



Certificate noted by
M.V. No. C1/3734/TC/98
S. S. S. S.

Head Office
Motor Vehicles Department
Thiruvananthapuram

4381

Dated 15-9-98

CIRCULAR NO. 28 /98

Sub : Goods Carriages - penalty for overload -
clarification on implementation of Section 194
of M.V. Act 1988 - issued -

Ref : Notification No. SRO.297/98 in G.O.(P) 15/98/Trans
dated 31.3.98.

Section 194 of Motor Vehicles Act 1988 prescribed
a penalty of minimum fine of Rs.2000/- and additional
amount of Rs.1000/- per tonne of excess load together
with the liability to pay charges for off loading the
excess load.

The present practice is to levy a minimum fine of
Rs.2000/- and an additional amount of Rs.1000/- for the
excess load even if, it is less than 1000 Kgs. Therefore
the question arises whether the additional amount of
Rs.1000/- will be applicable for a complete ton or part
thereof.

Having examined the intention of using the words
"per ton of the excess load" in the notification (as
used in Sec.194 also), it is clarified that the prescri-
bed additional fine of Rs.1000/- will be applicable
for a complete ton and not applicable to part of a ton .

Illustration:

<u>Excess weight</u>	<u>Minimum fine</u>	<u>Addl. Fine</u>
600 Kgs.	Rs.2000/-	Nil
1200 Kgs.	Rs.2000/-	Rs.1000/-
2400 Kgs.	Rs.2000/-	Rs.2000/-
3600 Kgs.	Rs.2000/-	Rs.3000/-

These instructions will take immediate effect.

[Signature]
K.J. Joseph I.P.S.

Additional Director General of Police
Transport Commissioner

To

1957 *16/9*
All D.T.C.s, R.T.Os, Sub RTOs., M.V.Is of Check Posts.

Copy to : C.A.s to TC, Addl.TC, Sr.DTC & Secy.STA,
Sr.DTC (Tax), A.O., FO, SO, Senior Supdts,
Junior Supdts, H.A. and Stock file and spare.

: Accountant General, Kerala (with C.L.)

sk/