

**GOVERNMENT OF KERALA****Abstract**

Transport Department - Judgment dated 11.12.2024 of Hon'ble High Court of Kerala in WP(c) 34614/2024 filed by Kerala State Used Vehicles Dealers & Brokers Association - Complied with - Orders Issued

TRANSPORT (B) DEPARTMENT

G.O.(Rt)No.214/2025/TRANS Dated,Thiruvananthapuram, 02-05-2025

- Read 1. Petition dated 31.01.2024 from Kerala State Used Vehicles Dealers & Brokers Association
2. Judgment dated 11.12.2024 of Hon'ble High Court of Kerala in WP(c) 34614/2024 dated 11/12/2024
3. G.O.(Rt)No.94/2025/TRANS dated 28.02.2025

ORDER

WP(c) 34614/2024 has been filed by the General Secretary, Kerala State Used Vehicle Dealers & Brokers Association for a direction to the 1st respondent ie. Secretary, Transport to issue hard copy of the registration certificates. The petition further sought for a direction to the respondents to issue registration certificates of vehicles in accordance with the date of application only and not to receive any fresh application for registration of vehicles until the pending application are issued. Further the relief sought is for a direction to the 4th respondent ie. Secretary, Transport to consider ExtP7 ie. Representation dated 31.01.2024 addressed to the Secretary, Transport Dept.

2. The Hon'ble High Court in the judgment dated 11.12.2024 read as 2nd paper above has directed the 4th respondent ie. Secretary, Transport to consider and pass orders on ExtP7 representation after hearing the petitioners within a period of three months from the date of receipt of a copy of the judgment.

3. In compliance of the judgment the petitioners were heard on 06.03.2025. Shri Sony Valiyakappil, State General Secretary, Kerala State Used Vehicle Dealers & Brokers Association and other office bearers attended the hearing.

4. During the hearing the petitioners informed that the main request is that they require more time in selling the old vehicles under their custody and the new guidelines stipulated in the authorization certificate need not be made applicable. Further grievance include introducing a single window portal for remittance of all fines and to issue registration certificates of vehicles in accordance with the date of application only. Further contention raised is that the fee fixed @ Rs. 25,000/- as per 55 A(2) for obtaining authorization certificate needs to be reduced.

5. The petitioners pointed out that ownership transfer can be done based on sending OTP to the Aadhar linked phone number. Since the vehicles were purchased with sale letters as per Forms 29 and 30 before the introduction of dealership registration the OTP system should be discontinued for a period of 11 months. The other issue which is pointed out is that to issue hard copy of the registration certificates and not to receive any fresh application for registration of vehicles until the pending applications are issued.

6. Government have examined the matter in detail. The following decisions were taken based on the demand raised by the petitioners in the representation dated 31.01.2024 and in the hearing.

| Sl No. | Demand of the petitioners raised through representation read (1) | Decision of Government |
|--------|--|--|
| 1. | Issue hard copy of the registration certificates and not to receive any fresh application for registration of vehicles until the pending applications are issued. | As per the order read as 3rd paper above, Government have introduced the Digital Registration Certificate for Vehicles in the State as part of ease of doing business w.e.f 01.03.2025 and action has been initiated to print the pending RC's from 20.09.2024 to 28.02.2025. Hence the request placed has no relevance and is rejected. |
| 2. | Reduce the fee fixed @ Rs. 25,000/- as per 55 A(2) for obtaining authorization certificate | As per section 55 A(2) of the Central Motor Vehicles Rules, 1989, the fee for Grant or renewal of authorization certificate has been fixed as Rs. 25,000/-. Since the power to reduce the fee vests with the Central Government the state Govt. is unable to interfere in the matter and hence rejected. |
| 3. | Discontinue the OTP system for a period of 11 months, since the vehicles were purchased with sale letters as per Forms 29 and 30 before the introduction of dealership registration. | Rejected |
| 4. | Granting six months extension time in implementing the Authorization certificate | Three months of extension of time from the date of issuance of this order is granted to the dealers to obtain Authorization certificate. The extension is allowed on the condition that no further extension will be granted in this case. |

7. The Judgement dated 11.12.2024 of Hon'ble High Court of Kerala in WP(c) 34614/2024 filed by Kerala State Used Vehicles Dealers & Brokers Association is hereby complied with.

(By order of the Governor)
P B NOOH I A S
SPECIAL SECRETARY

To:

Advocate General Kerala, Ernakulam

Transport Commissioner, Thiruvananthapuram

Secretary, Kerala State Vehicle Dealers & Brokers Association State Committee,
27/509(7), Vahanabhavan, Noorani Jn., Palakkad

Principal Accountant General (Audit 1/Audit 2) Kerala

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