

Petition under Right to Information Act 2005

Sumana Narayanan
New #246 (Old #277B), TTK Road (J.J. Road), Alwarpet,
Chennai - 600 018.

Chennai
22.03.19

PIO/ Assistant Secretary II
Office of Transport Commissionerate
Ezhilagam, Chepauk,
Chennai 600 005, Tamil Nadu

Dear Sir,

Sub: Seeking Information under RTI Act 2005

I am an Indian citizen and I seek the following information under the Right to Information Act 2005. I have affixed the fees of Rs. 10 court fees stamp on this letter. I am also ready to pay any other charges that I am required to pay under the Act for photocopies, CDs, etc. Kindly provide the information sought in soft copy (such as CD/DVD) if possible.

Kindly provide the following information:

1. Copies of Government of Tamil Nadu G.Os, notifications, circulars with regards to:
 - a. Wearing of helmet
 - b. Wearing of seatbelts
 - c. Drunk driving
 - d. Using mobile phones/communication devices/ hands-free devices
 - e. Speed limits
 - f. Spot fines for traffic violations
2. Details of speed limits set for each class of motor vehicle and type of road
3. Name of authority responsible for setting speed limits in Tamil Nadu
4. Details of how speed limit compliance is monitored
5. Copy of the Tamil Nadu Motor Vehicles Rules, 1989 updated till 31st December 2018.
6. Copy of the New Road Safety Policy of Tamil Nadu
7. Copy of State Road Safety Action Plan for 2014-2015, 2015-16, 2016-17, 2017-18, 2018-19

Thanking you,

Sumana Narayanan

23 APR 2019

POLICE DEPARTMENT

From,

Public Information Officer /
Deputy Commissioner of Police,
Armed Reserve – II, I/c Traffic Planning,
Greater Chennai Police,
Vepery, Chennai –600 007.

To

The Assistant Secretary –II,
/ Public Information Officer,
O/o Transport Commissionerate,
Ezhilgam, Chepauk,
Chennai-05.

C.No. 13/ DC Tr. Plg./ RTI / 2019,

Dated: 16.04.2019.

Sir,

Sub: Greater Chennai Traffic Police – RTI application – Information related to Transport Department - Transfer of application under RTI Act – Regarding.

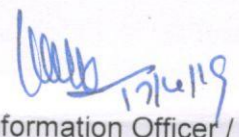
- Ref: 1. RTI Application dated: 26.03.2019 from Selvi/Tmt. Sumana Narayanan, Alwarpet, Chennai.
2. Rc.No. RTI (2)/546/30978/2019, of CPO Chennai, dated: 08.04.2019.
3. Memorandum No. ந.க.எண்.21/144/10024/RTI/19, நாள்- 09.04.2019.

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Please find enclosed the copy of the RTI Application dated: 26.03.2019 from Selvi / Tmt. Sumana Narayanan, Alwarpet, Chennai.

2) The subject matter of the information requested by the applicant in **Para 6 & 7 is is related to New Road Safety Policy of Tamilnadu and State Road Safety Action plan**. Therefore, the RTI application of the petitioner is transferred to your office in accordance to Sec. 6 (3) of RTI Act'2005 for necessary action with respect to Para 6 & 7.

3) The required information and/or an appropriate reply may be sent directly to the concerned applicant as per RTI Act, with a copy marked to this office.


Public Information Officer /
Addl. Deputy Commissioner of Police,
Traffic Planning, Greater Chennai.

Copy to:

1. Selvi/Tmt. Sumana Narayanan,
New No: 246, Old No: 277 B,
TTK Road, (JJ Road),
Alwarpet, Chennai – 600018.
2. The Addl. Commissioner of Police,
Traffic, Greater Chennai Police,
Vepery, Chennai – 07.

3 MAY 2019.

TRANSPORT DEPARTMENT

From
The Public Information Officer/
Assistant Secretary-I,
Office of the Transport
Commissioner,
Chepauk, Chennai 600 005.

To
Selvi/Tmt Sumana Narayanan,
New #246(Old #277B),
TTK Road, (J.J.Road),
Alwarpet, Chennai-18.

