

No.C1.30357/TC/88.

Office of the Transport Commissioner,
Trivandrum, Dtd. 10.1988.

From

The Transport Commissioner,
Trivandrum.

To

The Joint Regional Transport Officer,
Sub Regional Transport Office,
Tellicherry.

Sir,

Sub:- M.Vs. -Collection of compounding fee-clarification sought for-
reg -

Ref:- Lr.No.C1/8089/88/CT dtd.8.7.88 of Sub R.T.O.,Tellicherry.

The Joint Regional Transport Officer, Tellicherry has sought clarification on the point whether the compounding fee to be recovered in respect of a non-transport vehicle for the offence of using it for carrying passengers for hire or rewards is at the non-transport rate of Rs.100/- or the transport vehicle rate of Rs.500/-

It is presumed that the instances referred to one case in which private cars have been plied for hire or reward. A private motor car used for carrying passengers for rewards or hire is a public service vehicle' within the meaning of clause (25) of Section 2 of the M.V.Act and as such it is a "Transport Vehicle" as defined in Section 2(33)(AIR 1966 BOM 119)Section 42(1) lays down that a transport vehicle shall not be used in a public place without valid permit. The owner/driver of a transport vehicle used in a public place without a valid permit required by section 42(1) is liable to be punished Under Section 123(1). Therefore the offence in question would fall within the mischief of section 42(1) read with section 123(1). As per S.R.O.1270/85 the amount prescribed in bein of compounding an offence under section 123 in respect of a transport vehicle is Rs.500/- In the circumstances the compounding fee to be realised in respect of the offences in question is at the transport vehicle rate of Rs.500/-

All Regional Transport Officers/Joint Regional Transport Officers will please take a note in this and will do accordingly. Receipt of this letter will be acknowledged by return.

Yours faithfully,

Sd/-

For Transport Commissioner.

Copy to: All Dy.T.Cs/R.T.Os. and Jt.R.T.Os.for information and necessary action.

" CA to JTC,Secretary,S.T.A. and Sr.Dy.T.C.(Taxation) and S.F.

Sd/-

For T.C.Trivandrum.

(True copy)

Endt.No.G1-11082/88/ID

Copies communicated to Motor Vehicle Inspector,Idukki, Assistant Motor Vehicle Inspector's,Idukki, Kattappana, Munnar and Check post Kumily for information and necessary action.


Regional Transport Officer, Idukki.


30/11/88