

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

CIRCULAR NO. 7 OF 2019

Sub:- Issue of Learner's License, Final Driving License and Registration of Motor Vehicles.

As per Section 8 (1) of M.V. Act, 1988, any person who is not otherwise disqualified for holding or obtaining a Driving License, subject to provision under Section 7, may apply to any Licensing Authority in the State in which he ordinarily resides or carries on business or in which the school or establishment referred to in Section 12 from where he intends to receive Driving Training of a motor vehicle is situated for issue of Learner's License.

Section 9 of M.V. Act, 1988 provides similar procedure for obtaining final Driving License by making application to any Licensing Authority in the State.

Section 40 of M.V. Act, 1988 provides that subject to provisions contained under Section 42, Section 43 and Section 60, every owner of a motor vehicle shall cause the vehicle to be registered by any Registering Authority in the State in whose jurisdiction he has the residence or place of business where the vehicle is normally kept.

There is doubt among some of the Regional Transport Officers that the applicant making application for grant of Learner's License, final Driving License and Registration of Vehicle is required to produce address proof to the effect that he is residing within their jurisdiction of concerned Regional Transport Officer. Such concept of Regional Transport Officers is based on wrong concept which contrary to provisions of statute.

As per amended provision of Section 8 and Section 9 of M.V. Act, 1988, the word "**State**" was defined as "**single entity**" which should be interpreted with its proper prospective. Legislative intention by substituting the words "**to the Licensing Authority having jurisdiction in the area**" by "**any of the Licensing Authority in the State**" means any person may file application for grant of Learner's License and Final Driving License before any Licensing Authority in the State in which he resides or has his place of business. The restriction prevailing prior to 01.09.2019 that the applicant must file document showing proof of

residence that he resides within jurisdiction of respective Licensing Authority has been dispensed with. The applicant is required to file document showing proof of residence that he is residing or has place of business in Odisha.

Similarly Section 40 of M.V. Act, 1988 has been amended facilitating owner of a motor vehicle to register his vehicle in any Registering Authority in the State where he resides or has place of business. In the statement of objects annexed to the Motor Vehicles (Amendment) Bill, 2019, it has been clarified that the bill seeks to amend Section 40 of the Act to address the issues relating to citizen facilitation and to allow an owner to register his motor vehicle by making an application to any Registering Authority in the State. Taking into account the legislative intent to amend Section 40 of said Act, it is clarified that owner of a motor vehicle can file application for registration of his motor vehicle before any Registering Authority of Odisha irrespective of his place of residence and business in Odisha. However, the applicant is required to file document that he is residing in Odisha or has place of business in Odisha, as the case may be.

Consequent upon amendment of Section 40 of M.V. Act, 1988, any person can reserve notified fancy registration number or other than notified number online under Rule 14 of OMV Rules, 1993 in any Registering Authority across the State irrespective of place of residence and place of business in Odisha. However, new vehicle or assignment of Odisha registration number will be made in the office of concerned Registering Authority only where the registration number so reserved.

In view of above statutory provision, the Regional Transport Officers should not debar any person in getting Learner's License, Final Driving License and Registration of Motor Vehicle on the ground that he is not residing within the jurisdiction of respective Regional Transport Office.


Transport Commissioner
Odisha.

dated 01-11-19

Memo No. 11693

Copy forwarded to all Officers at Head Quarters / Sr. Technical Director, NIC, STA / All D.C.Ts. / All RTOs for information and necessary action.

Copy to Computer Cell to host in the website, twitter and facebook accounts.
Copy to Guard file.


Transport Commissioner
Odisha.