



GOVERNMENT OF KERALA

Transport (B) Department

No.B2/309/2019/TRANS.

06/02/2020, Thiruvananthapuram

From

The Principal Secretary to Government

To

The Transport Commissioner

Sir,

Sub: Concerns raised for the provisions of the Motor Vehicles (Amendment) Act 2019

Ref: 1. D.ONo.RT-11036/72/2019-MVL dated 31.12.2019 from Hon'ble Minister of Road Transport and Highways, Government of India (copy enclosed).

2. Your Letter No.C1/123056/TC/2020 dated 08.01.2020

Inviting attention to the reference 2nd cited, it is informed that though the state Govt have no power to alter the fine prescribed for various offences as per the Motor Vehicle Act, by virtue of the provisions contained in section 200 of the Motor Vehicle Act, State has the power to fix the compounding fee. The amount fixed by Government vide G.O.(P) No.37/2019/Tran dated 26/10/19 is only the compounding fee fixed by the state Government by exercising the powers conferred under section 200 of the Motor Vehicle Act and hence the notification is valid and it does not require any modification as per the observation in the Government of India letter dated 6/01/2020.

It is also informed that the issue of renewal of the licenses which expired in the past five years, Govt of India have provided a period till 31.03.2020 for citizens including NRIs to have their licence renewed as per the old provisions. A copy of the letter from MoRTH is enclosed herewith for information.

Yours Faithfully,  
**SMITHA.S**  
**UNDER SECRETARY**  
For Secretary to Government.

Approved for Issue,



Section Officer.



नितीन गडकरी  
NITIN GADKARI



सत्यमेव जयते

191/75/2020/MCT

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मंत्री

सड़क परिवहन एवं राजमार्ग;  
सूक्ष्म, लघु एवं मध्यम उद्यम  
भारत सरकार

Minister

Road Transport and Highways;  
Micro, Small and Medium Enterprises  
Government of India

D. O. No. RT-11036/72/2019-MVL

31<sup>st</sup> December, 2019

Dear Shri A.K. Saseendran Ji,

Sub: Concerns raised for the provisions of the Motor Vehicles (Amendment) Act 2019.

Please refer to your D.O. letter dated 16<sup>th</sup> September, 2019 regarding some concerns in the provisions of the new Motor Vehicles (Amendment) Act 2019.

The provisions of the Motor Vehicles (Amendment) Act, 2019 have been passed by the Parliament after detailed deliberations with the various stakeholders. Further in-depth and thoughtful consideration with multiple meetings with the Stake holders were held by the Select and Standing Committees of the Parliament. I would like to draw your attention that especially the penalties have been decided considering the grim Road Safety scenario in the Country.

In the Motor Vehicles (Amendment) Act, 2019 for the compoundable offences under the provisions of the Section 200 of the Amendment Act, the penalties have been prescribed with the flexibility to the States to notify an amount for compounding the offence as per their specific requirements.

In regard to the issue of renewal of the licenses which expired in the past five years, we would provide a period till 31<sup>st</sup> of March 2020 for citizens including the NRIs as mentioned by you to have their licences renewed as per the old provisions. I hope this would take care of your concern.

It is further clarified that in the Motor Vehicles (Amendment) Act 2019 the Central Government has not encroached upon any powers which are vested with the State Governments and has no intentions of doing so either. I assure you that.

We are continuously improving the services delivery and support to the State Governments through our online VAHAN and SARATHI systems. It is again reiterated that the intentions of the Motor Vehicles (Amendment) Act 2019 is to improve Road Safety, provide facilitation to Citizens in the transport related services and reduce corruption. We have taken lots of initiative in the last few years. Providing services in an efficient and timely manner is our endeavor. The new act provides for many of such reform measures which I believe would benefit the citizens. Support of State government is very Crucial for the successful implementation of the act & will save many human lives.

With regards,

Yours sincerely,

(Nitin Gadkari)

Shri A.K. Saseendran  
Hon'ble Minister of Transport  
Government of Kerala  
Thiruvananthapuram