

C1/9407/TC/2015

Transport Commissionerate, Keralam  
Trans Towers, Thiruvananthapuram  
Dated: 08-07-2015

From

The Transport Commissioner

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Making Road Transport Tobacco free-  
Direction issuing of-Reg

Ref: This office letter of even number dated 13-05-2015 and 08-06-2015

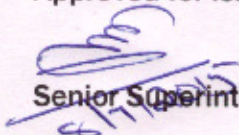
Attention is invited to the above reference. Vide reference cited, you were directed to strict action as per COTPA 2013. Now, it is hereby directed that offences detected under COTPA 2013 shall be included in the monthly checking report without fail.

Yours faithfully

Sd/-

Transport Commissioner

Approved for issue

  
Senior Superintendent





C1/9407/TC/2015

Transport Commissionerate, Keralam  
Trans Towers, Thiruvananthapuram  
Dated: 08-06-2015

From

The Transport Commissioner

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Making Road Transport Tobacco free-  
Direction issuing of-Reg

Ref: 1. Representation dated 29-05-2015 from Tobacco Free Kerala  
2. This office letter of even number dated 13-05-2015

Attention is invited to the above references. In continuation to the direction issued vide reference 2<sup>nd</sup> cited, you are informed that Section 4 of COTPA prohibits smoking in a wide range of public places. As per COTPA, "public place" means any place to which the public has access whether as of right or not and includes all places visited by general public. Public conveyances and Bus Depots/Transport Bus stands fall under the purview of above definition. The Act also calls for setting up 'No Smoking' signage boards as mandated by COTPA along with notifying the name of the person to whom a complaint may be made in case of violation.

Traffic Superintendents/Asst Traffic Superintendents/Bus Station Officer/Ticket Collector or conductor have been authorized under the Act to take action against violations of Section 4 in public conveyances. The authorized officers are empowered to compound the offence and impose appropriate fine upto ₹ 200/- on the violators and recover the fine on the spot or the authorized officers are permitted to issue chalans with the direction that the offender pays the fine at the designated court or treasury on any given/fixed day(s).

Section 5 of COTPA prohibits all forms of direct/indirect advertisement, promotion and sponsorship of tobacco products on public conveyances. All officers of the rank of Inspectors and above in the Transport Department are empowered to take action. The penalty for first offence is upto ₹ 1000/- or upto two years' imprisonment or both. Subsequent offence invites a fine of upto ₹ 5000/- and upto five years' imprisonment. You are directed to ensure that Section 4 and 5 of COTPA are complied stringently. Necessary steps as per law shall be taken against the violators.

Yours faithfully

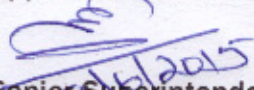
Sd/-

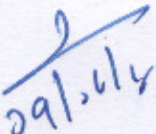
Senior Deputy Transport Commissioner  
(Taxation)

For Transport Commissioner

Copy to: The State Co-Ordinator, Tobacco Free Kerala, Saikripa, 289, PTP Nagar,  
Thiruvananthapuram-695038 for information

Approved for issue

  
Senior Superintendent





C1/9407/TC/2015

Transport Commissionerate, Keralam  
Trans Towers, Thiruvananthapuram  
Dated: 13-07-2015

From

The Transport Commissioner

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Making Road Transport Tobacco free-  
Direction issuing of-Reg

Ref: This office letter of even number dated 13-05-2015, 08-06-2015 and  
08-07-2015

Attention is invited to the above reference. As per Section 4 of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA), 'No Smoking' signage boards shall be exhibited in all public conveyances. Hence, in continuation to the directions issued vide reference cited, it is hereby ordered that in all transport vehicles, pictorial 'No Smoking' signage shall be exhibited inside public vehicles vehicle at a prominent place. While inspecting the vehicle for registration and issuing certificate of fitness and while checking the vehicle, it shall be ensured that the said pictorial signage is exhibited in the vehicle. All the officers concerned are also directed to give vide publicity to the exhibition of pictorial signage through local media. Sample of pictorial signage is enclosed herewith.

Yours faithfully

Sd/-

Transport Commissioner

Approved for issue

  
14/7/2015  
Senior Superintendent







C1/9407/TC/2015

Transport Commissionerate, Keralam  
Trans Towers, Thiruvananthapuram  
Dated: 13-05-2015

From

The Transport Commissioner

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Making Road Transport Tobacco free-  
Direction issuing of-Reg

Ref: 1. Representation dated 02-03-2015 from Tobacco Free Kerala  
2. This office letter No.C1/5628/TC/2010 dated 22-06-2010  
3. S.O.1866(E) dated 30-07-2009 of Ministry of Health and Family  
Welfare of Government of India

Attention is invited to the above references. Vide reference 1<sup>st</sup> cited, Tobacco Free Kerala has urged to take necessary steps to implement Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA), in all public conveyances of Kerala.

Vide reference 3<sup>rd</sup> cited, the Central Government had authorized the officers of the rank of Inspectors and above of Transport Department, who shall be competent to act under Sections 12 and 13 of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) and are conferred with the power of entry, search and seizure under the provision of the said Act.

Violation of the law by the tobacco producer(s)/manufacturer(s) is a punishable offence with imprisonment which may extend to two years or with fine which may extend to ₹ 5,000/- or with both and for second or subsequent conviction, with imprisonment for a term which may extend to five years and fine which may extend to ₹ 10,000/- . Likewise, the sellers/distributor(s) are liable to be punished with imprisonment for a term which may extend to one year, or with fine which may extend to ₹ 1,000/- or with both, and for second or subsequent conviction with imprisonment for a term which may extend to two years and with fine which may extend to ₹ 3,000/-. In this circumstance you are directed to take action against the persons violating the provision of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) and violating the provisions as per Rules 46(2)(j), 89(m), 153(1)(c) and 227(1)(d) of the Kerala Motor Vehicles Rules, 1989.

Yours faithfully

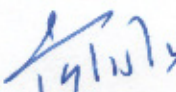
Sd/-

Senior Deputy Transport Commissioner  
(Taxation)  
For Transport Commissioner

Copy to: The State Co-Ordinator, Tobacco Free Kerala, Saikripa, 289, PTP Nagar,  
Thiruvananthapuram-695038 for information

Approved for issue

  
Senior Superintendent

  
19/5/15



C1/9407/TC/2015

Transport Commissionerate, Keralam  
Trans Towers, Thiruvananthapuram  
Dated: 13-05-2015

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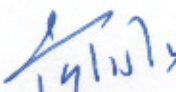
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19/5/15