

OFFICE OF THE TRANSPORT COMMISSIONER-CUM- CHAIRMAN,
STATE TRANSPORT AUTHORITY, ODISHA, CUTTACK

CIRCULAR NO. 01 OF 2021

Sub:- Transfer of ownership of vehicle seized by financiers.

It is noticed that in most of the cases after seizure of vehicle by the financier, they are transferring ownership of the seized vehicle to the name of subsequent purchasers in Odisha and in other States without intimating the fact of seizure to concerned Registering Authority as mandated under Section 51 (5) of M.V. Act, 1988. Before selling the seized vehicle to purchaser, financiers are not following statutory provision for issue of fresh certificate of registration in their name and transfer of ownership of said vehicle thereafter.

Financiers are also removing seized vehicles to other State without obtaining NOC from the concerned Registering Authority as provided under Section 48 of M.V. Act, 1988 and Rule 58 of CMV Rules, 1989 without making payment of entire outstanding tax/penalty dues causing loss of revenue as well as procedural irregularities.

Section 51 (5) of M.V. Act, 1988 provides that when the vehicle is seized by the financier owing to default in making payment of dues by the registered owner, the financier shall intimate the Registering Authority that he has taken possession of the vehicle from the registered owner. After seizure of vehicle, the financier being the possessor is liable to pay tax / penalty due in respect of said vehicle under OMVT Act, 1975 and rules made thereunder.

It is ordered that in cases where after seizure of vehicle, the financier is not following provisions contained under section 51(5) of M.V.Act,1988, FIR may be lodged against financier.

Sd/- 22-1-2021
Transport Commissioner
Odisha.

dated 22-01-21

LXVI-87/4 Memo No.

991

Copy forwarded to the Principal Secretary to Government, Commerce and Transport Department, Bhubaneswar for information

Sd/- 22-1-2021
Transport Commissioner
Odisha.

Memo No.

992

dated 22-01-21

Copy forwarded to all Officers at Head Quarters / All D.C.Ts. / All RTOs for information and necessary action.

Copy to Computer Cell to host in the website.

Copy to Guard file.

Sd/- 22-1-2021
Transport Commissioner
Odisha.

Memo No. 996

dated

22-01-21

Copy forwarded to Standing Counsel (Transport) / Addl. Standing Counsel (Transport) for information.

Transport Commissioner
Odisha.

22-1-2021

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