

F3/2652/TC/09

Transport Commissionerate
Kerala, Trivandrum
Dated:- 03.08.2009

From

The Transport Commissioner
Thiruvananthapuram

To

Regional Transport Officers
Alappuzha/Attingal/Ernakulam/Kannur/Kasaragod/Kozhikkode/
Malappuram/Palakkad/Vadakara

Joint Regional Transport Officers

Aluva/Chengannur/Cherthala/Kanhangad/Kazhakkuttom/Mannarkkad/
Mattancherry/NorthParavur/Parassala/Pattambi/Perinthalmanna/Ponnani/
Thalasserry/Thaliparamba/Thripunithura/Tirur

Sir,

Sub:- Motor Vehicles Department –Draft Para-Short Collection of fee for Renewal of
Driving License –Reg

Ref:- This Office letter of even number dated 18.06.2009

1. Please refer to the letter of even number dated 18.06.2009, directing you to collect arrear amount on account of short collection of fee for renewal of driving license. This was based on an audit observation of Accountant General stating that period of validity of license to drive non transport vehicle is getting renewed at the time of renewal of badge without collecting prescribed fee of Rs. 250/- for renewal. This has been further reviewed by Transport Commissioner as follows.

2. The draft para (2007-2008) is „...” it was noticed by him at the time of renewal of licences to drive Transport Vehicle (Badge) , the computer system automatically renewed the period of validity of license to drive the non-transport vehicle had not expired . Thus the renewal of non transport driving licences without an application from licence holder and payment of prescribed fee of Rs. 250/- in each case, resulted in revenue loss”...

3. The relevant provisions of Motor Vehicles Act 1988 and Central Motor Vehicles Act 1988 and Central Motor Vehicles Rules are sections 14, 15 and 18 (1) and Central 32 Table of Fees. Sl. No. 8 dealing with fee prescribed for renewal of Driving Driving Licence in Form 7.

4. As per Section 15(1) of MV Act , any licensing authority may on application made to it , renew a driving licence under the provisions of this Act with effect from the date of its expiry. Section 15(3) and (4) stipulate that fee for renewal of driving licence shall be such amount as may be prescribed by the Central Government. Rule 18(1) (a) authorize to collect “appropriate fee as specified in Rule 32”

5. Fee applicable for renewal of driving licence in Form 6 is Rs. 50/- and in Form 7 is Rs. 200/- vide Sl.No. 6 and 8 of table in Central Motor Vehicles Rule 32. Here it should be noted that a fee prescribed to "renewal of driving licence " and not for renewal of transport vehicle /non-transport vehicle. A driving licence holder may have authorization to drive one or more class of vehicle and some of them may be Transport and other Non-Transport.

6. Section 14(2) of MV Act 1988, deals with the currency or validity of the licence to drive motor vehicles. A licence to drive a non transport vehicle should be effective for a period of 20 years from the date of issue or renewal thereof has not attained the age of 50 years whichever is earlier.

7. The extent of validity of a licence to drive transport vehicle is 3 years only. The extent of validity of a licence authorizing its holder to drive both non-transport and transport vehicle together has not been specified in MV Act. But Form 6 and 7 (driving licence) provide for separate validity for licence to drive vehicles other than transport vehicles and the licence to drive transport vehicle separately.

8. Therefore the Licencing authorities are bound to issue validity for 20 years for driving licence holder or upto the age of 50 years which however is earlier is prescribed in Section 14 (2) at the time of issue or renewal thereof. Fee prescribed for renewal of driving licence is only under Section 15 , CMV Rule 18(1) (1),32 Sl. No. 8 and separate fee cannot be collected for non -transport vehicle or transport vehicle. Application for renewal of driving licence in prescribed form without prescribed fee cannot be refused normally and validity of transport vehicles for 3 years and non-transport vehicles for 20 years or upto 50 years of age and for 5 years after 50 years of age is mandatory.

9. Hence there is no revenue loss as the act of licensing authorities are regular and legal that they are duty bound to do so as per law.

10. In view of the foregoing you are directed to treat the letter dated 18.06.2009 as withdrawn and act based on the para 2 to 9 noted above .

Yours faithfully
Sd/-
Senior Finance Officer
For Transport Commissioner

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