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GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O.(P) No.37/2019/Trans

26th October, 2019

S. R. O. No. 788/2019

Thiruvananthapuram

In exercise of the powers conferred by sub-section (1) of section 200 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and in supersession of the notification issued under G.O. (P) No.30/2019/Trans. dated 31st August, 2019 and published as S.R.O. No.594/2019 in the Kerala



Gazette Extraordinary No. 2060 dated 31st August, 2019, the Government of Kerala hereby authorize,-

(i) all officers of and above the rank of Assistant Motor Vehicle Inspector of the Motor Vehicles Department and officers of and above the rank of Sub-Inspector in the Police Department, and where there is no traffic branch, all officers of local police of the area of and above the rank of Sub-Inspector of police to compound the offences punishable under various sections of the said Act specified in column (2) of the Schedule below for the amounts specified in column (3) thereof;

(ii) all officers of and above the rank of Inspectors of Kerala State Road Transport Corporation to compound the offences punishable under sub-section (1) of section 178 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) for offences detected in Kerala State Road Transport Corporation buses subject to the condition that the amount collected shall be remitted towards the fund of the Kerala State Road Transport Corporation.



SCHEDULE

<i>Sl. No.</i> (1)	<i>Penal Provision</i> (2)	<i>Description</i> (3)	<i>Amount (Rs)</i> (4)
1	Sec.177	General provisions for punishment of offences for which penalty is not provided for	(i) for the first offence 250 (ii) for any second or subsequent offence 500
2	Sec.178(1)	Penalty for travelling without pass or ticket and for dereliction of duty on the part of conductor and refusal to ply contract carriage, etc.	500
3	Sec.178(2)	If the conductor of a stage carriage or the driver of a stage carriage performing the functions of a conductor fails or refuses to accept the fare when tendered or fails or refuses to supply a ticket or supplies an invalid ticket or supplies a ticket of lesser value or fails or refuses to check any pass or ticket	500
4	Sec.178(3)(a)	If the holder of a permit or a driver of a contract carriage refuses to ply as contract carriage or to carry the passengers in two- wheeled or three-	50



		wheeled motor vehicles.	
5	Sec.178(3)(b)	If the holder of a permit or a driver of a contract carriage refuses to ply the contract carriage or to carry the passengers in any other cases.	500
6	Sec. 179(1)	Disobedience of orders and obstructing the discharge of any function by any person or authority under the Act.	1,000
7	Sec.179(2)	Wilfully withholds the information or gives false information when it is required by or under the Act to supply any information,	1,000
8	Sec.180	Allowing unauthorized persons to drive vehicles.	5,000
9	Sec.181	Driving vehicles in contravention of section 3 or section 4.	5,000
10	Sec.182(1)	Persons disqualified under the Act for holding or obtaining a driving licence drives a motor vehicle in a public place or applies for or obtains a driving licence.	10,000
11	Sec.182(2)	Persons disqualified under the Act for holding or obtaining a conductor's licence	1,000



- acts as a conductor of a stage carriage in a public place or applies for or obtains a conductor's license.
- 12 Sec.182A(1) Manufacturer, importer or dealer of a motor vehicle sells or delivers or alters or offers to sell or deliver or alter a motor vehicle in contravention of the provisions of Chapter VII or the rules and regulations made thereunder. 1,00,000 per such motor vehicle
- 13 Sec. 182A(3) Sells or offers to sell or permits the sale of any component of a motor vehicle which has been notified as a critical safety component by the Central Government and which does not comply with Chapter VII or the rules and regulations made thereunder. 1,00,000 per such component
- 14 Sec. 182A(4) Being the owner of a motor vehicle, alters a motor vehicle, including by way of retrofitting of motor vehicle parts, in a manner not permitted under the Act or the rules and regulations made thereunder. 5,000 per such alteration
- 15 Sec. 183(1)(i) Drives or causes any person who is employed by him or 1,500



		subjects someone under his control to drive a light motor vehicle in contravention of the speed limits referred to section 112	
16	Sec.183 (1) (ii)	Drives or causes any person who is employed by him or subjects someone under his control to drive a medium goods vehicle or a medium passenger vehicle or a heavy goods vehicle or a heavy passenger vehicle in contravention of the speed limits referred to section 112	3,000
17	Sec.184 (limited to item (c) of the Explanation	Use of handheld communications devices while driving	(i) for the first offence 2,000 (ii) for any second or subsequent offence if committed within three years of the commission of a previous similar offence 5,000
18	Sec.186	Driving when one is mentally or physically unfit to drive	(i) for the first offence 1,000 (ii) for a second or subsequent offence 2,000
19	Sec. 189	Racing and trials of speed	(i) for the first offence 5,000 (ii) for a subsequent offence 10,000
20	Sec. 190(2)	Person who drives or causes or allows to be driven in any public place a motor vehicle which violates the standards prescribed in relation to road safety, control of noise and air pollution	(I) for the first offence 2,000. (ii) for any second or subsequent offence 10,000 .



