above circumstance all Regional Transport Officers/Joint Regional Transport Officers are directed to comply the direction of the Honourable High Court and not to collect the balance fee for valid pending applications in their offices up to 31st October 2002. The excess fee if any collected is either to be refunded or against the amount in the fee payable by the applicant on production of proof of such excess payment.

The above direction should be adhered scrupulously. Please acknowledge the receipt of the Circular.


Transport Commissioner.
24/7/03

To
All Regional Transport Officers,
All Joint Regional Transport Officers &
All Deputy Transport Commissioners for information and necessary action.

Copy to
CA to TC, Joint TC Secretary, STA, Senior DTC (Taxation), Senior AO, LO, FO, and AO, S/F and Spare.

Jd.