

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Motor Vehicles- The Motor Vehicles (Amendment) Act, 1988, Compounding of Offences under Section 200 of Motor Vehicles Act, 1988 – Notification – Orders - Issued .

TRANSPORT, ROADS & BUILDINGS (TR.I) DEPARTMENT

G.O.Ms.No.21

Dated:21.10.2020
Read the following:-

1. G.O.Ms.No. 108 TR, R&B (TR.I) Dept., dated 18-08-2011.
2. The Motor Vehicles (Amendment) Act, 2019 No. 32 of 2019, dt:09-08-2019, Ministry of Law and Justice (Legislative Department).
3. S.O. 3110(E) dated 28-08-2019 of Ministry of Road and Highways, GOI.
4. From the Transport Commissioner, A.P., Vijayawada, Lr.No. TRB03-17021/56/2019 MV Act dt : 30/09/2020

ORDER:

The Government of India enacted "The Motor Vehicles (Amendment) Act, 2019, [No. 32 of 2019]" published in GOI Gazette No. 51 Extraordinary Part-II dated 09-08-2019 of Ministry of Law and Justice (legislative Department) amending certain provisions in the Motor Vehicles Act, 1988.

2. After careful examination of the matter, the Government hereby decided to revise the rates of the Compounding fee for better enforcement of provisions of the Motor Vehicle Act.

3. Accordingly, the following Notification shall be published in the Extra-Ordinary issue of Andhra Pradesh Gazette dated :21.10.2020

NOTIFICATION

In exercise of the powers conferred by section 200 of the Motor Vehicle Act, 1988 (Central Act, 59 of 1988) and subsequently amended the Motor Vehicle (Amendment) Act, 2019 (Central Act 32 of 2019) and in suppression of the notification issued in G.O.Ms.No. 108 TR, R&B (TR.I) Dept., dated 18-08-2011, the Governor of Andhra Pradesh hereby specifies the officers of the Transport Department not below the rank of Assistant Motor Vehicles Inspectors to compound offences under section 177, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (3) or sub-section (4) of section 182A, section 182B, sub-section (1) or sub-section (2) of section 183, section 184 only to the extent of use of handheld communication devices, section 186, section 189, sub-section (2) of section 190, section 192, section 192A, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196 and section 198 of Motor Vehicle Act, 1988.

2. The officers of the Police Department in uniform not below the rank of Inspector of Police and also Sub-Inspectors of Police(Traffic) wherever separate traffic police stations exist in Municipal Corporations (Metropolis) and Municipalities and the Inspectors of Police in other places to compound the offences under sections 177, 178, 179, 180, 181, 182, 182A(1), 182A(3), 182A(4), 182B, 183, 184 only to the extent of use of handheld communication devices, 186, 189, 190(2), 192, 192A, 194, 194A, 194B, 194C, 194D, 194E, 194F, 196 and 198 of Motor Vehicles Act, 1988.

3. The officers of the Police Department not below the rank of the Sub-Inspector to compound the visible offences namely non-wearing of helmets under section 194D, non-wearing of seat belts under section 194B(1), driving without licence under section 181, over speeding under section 183(1) and using of handheld communications devices while driving under section 184 of the Motor Vehicles Act, 1988 and that the compounding fee shall not be less than the rates indicated in the schedule.

4. The Compounding fee collected by the Police and Transport Officials should be remitted into Treasury by Challan under the head of Account "0041-Taxes on vehicles; (101) Receipts under the Motor Vehicles Act – Receipts under the Indian Motor Vehicles Act- SH(03) - Compounding fee under section 86 and section 200 of the Motor Vehicles Act, 1988.