21	Sec. 192(1)	Using vehicle without registration	<ul style="list-style-type: none"> (i) for the first offence <ul style="list-style-type: none"> (a) Non-transport vehicle 3,000 (b) Transport vehicle <ul style="list-style-type: none"> (1) Two and Three wheeler vehicles 2,000 (2) Light Motor Vehicles 3,000 (3) Medium Motor Vehicles 4,000 (4) Heavy Motor Vehicles 5,000 (ii) for a second or subsequent offence 7,500
22	Sec.192A (1)	Using motor vehicles without permit	<ul style="list-style-type: none"> (a) Light Motor Vehicle/Two and three wheeler <ul style="list-style-type: none"> (i) 3,000 for the first offence (ii) 7,500 for any subsequent offence. (b) Medium Goods Vehicles, Medium Passenger Vehicles, Heavy Goods Vehicles and Heavy Passenger Motor Vehicles. <ul style="list-style-type: none"> (i) 7,500 for the first offence. (ii) 10,000 for any subsequent offence.
23	Sec.194 (1)	Driving vehicle exceeding permissible weight	10,000 + 1,500 for every additional tonne of excess load together with the liability to pay charges for off-loading of the excess load.
24	Sec. 194(1A)	Driving vehicle when such motor vehicle is loaded in such manner that the load or any part thereof or anything extends laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit	20,000
25	Sec. 194(2)	Driver of a vehicle who refuses to stop and submit the vehicle to weighing	20,000



26	Sec.194A	Driving a transport vehicle or causes or allows a transport vehicle to be driven while carrying more passengers than is authorised in the registration certificate of such transport vehicle or the permit conditions applicable to such transport vehicle	100 per excess passenger
27	Sec.194B(1)	Driving without wearing a safety belt or carries passenger not wearing seat belts. (excluding transport vehicles where seat belt is not provided by the manufacturer)	500
28	Sec.194B(2)	Driving a motor vehicle or causes or allows a motor vehicle with a child who, not having attained the age of 14 years, is not secured by a safety belt or a child restraint system	500
29	Sec.194C	Driving a motor cycle or causes or allows a motor cycle to be driven in contravention of section 128 (safety measures for motor cycle drivers and pillion riders)	1,000
30	Sec.194D	Driving a motor cycle or causes or allows a motor cycle to be driven in contravention of section 129 (without	500



		wearing protective headgear.)	
31	Sec.194E	Failure to draw to the side of the road on the approach of a Fire service vehicle, or of an Ambulance or other emergency vehicle	5,000
32	Sec.194F	Sounds the horn needlessly or continuously or more than necessary to ensure safety or sounds the horn in an area with a traffic sign prohibiting the use of a horn or drives a motor vehicle which makes use of a cut-out by which exhaust gases are released other than through the silencer	(i) for the first offence 1,000 (ii) for a second or subsequent offence 2,000
33	Sec.196	Driving uninsured vehicle	(i) for the first offence 2,000 (ii) for a subsequent offence 4,000
34	Sec.198	Unauthorized interference with vehicle	1,000

By order of the Governor,

K R JYOTHILAL,
Principal Secretary to Government.



Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per the amendment brought to the Motor Vehicles Act, 1988 (Central Act 59 of 1988) by virtue of the Motor Vehicles (Amendment) Act, 2019 (Central Act 32 of 2019), certain sections have been newly incorporated in the Act and the penalties for the offences have also been enhanced. In view of the said amendment, Government had issued notification by invoking section 200 of the said Act and published the same as S.R.O. No.594/2019 in the Kerala Gazette Extraordinary No. 2060, dated 31st August, 2019. In the said notification certain provisions in respect of compounding of offences were not included and in some other cases the upper limit of the fine amount was taken into consideration in fixing the compounding fee. Now the Government have decided to include the said provisions and to make certain other amendments by superseding the said notification.

The notification is intended to achieve the above object.

