



Motor Vehicles - Motor Vehicles Act 1988 (Central Act 59 of 1988) – Violation of Pollution norms - Delegation of powers to Motor Vehicle Inspector Grade - II and Sub-Inspector of Police in uniform for imposing fines on two wheelers and four wheelers violating emission norms - Revised Orders - Issued.

Home (Transport -V) Department:

G.O.Ms.No. 1579

Dated: 24.11.2008

Read:

G.O(Ms) No:812 Home dated: 29.5.1997.

Read also:-

From the Principal Secretary and Transport Commissioner. Chennai, letter No. 14992/C3/2002, dated: 10.2.2003 and 16.2.2007.

ORDER:-

in the Government order read above, the Government have issued orders specifying the officers of the Transport Department not below the rank of a Motor Vehicle inspector, Grade-II to compound an offence punishable under subsection (2) of section 190 of the Motor Vehicles Ad, 1988 (Central Act 59 of 1988) for violation of pollution control standards for the amount mentioned below:-

- a) First offence : (Warning)
- b) Second offence : Rs100-(Rupees one hundred only)
- c) Third offence :Rs.200/-(Rupees two hundred only)
- d) Fourth offence : Rs,500/-(Rupees five hundred only)
- e) Fifth and subsequent offences :Rs. 1,000/- (Rupees One thousand only)

It was also ordered that the offence be recorded in the Registration certificate of the Vehicle.

2. The Transport Commissioner has reported that there was difficult to enforcing the above order as, most of the vehicle owners carry only the Xerox copy of the "Registration Certificate". The original Registration Certificate lie either with the agency or bank/institution, which advanced the loan for purchase of the said vehicle. Even in other cases, the vehicle owners preferred to take the copy only for safety purposes. Therefore, recording in the original Registration Certificate was not possible in most of the cases. Consequently, there was difficulty in ascertaining the fact. Whether the offence was a first time one. in fact, everyone claims that it is for the first time. To overcome the above difficulties, the Transport Commissioner has suggested to impost uniform rate of fine of Rs.500/-(Rupees five hundred only) for four wheelers of Transport /Non -Transport Vehides and a fine of Rs.250/- (Rupees two hundred and fifty only) for two wheelers and three wheelers of transport/ Non -Transport Vehides and to delegate powers to the officers of the Transport Department not below the rank of Motor Vehicle of inspector-Grade- I) and the officers of the Police Department not below the rank of Sub - Inspector of Police in uniform to impose the fine. The Chairman, Tamil Nadu Pollution, Control Board has also endorsed the suggestion of the Transport Commissioner.

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3. The Government, after careful examination of the proposal of-the Transport Commissioner have decided to specify an amount of Rs. 500/- (Rupees five hundred only) for four wheelers, of Transport/ Non – Transport Vehicles and of Rs.250/- (Rupees two hundred and fifty only) for two and three wheelers of Transport / Non Transport Vehicles for compounding the offence of violation of road safety - and, Pollution norms punishable under sub-section (2) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988.) and to specify the officers of the, Transport Department not below the rank of Motor Vehicle inspector, Grade - II and the officers of the Police Department not below the rank of Sub- Inspector of Police in uniform to compound such offences.

4..The following : Notification will be published, in the Tamil Nadu Government Gazette:-

NOTIFICATION

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 super session of the Home Department Notification. No II/HO/1335/97 dated the 29th May 1997 published at page 407 of. Part II Section 2 of the Tamil Nadu Government Gazette dated the 18th June, 1997' the Governor of Tamil Nadu here by specifies the officers of the Transport Department not below the rank of Motor Vehicle Inspector, Grade - II and, the officers of the Police Department not below the rank of Sub -Inspector of Police In uniform to compound an offence punishable under sub - section (2) of section 190 of the said Act in respect of the motor vehicles and for; the amount, specified below.-

- 1) Four Wheelers - Rs. 500/-
-(Rupees five hundred only)
- 2) Two Wheelers and Three Wheelers - Rs. 250/-
- {Rupees two hundred and fifty only}

{BY ORDER OF THE GOVERNOR }

S.MALATHI
PRINCIPAL SECRETARY TO GOVERNMENT