## പതിനാലാം കേരള നിയമസഭ പതിനാറാം സമ്മേളനം

01.11.2019 ൽമറുപടിയ്ക്ക്

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നം. 1818

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ചോദ്യം			_മറ്റപടി		
ശ്രീ. എൻ .എ.നെല്ലിക്കുന്ന്			ശ്രീ.എ.കെ.ശശീന്ദ്രൻ		
			(ഗതാഗത വകപ്പ് മന്ത്രി)		
(എ)	കേന്ദ്ര ഗവൺമെന്റിന്റെ പുതിയ മോട്ടോർ നിയമം കേരളത്തിൽ പൂർണ്ണമായും നടപ്പി ലാക്കിയിട്ടുണ്ടോ എന്ന് വെളിപ്പെടുത്താമോ ; പ്രസ്തുത നിയമം അനുസരിച്ച് ടോഫിക് ചട്ടങ്ങളുടെ ലംഘനത്തിന് ഈടാക്കുന്ന പിഴ വിവരം ഇനംതിരിച്ച് അറിയിക്കാമോ;	& (ബി)	കേന്ദ്ര മോട്ടോർ വാഹന (ഭേദഗതി) നിയമം 01/09/2019 ന് രാജ്യമൊട്ടാകെ നിലവിൽ വന്നിരുന്നു. പ്രസ്തൃത നിയമത്തിന്റെ ചവടുപിടിച്ച്, സംസ്ഥാന സർക്കാർ. നിയമലംഘനങ്ങൾങ്ങളള പിഴയുടെ നിരങ്ങകൾ നിശ്ചയിച്ചുകൊണ്ട് വിജ്ഞാപനം പുറപ്പെട്ടവിങ്ങക യുണ്ടായി. എന്നാൽ പുതിയ നിരങ്ങകൾ സംബന്ധിച്ചു ണ്ടായ വ്യാപകമായ പൊതുജന പ്രതിഷേധം കണക്കിലെടുത്ത് സംസ്ഥാന സർക്കാർ പ്രസ്തൃത പിഴ നിരങ്ങകൾ പുനഃപരിശോധിങ്ങകയും സംസ്ഥാന സർക്കാരിന് കറയ്ക്കാൻ സാധിക്കുന്ന പിഴ തുകകൾ 26/10/2019 ലെ സ.ഉ (പി)37/2019/ഗതാ നമ്പർ ഉത്തരവ് പ്രകാരം കറയ്ക്കുകയും ചെയ്തിട്ടുണ്ട്. ഇപ്രകാരം കേന്ദ്ര നിയമത്തിൽ നിഷ്ഷർഷിച്ചിരിക്കുന്നതിനേക്കാൾ കറഞ്ഞ നിരക്കിലുളള പിഴയാണ് സംസ്ഥാനത്ത് നടപ്പിലാക്കിയിട്ടുളളത്. പ്രസ്തൃത വിജ്ഞാപനത്തിന്റെ പകർപ്പ് ഇതോടൊപ്പം അനുബന്ധം I ആയി സമർപ്പിക്കുന്നു.		
(സി)	പ്രസ്തൂത നിയമം പ്രാബല്യത്തിൽ വന്നതിന് ശേഷം ട്രാഫിക് നിയമലംഘനത്തിന് ച്ചമത്തിയ പിഴ മുഖേന സർക്കാരിനുണ്ടായ വരുമാനം എത്രയാണെന്ന് ജില്ല തിരിച്ച വ്യക്തമാക്കാമോ ?		കേന്ദ്ര വിജ്ഞാപനത്തിന്റെ ചുവട്ട പിടിച്ച്, പുതുക്കിയ പിഴ നിരക്കകൾ 01/09/19 മുതൽ സംസ്ഥാനത്ത് നടപ്പിലാക്കിക്കൊണ്ട് സർക്കാർ വിജ്ഞാപനം ഇറക്കിയിരുന്നു. എന്നാൽ വ്യാപകമായ പൊത്രജന പ്രതിഷേധം ഉണ്ടായത് കണക്കിലെടുത്ത്, ഈ കാലയളവിൽ കൂട്ടതലും ബോധവത്കരണ നടപടികളാണ് സ്വീകരിച്ചത്. ഇതിനുശേഷം 26/10/2019 ലെ സ.ഉ.(പി) 37/2019/ഗതാ നമ്പർ വിജ്ഞാപന പ്രകാരമാണ് പിഴ നിരക്കുകൾ കുറച്ചുകൊണ്ടുളള ഉത്തരവ നിലവിൽ വന്നത്. ഇതിനു ശേഷം മാത്രമാണ് പുതിയ നിരക്കിൽ പിഴ ചുമത്തി ഇടങ്ങിയത്. ജില്ല തിരിച്ചുളള വരുമാനത്തിന്റെ പട്ടിക അനുബന്ധം II ആയി ചേർക്കുന്നു		

## പ്പതിയ മോട്ടോർ നിയമം

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Regn.No. KERBIL/2012/45073 dated 05-09-2012 with RNI Reg No.KI/TV(N)/634/2018-20

കേരള ഗസറ്റ് KERALA GAZETTE

# **GOMOUDOMO** EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത് PUBLISHED BY AUTHORITY

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Thiruvananthapuram, Saturday 2019 G& SS Smith 26 26th October 2019 1195 @2020 9

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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 31\* August, 2019 and published as S.R.O. No.594/2019 in the Kerala



This is a digitally signed Gazette. Authenticity may be verified through https://compose.kerala.gov.in/ Gazette Extraordinary No. 2060 dated 31<sup>st</sup> August, 2019, the Government of Kerala herebyauthorize,-

(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.