SCHEDULE

(SECTION 200 OF THE MOTOR VEHICLES ACT, 1988)

S. No.	Penal Sections compoundable under section 200	Name of the offence	Motor cycles, Motor Cycle-cabs, Auto-rickshaws with seating capacity upto 4 in all, adapted vehicles, Motor cabs, with seating capacity upto 7 in all, Light motor vehicles Rs.	Motor Vehicles other than those mentioned in Col(4) Rs.
1	2	3	4	5
	177	General provision for punishment of offences: like, 1) Without L Board 2) Misbehaviour by Taxi driver 3) Driving without uniform by taxi/Public transport vehicle / goods carrier driver 4) Extra demand by Auto 5) Without / Irregular Number 6) Obstruction of Driver Piloting 7) Not producing DL and RC/ Without document 8) Without Bulb Horn(Auto) 9) Visibility of Lamps & Registration Marks	150/- for the 1 st offence subject to maximum of 500/- in respect of other offences 300/- for the 2 nd offence subject to maximum of 750/- in respect of other offences	300/- for the 1st offence subject to maximum of 1000/- in respect of other offences 600/- for the 2nd offence subject to maximum of 1500/- in respect of other offences
2	178	(1) Travelling without pass or ticket in a stage carriage (2) Dereliction of duty on the part of a Conductor (3) Permit holder or driver refuses to ply the contract carriage as per Act or Rules or to carry the passengers.	1) for two or three wheeled motor vehicles - Rs.50/- 2) for other vehicles in this column - Rs.500/-	500/-
3	179(1)	Disobedience of orders, obstruction to the Checking Officer in discharge of duties	750/-	1000/-
4	179(2)	Refusal to give information	750/-	1000/-
5	180	Allowing unauthorized person to drive vehicles	5,000/-	5,000/-
6	181	Driving vehicles in contravention of section 3 & 4 including under age driving	5,000/-	5,000/-
7	182(1)	Driving a Motor Vehicle by a person disqualified to hold a driving licence or obtaining a driving licence	10,000/-	10,000/-
8	182(2)	Whoever being disqualified for holding or obtaining a conductor's licence, acts as a Conductor	--	1000/-

9	182A (1)	Whoever, being a Manufacturer, importer or dealer sells or delivers or alters, etc., a motor vehicle i.e., in contravention of provisions of Chapter – VII and it's Rules and Regulations.	1,00,000/- per such motor vehicle	1,00,000/- per such motor vehicle
10	182A (3)	Whoever sells or offers to sell, or permits the sale of any component of a motor vehicle which has been notified as a critical safety component by the Central Government and which does not comply with Chapter VII or the Rules and Regulations.	1,00,000/- per such Component	1,00,000/- per such Component
11	182A (4)	Whoever being the owner of a motor vehicle alters a motor vehicle including by way of retrofitting of motor vehicle parts, in a manner not permitted under the Act or the Rules and Regulations	5,000/- per such alteration	5,000/- per such alteration
12	182B	Whoever contravenes the provisions of section 62A – Prohibition of registration and issuance of Certificate of fitness to over sized vehicles	5,000/-	5,000/-
13	183	Whoever drives or causes any person who is employed by him or subjects someone under his control to drive at excessive speed	LMV Rs.1,000/-	MGV/MPV/ HGV/HPV Rs.2,000/-
14	184	Driving dangerously i.e., Use of handheld communications devices while driving;	Rs.1,500/- for first offence and Rs. 10,000/- for second and subsequent offence, if committed within 3 years	2,000/- for first offence and Rs. 10,000/- for second and subsequent offence, if committed within 3 years
15	186	Driving by a mentally and physically unfit to drive	500/- for the first offence 1,000/- for the second and subsequent offence	1,000/- for the first offence 2,000/- for the second and subsequent offence
16	189	Racing and trials of speed	5,000/- for first offence and 10,000/- for second and subsequent offence	5,000/- for first offence and 10,000/- for second and subsequent offence
17	190(2)	a) Using vehicle in unsafe condition in public place by violating road safety, b) control of noise and air pollution.	1,500/-	3,000/-
18	192	a)Using vehicle without registration b)Without renewal of registration or c)without fitness certificate	2,000/- per offence for first offence. For second and subsequent offence Rs.5,000/- per offence	5,000/- per offence for first offence. For second and subsequent offence Rs.8,000/- per offence
19	192-A	Using vehicle without permit	10,000/-	10,000/-

