


**പതിനാലാം കേരള നിയമസഭ
പതിനാറാം സമ്മേളനം**

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നം. 1821

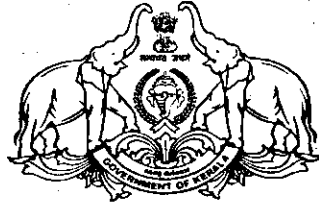
01.11.2019 ര്മദുപടിയ്ക്ക്

കേന്ദ്ര സർക്കാരിന്റെ ഗതാഗത നിയമം

	<p align="center"><u>ചോദ്യം</u> ശ്രീ.പി.കെ.ബഷീർ ,, വി.കെ.ഇബ്രാഹിം കുഞ്ഞ്</p>	<p align="center"><u>മറുപടി</u> ശ്രീ.എ.കെ.ശശീന്ദ്രൻ (ഗതാഗത വകുപ്പ് മന്ത്രി)</p>
(എ)	<p>കേന്ദ്ര സർക്കാർ പാസാക്കിയ ഗതാഗത നിയമം സംസ്ഥാന സർക്കാർ അതേപടി നടപ്പിലാക്കിയിട്ടുണ്ടോ; ഉത്തരവിന്റെ പകർപ്പ് ലഭ്യമാക്കുമോ;</p>	<p>(എ) കേന്ദ്ര മോട്ടോർ വാഹന (ഭേദഗതി) നിയമം 01/09/2019 ന് രാജ്യമൊട്ടാകെ നിലവിൽ വന്നിരുന്നു. പ്രസ്തുത നിയമത്തിന്റെ ചുവടുപിടിച്ച്, സംസ്ഥാന സർക്കാർ, നിയമലംഘനങ്ങൾക്കുള്ള രാജിയാക്കൽ ഫീസ് നിരക്കുകൾ നിശ്ചയിച്ചുകൊണ്ട് വിജ്ഞാപനം പുറപ്പെടുവിക്കുകയുണ്ടായി. ആയതിന്റെ പകർപ്പ് അനുബന്ധം - I ആയി ചേർക്കുന്നു.</p>
(ബി)	<p>എങ്കിൽ ഓരോ നിയമലംഘനങ്ങൾക്കും മുമ്പ് ഉണ്ടായിരുന്നതും ഇപ്പോഴത്തേതുമായ പിഴത്തുക എത്രയാണെന്ന് അറിയിക്കുമോ;</p>	<p>(ബി) മുൻപുണ്ടായിരുന്ന രാജിയാക്കൽ ഫീസ് നിരക്കുകൾ നിശ്ചയിച്ചു കൊണ്ടുള്ള വിജ്ഞാപനം അനുബന്ധം II ആയും പുതിയ നിരക്കുകൾ നിശ്ചയിച്ചുകൊണ്ടുള്ള 26.10.19 ലെ സ.ഉ. (പി) 37/2019/ ഗതാ നമ്പർ വിജ്ഞാപനം അനുബന്ധം III ആയും ഇതോടൊപ്പം ചേർക്കുന്നു.</p>
(സി)	<p>പ്രസ്തുത പിഴത്തുക കൂടുതലായതിനാൽ ആയത് കുറയ്ക്കുന്നതിന് എന്തെല്ലാം നടപടികളാണ് സ്വീകരിക്കുവാൻ ഉദ്ദേശിക്കുന്നത്; വ്യക്തമാക്കുമോ;</p>	<p>(സി) കേന്ദ്ര മോട്ടോർ വാഹന നിയമം അനുസരിച്ചുള്ള പിഴ നിരക്കുകൾ കൂടുതലാണെന്ന് ബോധ്യമായതിന്റെ അടിസ്ഥാനത്തിൽ സംസ്ഥാന സർക്കാർ രാജിയാക്കൽ ഫീസ് തുക കുറയ്ക്കുന്നതിനുള്ള നടപടികൾ സ്വീകരിക്കുകയും തുടർന്ന് 26/10/2019 ലെ സ.ഉ (പി)37/2019/ഗതാ നമ്പർ ഉത്തരവ് പ്രകാരം രാജിയാക്കൽ ഫീസ് നിരക്കുകൾ കുറയ്ക്കുകയും ചെയ്തിട്ടുണ്ട്.</p>
(ഡി)	<p>പിഴത്തുക വർദ്ധിപ്പിച്ചതിനുശേഷം മോട്ടോർ വാഹന വകുപ്പിന് ഉണ്ടായ വരുമാന വർദ്ധനവ് എത്ര ശതമാനമാണ്; വിശദമാക്കുമോ?</p>	<p>(ഡി) 26/10/2019 ലെ സ.ഉ (പി)37/2019/ഗതാ നമ്പർ ഉത്തരവ് പ്രകാരമാണ് പൂർണ്ണമായി പുതിയ നിരക്കിൽ രാജിയാക്കൽ ഫീസ് ചുമത്തി വരുന്നത്. ഈ ചുമത്തിയ കാലയളവ് വെച്ച് വരുമാന വർദ്ധനവ് എത്ര ശതമാനമാണെന്ന് കണക്കാക്കാൻ കഴിയില്ല.</p>


