

Office of the Transport Commissioner. Chepauk. Chennai-600 005.

Memo. NO.50367/E1/2009

Dated : 18.09.2009

Sub: Retaining Registration marks of Motor Vehicles by owners.

Ref; The Director (RT), Government of India, Ministry of Road
Transport & Highways, New Delhi's Letter
No,11036/21/2009-MVI_ dated 21.08.2009.

In the letter received from the Government of India, Ministry of Road Transport & Highways, New Delhi, the Government of India felt that section 65(2) of Motor Vehicles Act 1988 does not give specific powers to the State Government to make law, for allowing the Owners of Motor Vehicles to retain the Registration Mark assigned to their vehicles after the sale or scrapping the vehicles.

A copy of the letter is communicated for information.

Sd/-R. Radharkrishnan,

Joint Transport Commissioner (Rules).

Copy to:

All Zonal Joint Transport Commissioners / Deputy
Transport Commissioners / Regional Transport
Officers.

Government of India
Ministry of Road Transport & Highways

Transport Bhawan, 1, Parliament Street.
New Delhi-110001.

No. RT-11038/21/09-MVL

Dated the 21 August, 2009

The Transport Commissioner,
Government of Maharashtra, Transport Commissioners
Office, New Administrative Building, 3rd /4th Floor, Bandra (E),
Mumbai-400051.

Sub: Retaining Registration Marks of Motor Vehicles by owners.

Sir,

I am directed to refer to your letter No. TC/D.11/Comp/Mahajan2GQ9/ON 7296 dated 1-7-09 addressed to NIC, Pune on the subject cited above.

2. It may be seen that Govt. of Maharashtra proposes to make a provision in the Maharashtra Vehicles Rules, 1989, thereby allowing the owners of motor vehicles to retain the Registration Mark assigned to their vehicles after the sale or scrapping of the vehicles. These Rules are stated to be made in exercise of the powers conferred by clauses (d) and (p) of sub-Section (2) of Section 65 of the Motor Vehicles Act, 1988. It is, however, felt that the said Section does not give specific power to the State Government to make such a law. Besides, it is not clear what benefit such a provision would accrue to the consumer and the administration.

3. When a vehicle is sold and ownership is transferred, the registration mark remains the same. The Motor Vehicles Act provides for assignment of new registration mark only in the case of inter State transfer of motor vehicles. If the vehicle is scrapped, the registration mark assigned to the vehicle should be frozen. Prima facie, it appears that the proposed amendment would disturb the whole arrangement of registration of motor vehicles.

4. It is, therefore, requested that Govt. of Maharashtra may review the draft notification and may not go ahead to publish the final notification without consulting this Ministry.

Yours faithfully/
(ANAND PRAKASH)
Director (RT)
Telefax No. 23719097

Copy to:

Dr. Mahesh Chandra. Dy, Director General. Ministry of information & Technology, National Informatics Centre. A- Block, CGO Complex, Lodhi Road, New Delhi-110003 w.r.t. your letter No. 60/UMD/NIC/09 dated 8-7-09.