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#### SCHEDULE

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Sl. Penal Provision No. (1) (2)

Description

(3)

1 Sec.177

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3

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General provisions for punishment of offences for which penalty is not provided for

Sec.178(1)

Sec.178(2)

Penalty for travelling without pass or ticket and for dereliction of duty on the part of conductor and refusal to ply contract carriage, etc.

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

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-

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#### Amount (Rs) (4)

(i) for the first offence 250

(ii) for any second or subsequent offence 500

500



50



wheeled motor vehicles.

**Disobedience** of

Act.

orders and obstructing the discharge of any

function by any person or authority under the

Wilfully withholds the information or gives

false information when it is required by or under the Act to

unauthorized persons to drive vehicles.

Driving vehicles in

Persons disqualified

holding or obtaining a driving licence drives a motor vehicle in a public place or applies for or obtains a driving

under the Act for

licence.

contravention of section 3 or section 4.

supply any information,

Allowing

Sec.178(3)(b)

5

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.

6 Sec. 179(1)

#### 7 Sec.179(2)

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Sec.180

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9 Sec.181

10 Sec.182(1)

11 Sec.182(2)

Persons disqualified under the Act for holding or obtaining a conductor's licence

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1,000

1,000

5,000

5,000

10,000

1,000



acts as a conductor of a stage carriage in a public place or applies for or obtains a conductor's license. 5

#### 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.

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.

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.

#### 15 Sec. 183(1)(i)

Drives or causes any person who is employed by him or

### 1,00,000 per such motor vehicle

#### 1,00,000 per such component

5,000 per such alteration

1,500



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		1 •	
		subjects someone	
1997 - 1997 1997 - 1997 - 1997 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1		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	
			3,000
	· · · · · · · · · · · · · · · · · · ·	employed by him or	
· . · .		subjects someone	
·		under his control to	
		drive a medium good	S
•		vehicle or a medium	
•		passenger vehicle or a	
		heavy goods vehicle	
		or a heavy passenger	
		vehicle in	
i.		contravention of the	
· · · ·		speed limits referred	
		to section 112	
		10 Section 112	
17	Sec.184 (limited to item (c) of	communications	(i) for the first offence 2,000
· · · ·	the Explanation	devices while driving	(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		
	000.100	Driving when one is	(i) for the first offence 1,000
		mentally or physically	(ii) for a second or subsequent
		unfit to drive	offence 2,000
19	Car 100		
13	Sec. 189	Racing and trials of	(i) for the first offence 5,000
		speed	(ii) for a subsequent
	0 400/01		offence10,000
20	Sec. 190(2)	Person who drives or	(I) for the first offence 2,000.
		causes or allows to be	(ii) for any second or subsequent offence
		driven in any public	10,000.
		place a motor vehicle	10,000
		which violates the	
		standards prescribed in	
		relation to road safety,	
		control of noise and	かからの 行為 キャガガ きょくしん 言語 旅行
			$\mathcal{A}$
		air pollution	
	and the second second		

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21 Sec. 192(1)	Using vehicle without	(i) for the first offence
	registration	(a) Non-transport vehicle 3,000
		(b) Transport vehicle
	and a second second Second second	(1) Thus and There is a second s
		$(1)$ [ight] $A_{aba}$ $(7,1)$
• •		(2) Light Motor Vehicles 3,000 (3) Medium Motor Vehicles 4,000
		(4) Heavy Motor Vehicles 5,000
		5,000
		(ii) for a second or subsequent offence 7,500
22 Sec.192A (1)	Using motor vehicles	(a) I ight Moton Value of
	without permit	(a) Light Motor Vehicle/Two and three wheeler
		(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> <li>(i) 7,500 for the first offence.</li> <li>(ii) 10,000 for any subsequent</li> </ul>
		(ii) 10,000 for any subsequent offence.
		oneice.
23 Sec.194 (1)	Driving vehicle	10 000
	exceeding permissible	10,000 + 1,500 for every additional tonne of
	weight	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	20,000
	that the load or any	-0,000
	part thereof or	
	anything extends	
	laterally beyond the	
see States and s	side of the body or to	
	the front or to the rear	
	or in height beyond	
· · · · · · · · ·	the permissible limit	
25 Sec. 194(2)	Driver of	
	Driver of a vehicle	
	who refuses to stop and submit the vehicle	20,000
	to weighing	
	e weighning	

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27 Sec.194B(1)

28 Sec.194B(2)

29 Sec.194C

30 Sec.194D

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 **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) 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

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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)

Driving a motor cycle or causes or allows a motor cycle to be driven in contravention of section 129 (without

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500

500

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500

1,000

wearing protective headgear.)

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

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

silencer Sec.196 Driving uninsured vehicle

Sec.198

31

32

33)

34

Sec.194E

Sec.194F

Unauthorized interference with vehicle

#### 5,000

(i) for the first offence 1,000(ii) for a second or subsequent offence 2,000

(i) for the first offence 2,000(ii) for a subsequent offence 4,000

1,000

By order of the Governor,

K R JYOTHILAL, Principal Secretary to Government.





#### Explanatory Note

10

(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 31<sup>st</sup> 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.

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Kottayam	2285260	1188800	3474060
Emakulam	3595550	1288560	4884110
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