സെക്ഷൻ ഓഫീസർ

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Government of Kerala
2019



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

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 8 Vol. VIII	തിരുവനന്തപുരം, ശനി	2019 ആഗസ്റ്റ് 31 31st August 2019	നമ്പർ No. } 2060
	Thiruvananthapuram, Saturday	1195 ചിങ്ങം 15 15th Chingam 1195	
		1941 ഭാദ്രം 9 9th Bhadra 1941	

GOVERNMENT OF KERALA

Transport(B) Department

NOTIFICATION

G.O.(P)No.30/2019/Trans.

31st August, 2019

S. R. O. No. 594/2019

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.14/2010/Trans., dated 2nd March, 2010 and published as S.R.O No. 221/2010 in the Kerala Gazette Extraordinary No. 510, dated 5th March, 2010, 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 traffic branch of the Police Department, and where there is no traffic branch, all officers of local police of the area of and above the rank of Circle 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 of fine collected shall be remitted towards the fund of Kerala State Road Transport Corporation.

SCHEDULE

<i>Sl No</i>	<i>Penal Provision</i>	<i>Amount (Rs)</i>
(1)	(2)	(3)
1	Sec. 177	500
2	Sec.178(1)	500
3	Sec.178(2)	500
4	Sec.178(3)(a)	50
5	Sec.178(3)(b)	500
6	Sec.179(1)	2,000



7	Sec.179(2)	2,000
8	Sec.180	5,000
9	Sec.181	5,000
10	Sec.182(1)	10,000
11	Sec.182(2)	10,000
12	Sec.182A(1)	1,00,000 per such motor vehicle
13	Sec.182A(3)	1,00,000 per such component
14	Sec.182A(4)	5,000 per such alteration
15	Sec.183 (1)(i)	1,500
16	Sec.183 (1) (ii)	3,000
17	Sec.184 (limited to item (c) of the Explanation)	3,000 and to undertake community service
18	Sec.186	1,000
19	Sec.189	5,000
20	Sec.190(2)	10,000
21	Sec.192(1)	(a) Non-transport vehicle 2,000 (b) Transport vehicle (i) Two and Three wheeler vehicles 2,000 (ii) Light Motor Vehicles 3,000 (iii) Medium Motor Vehicles 4,000 (iv) Heavy Motor Vehicles 5,000
22	Sec.192A	10,000
23	Sec.194	Rs.20,000 + Rs.2,000 for every additional tonne of excess load together with the liability to pay charges for off-loading of the excess load.
24	Sec.194A	200 per excess passenger
25	Sec.194B(1)	1,000



26	Sec.194B(2)	1,000
27	Sec.194C	1,000
28	Sec.194D	1,000
29	Sec.194E	10,000
30	Sec.194F	1,000
31	Sec.196	2,000
32	Sec.198	1,000

The notification shall come into force on and from the 1st day of September, 2019.

