

R II

16/9/95

From

The Transport Commissioner,  
Thiruvananthapuram.

To

All Deputy Transport Commissioners/  
All Regional Transport Officers/  
All Joint Regional Transport Officers/  
All Motor Vehicles Inspectors of Check Posts.

Sir,

Sub:- M.Vs. - Non-transport vehicles having no valid  
registration - compounding of offences - reg.

Ref:- (1) This office letter of even No. dt.15.7.95.  
(2) Government letter No.12918/M1/95/PW&T dated  
26.8.95.

....

I invite your attention to the reference 1st cited.  
Vide reference 2nd cited, Government have further clarified  
that there is no legal objection in refunding the excess  
fine which was illegally recovered from the owners of the  
Motor Vehicles for the delay in the renewal of Registration.  
Hence all Regional Transport Officers and Joint Regional  
Transport Officers are directed to refund the excess amount  
collected by way of compounding fee on receipt of applica-  
tion. The Officers who have collected the excess amount  
unauthorisedly by misinterpretation of law and without  
seeking clarification in case of doubt should also have to  
make good the loss to public by way of interest on the excess  
amount collected if and when such a claim arises. The  
interest and liability will be on their personal amount, if  
any owner takes it up as a legal issue.

Government have also directed to obtain the  
explanation of the Officers who have collected the excess  
amount unauthorisedly. Hence the RTOs and Joint RTOs are  
directed to explain the reason for the collection of the  
amount if any, without obtaining clarification.

Yours faithfully,

Sd/-

V.C. Ayyappan,

Senior Dy.Transport Commr.(Tax)  
For Transport Commissioner.

Approved for issue,

Senior Superintendent.

jd.2.9.