

**Government of Punjab  
Department of Transport  
(Transport-2 Branch)**

**ORDERS**

No. 04/14/2017-1T2/ :- The Division Bench of the Madras High Court in WP No. 1598 of 2017 titled as Chennai City Auto Ootunargal Sangam Vs. The Secretary, Ministry of Road Transport and Highways passed a judgment dated 03.04.2017, the relevant portion of the said judgment is extracted below:-

*"7. In view of the foregoing discussion, we find that the levy of additional fee under various heads as per the impugned notification is without authority and such levy of additional fee is, therefore, liable to be struck down.*

*18. In the result, the writ petitions are partly allowed and the impugned notification of the first respondent amending Rule 32 and Rule 81 the Central Motor Vehicles Rules to the extent of the imposition of additional fee is declared void and consequently the same is to that extent struck down. No costs. Consequently, all the Miscellaneous Petitions are closed. "*

2. The Hon'ble Punjab and Haryana High Court in CWP No. 5373 of 2020 titled as Rajinder Parshad Vs. State of Haryana and others upheld the afore-mentioned judgment of Madras High Court and passed a judgment dated 17.02.2021 directing the state authorities to renew the fitness certificate on payment of fee prescribed under unamended rules , the relevant part of the said judgment is reproduced as below:-

*'Learned Counsel for the petitioner is correct in arguing that demand of additional fee is illegal as amendment introduced in the 1988 Rules vide notification dated 29.12.2016 providing for additional fee has been set aside by a Division Bench of the Madras High Court. The operation of the judgment has not been stayed by the Supreme Court and thus, as on date the amendment in the rules does not exist. Thus, demand of additional fee is unjustified.'*

3. In view of above judgments, it has been decided that all kinds of additional fees mentioned in rule 32 and 81 of Central Motor Vehicle Rules, 1989 in pursuance of notification no.G.S.R. 1183(E) dated 29.12.2016 issued by Ministry of Road Transport and Highways shall not be levied in the State of Punjab.

4. This decision will be subjected to the final outcome in SLP (Civil) No. 23648 of 2017 pending in the Hon'ble Supreme Court of India.

Dated, Chandigarh,  
13.01.20211

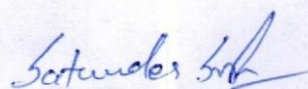
**K.Siva Prasad, IAS**  
**Principal Secretary to Government of Punjab**  
**Department of Transport**

Endst. No. 04/14/2017-1T2/ 48-50

Dated, Chandigarh, 18/1/2022

A copy of above is forwarded to the following:-

1. State Transport Commissioner, Punjab with direction to provide necessary assistance to Technical Director, NIC regarding making changes in the software.
2. Sh. Tarminder Singh, Technical Director, NIC, Punjab, Chandigarh with directions to make necessary changes in the software expeditiously.
3. All Secretaries/ Regional Transport Authority in the State of Punjab.

  
Superintendent  
Simran