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 sub-section (1) of section 200 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) as amended by the Motor Vehicles (Amendment) Act, 2019 (Central Act 32 of 2019) any offence whether committed before or after the commencement of the said Act punishable under section 177, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (3) or sub-section (4) of section 182A, section 182B, sub-section (1) or sub-section (2) of section 183, section 184 only to the extent of use of hand held communication devices, section 186, section 189, sub-section (2) of section 190, section 192, section 192A, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196, section 198, may either before or after the institution of the prosecution, be



compounded by such officers or authorities and for such amount as the State Government may by notification in the Official Gazette specify in this behalf.

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) provisions regarding certain offences have been newly incorporated and the penalties for the offences have also been enhanced . As a deterrent measure to curb traffic offences, the Government have decided to specify the amount for the composition of such offences and to specify the officers and authorities for compounding such offences.

The notification is intended to achieve the above object.



അനുസരണം - II

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കേരള സർക്കാർ
2010



Reg. No. രജി. നമ്പർ
KL/TV(N)/12/2009-2011

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. LV	Thiruvananthapuram,	5th March 2010	No. } 510
വാല്യം 55 }	Friday	2010 മാർച്ച് 5	
	തിരുവനന്തപുരം,	14th Phalguna 1931	നമ്പർ }
വെള്ളി	1931 ഫാൽഗുണം 14		

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G. O. (P) No. 14/2010/Tran. Dated, Thiruvananthapuram, 2nd March, 2010.

S. R. O. No. 221/2010.—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 No. G. O. (P) 9/2002, dated 20th March, 2002 and published as S.R.O. No. 157/2002 in the Kerala Gazette Extraordinary No. 303 dated, 22nd March, 2002, the Government of Kerala hereby authorize all officers of and above the rank of Assistant Motor Vehicles Inspectors of Motor Vehicles Department and all officers of and above the rank of Sub Inspectors in the traffic branch of the Police Department and where there is no traffic branch, all officers of local police of the area of and above the rank of Circle Inspector of Police to compound the offences punishable under various provisions of the said Act specified in column (2) of the Schedule below for the amounts specified in column (3) thereof.

SCHEDULE

<i>Sl. No.</i>	<i>Penal provision</i>	<i>Amount (Rs.)</i>
(1)	(2)	(3)
1	S 177	100
2	S 178 (1)	500
3	S 178 (2)	500
4	S 178 (3)(a)	50
5	S 178 (3)(b)	200
6	S 179 (1)	500
7	S 179 (2)	500
8	S 180	1,000
9	S 181	500
10	S 182 (1)	500
11	S 182 (2)	100
12	S 183 (1)	400
13	S 183 (2)	300
14	S 184	1,000
15	S 186	200
16	S 189	500
17	S 190 (2)	1,000
18	S 191	500

(1)	(2)	(3)
19	S 192 (1)	(a) Rs. 2,000 in the case of non transport vehicle (b) Transport vehicles (i) Two and three wheeler vehicles: 2,000 (ii) Light Motor Vehicles : 3,000 (iii) Medium Motor Vehicles : 4,000 (iv) Heavy Motor vehicles : 5,000
20	S 194	Rs. 2000 + Rs. 1000 for every additional 1000 kgs together with the liability to pay charge for off loading the excess load.
21	S 196	1,000
22	S 198	100

This notification shall come into force on and from the 1st April, 2010.

By order of the Governor,

W. R. REDDY,
Secretary to Government.

Explanatory Note

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

As per the notification published as S.R.O. No. 157/2002 in the Kerala Gazette Extraordinary No. 303 dated, 22nd March, 2002, certain amount of compounding fee was prescribed for the various offences. Now in view of the increasing number of traffic violations and road accidents, Government have decided to increase the compounding fee.

The notification is intended to achieve the above object.

അനൗപമം - 111

കേരള സർക്കാർ
Government of Kerala
2019



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

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 8 Vol. VIII	തിരുവനന്തപുരം, ശനി	2019 ഒക്ടോബർ 26 26th October 2019	നമ്പർ No. } 2577
	Thiruvananthapuram, Saturday	1195 തൃലാം 9 9th Thulam 1195 1941 കാർത്തികം 4 4th Karthika 1941	

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

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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

Sl. No. (1)	Penal Provision (2)	Description (3)	Amount (Rs) (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
- (i) for the first offence
 - (a) Non-transport vehicle 3,000
 - (b) Transport vehicle
 - (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
- (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.
 - (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.