20	194(1)	Driving vehicle exceeding permissible weight	20,000/- plus 2,000 for every tonne of excess load or part thereof	20,000/- plus 2,000 for every tonne of excess load or part thereof
21	194(1A)	Whoever drives a Motor vehicle or causes or allows to a Motor Vehicle to be driven when such MV is loaded in such a manner that the load or any part thereof or anything extends laterally beyond the side of the body or to front or to the rear or in height beyond permissible limit.	20,000/-	20,000/-
22	194(2)	Any driver of a vehicle who refuses to stop and submit his vehicle to weighting	40,000/-	40,000/-
23	194A	Whoever drives a transport vehicle or allows a transport vehicle to be driven while carrying more passengers than is authorised in Registration Certificate.	200/- per each excess person	200/- per each excess person
24	194B(1)	Whoever drives a motor vehicle without wearing a seat belt or carries passengers not wearing seat belts	1,000/-	1,000/-
25	194B(2)	Whoever drives a Motor Vehicle or allows to be driven with a child not having attained the age of fourteen is not secured by a safety belt or child restraint system	1,000/-	1,000/-
26	194C	Whoever drives a motor cycle in contravention of the provisions of section 128 (Safety regulations for driver and pillion driver)	1,000/-	--
27	194D	Whoever drives a motor cycle in contravention to the provisions of Section 129 (Wearing of Protective Head Gear - helmet)	1,000/-	--
28	194E	Whoever while driving a motor vehicle fails to draw to the side of the road on the approach of fire service / ambulance / emergency vehicles	10,000/-	10,000/-
29	194F	(a) (i) sounds the horn needlessly or continuously	1,000/- for first offence 2,000/- for second and subsequent offence	1,000/- for first offence 2,000/- for second and subsequent offence
		(ii) sounds the horn in an area with a traffic sign prohibiting the use of a horn		
		(b) drives a motor vehicle which makes use of a cut-out by which exhaust gases are released other than through the silencer.		

30	196	a) without insurance certificate	2,000/- for first offence 4,000/- for second and subsequent offence	2,000/- for first offence 4,000/- for second and subsequent offence
		b) Without public liability certificate in respect of vehicles carrying or meant to carry hazardous substance	2,000/- for first offence 4,000/- for second and subsequent offence	2,000/- for first offence 4,000/- for second and subsequent offence
31	198	Unauthorized interference with vehicle	1,000/-	1,000/-

Note :

1. Driving Licence shall be impounded under section 206(4) for Second or any subsequent offence under section 183.
2. Liability for payment of charges for off-loading of excess load for the offence under section 194(1) and 194 1(A)
3. Apart from compounding fee licence shall be disqualified for a period of 3 months for the offences under section 194 C and 194 D
5. Provided that for Tractor Trailer combinations owned by agriculturists not used for hire or reward, the compounding fee shall be 50% of the rates prescribed in column (4) above.
6. Provided further that the compounding fee for an offence shall not exceed the maximum fine prescribed in the relevant penal section.
7. A copy of the order is available in internet and can be assessed at the address <http://www.aponline.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery, Stores & Purchase, A.P, Vijayawada, (For publication in the next issue of A.P Gazette and send 10 copies to Government)

The Transport Commissioner, A.P, Vijayawada.

Copy to:

The Ministry of LAW & Justice,(Legislative Department) GOI, New Delhi

The MoRTH, Transport Bhavan, GOI, New Delhi.

The Director General of Police, A.P.Mangalagiri.

The Secy to CM, CMO, A.P.Secretariat.

P.S. to Minister (Transport), A.P.Secretariat

P.S to Secretary, Law (H) Department, A.P.Secretariat.

P.S to Principal Secretary, TR&B Dept., A.P.Secretariat.

// FORWARDED BY ORDER//

SECTION OFFICER