

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 2nd 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/Ass^t 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

29/6/15