

No.C1/20702/TC/2007

Transport Commissionerate, Kerala  
Trans Towers, Thiruvananthapuram  
Dated, 08.03.2008

Circular No.06/2008

Sub: Motor Vehicles Dept. – Road Safety Measures – Action against over speeding of drivers and other offences – imposing of penalty – orders issued – reg.

Ref: This office Circular No.08/2002 dated 10.06.02

The Licensing Authorities of the State were directed to invoke the provision of Section 19 (1) of the MV Act against overspeeding drivers. It has come to notice that most of the officers of this Department are not complying with the directions contained in the said Circular.

It has become necessary to take stringent action against overspeeding drivers in view of the increasing accidents. It is seen that the compounding of the offence alone does not have the expected deterrence.

Therefore it is once again directed that sub section (1) of section 19 of the MV Act 1988 read with rule 21 of CMV Rules shall be invoked in the following cases

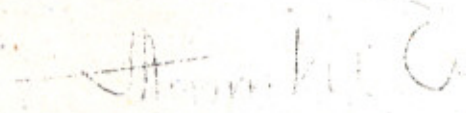
Sl. No.	Section / Rule	Offences	Penalty /Punishment
1.	Under section 279, 337, 338, 304 (A) of IPC and 184, 185 of MV Act	Where Driver has been charge sheeted by Police	Revoking the licence
2.	Under section 184 and 185 of MV Act	Where the over speeding is traced by electronic evidence	Suspension of licence for a minimum period of 2 years
3.	Sub rule 5, of rule 21	Transportation of goods prohibited under any law	Suspension of driving licence to a minimum period of 6 months
4.	Sub rule 6 of rule 21	While driving a transport vehicle engaging himself in activity likely to disturb his concentration	
5.	Sub rule 8 of rule 21	Carrying overload in goods carriages	
6.	Sub rule 14 of rule 21	Smoking while driving public service vehicle	

7.	Sub rule 15 of rule 21	Abandoning vehicle in a public place causing inconvenience to other road users or to passengers in the vehicle	Suspension of driving licence to a minimum period of 6 months
8.	Sub rule 19 of rule 21	Not stopping a stage carriage at approved stopping places for a sufficient period of time in a safe and convenient position upon demand or signal of the conductor or any passenger desiring to alight from the vehicle and unless there is no room in the vehicle upon demand or signal of any persons desiring to become a passenger.	
9.	Sub rule 20 of rule 21	Loitering or unduly delaying journey and not proceeding to the destination as near as may be in accordance with the time table pertaining to the vehicle or where there is no such time table with all reasonable dispatch	
10.	Sub rule 22 of Rule 21	The driver of a motor cab not accepting the first offer of hire which may be made to him irrespective of the length of the journey for which such offer is made.	
11.	Sub rule 23 of rule 21	The driver of a motor cab demanding / extracting any fare in excess to that to which he is legally entitled or refusing to ply on motor cab	
12.	Sub rule 24 of rule 21	Abandoning a transport vehicle as a mark of protest or agitation of any kind or stick in a public place causing obstructions and inconvenience to the public or passenger or other users of such places.	
13.	Sub rule 25 of rules 21	Using mobile phone while driving	

All Officers are directed to give adequate publicity to the action taken as above which will strengthen the road discipline among drivers. All Deputy Transport Commissioners, Regional Transport Officers Joint Regional Transport Officers and Motor Vehicles Inspectors of Check Post are hereby directed to forward a monthly report stating

the details of action taken under section 19 (1) (f) on or before 10<sup>th</sup> of succeeding month in the name cover of Assistant Transport Commissioner

The receipt of this direction shall be acknowledged by Zonal Deputy Transport Commissioners / Regional Transport Officer / Joint Regional Transport Officers.



Transport Commissioner.

To

All Deputy Transport Commissioners,  
All Regional Transport Officers,  
All Joint Regional Transport Officers and  
All Motor Vehicles Inspector of Check Posts.

Copy to:

CAs to TC, Addl. TC, Secretary, STA, Senior TDC, Senior AO, FO, LO, SO,  
Accounts Officer, Asst. TC, Asst. Secretary, MVI, AMVIs all Sections and Section  
heads of this Office.

Jd.