Letter R.No. 13472/C2/2019, dated 25.04.2019.

Sir,

Sub: Transport Department – Seeking information under RTI Act 2005 – Information furnished – Regarding.

Ref: Letter dated 26.03.2019 from Selvi/Tmt Sumana Narayanan, New #246(Old #277B), TTK Road, (J.J.Road), Alwarpet, Chennai-18.

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I wish to inform that the information related to the Transport Department sought for in the reference cited is furnished below under Rights to Information Act, 2005.

S. No	Required Information	Information Sought for
1.	Copies of Government of Tamil Nadu G.O's, notifications, circulars with regards to :	
	a. Wearing of Helmet	Section 129 of the Motor Vehicles Act, 1988 – available in website http://tnsta.gov.in/
	b. Wearing of seat belt	Rule 138(3) of the Central Motor Vehicles Rules, 1989 – available in Website - http://tnsta.gov.in/
	c. Drunk driving	Section 185 of the Motor Vehicles Act, 1988 - available in website http://tnsta.gov.in/
	d. Using mobile phones / communication devices / hands – free devices	Section 184 of the Motor Vehicles Act, 1988 - available in website http://tnsta.gov.in/
	e. Speed limits	Section 41 of Motor Vehicles Act, 1988 – available in website http://tnsta.gov.in/
	f. Spot fines for traffic violations	G.O.Ms.No.849, Home (Tr.VII) Department, dated 13.12.2011.

2.	Details of speed limits set for each class of motor vehicles and type of road	<p>Transport vehicles such as dumpers, tankers, school buses, carrying hazardous goods which are registered on or after 1.10.2015 should be fitted with speed governors having maximum speed of 60 K.Ms.</p> <p>Other transport vehicles registered prior to 1.10.2015 and which are not fitted with speed governors should also be equipped or fitted with the speed governor on or before 01.04.2016. The maximum speed of 80 K.Ms.</p>
3.	Name of the authority responsible for setting speed limits in Tamil Nadu	The State Transport Authority and Regional Transport Authority shall have power to impose the Speed Limit (Rule 370 of Tamil Nadu Motor Vehicles, 1989)
4.	Details of how speed limit compliance is monitored	Monitored by the enforcement officials of Police and Transport Department
5.	Copy of the Tamil Nadu Motor vehicles Rules, 1989 updated till 31 st December 2018.	Available in website http://tnsta.gov.in/
6.	Copy of the New Road Safety Policy of Tamil Nadu	Under process
7.	Copy of state Road Safety Action Plan for 2014- 2015, 2015- 16, 2017-18,2018-19.	Available in website http://tnsta.gov.in/

Public Information Officer/A.S.I,
STA, Chennai-5.

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25/4/19

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ABSTRACT

Motor Vehicles – Motor Vehicles Act, 1988 – Police Commission recommendations-Enhancement of spot fine / Extension of spot fine to all Districts and delegation of powers to Sub-Inspectors of Police (Traffic) – Notification under section 200 of the Motor Vehicles Act, 1988 – Issued.

Home (Tr.VII) Department

G.O.Ms.No.849

Dated 13.12.2011

Read:

1. G.O.Ms.No.1767, Home (Tr.VII) Department, dated 28.10.1992.
2. G.O.Ms.No.628, Home (Tr.VII) Department, dated 28.04.1995.
3. G.O.Ms.No.30, Home (Tr.VII) Department, dated 11.01.2000.
4. G.O.Ms.No.1243, Home (Tr.VII) Department, dated 14.10.2001.
5. G.O.Ms.No.1536, Home (Police.X1) Department, dated 12.11.2008.
6. G.O.Ms.No.1579, Home (Tr.V) Department, dated 24.11.2008.
7. From the Transport Commissioner, Chennai
letter No.67422/E4/2008, dated 23.12.2008.
8. From the Director General of Police, Chennai
letter No.491/168941/A&R (2)/2008, dated 17.04.2009.

ORDER:

In the Government order first read above, the system of compounding of offences otherwise known as the spot fine system exercisable by the Police officers not below the rank of Inspector of Police was introduced in Chennai city. The spot fine system was extended to the cities of Madurai and Coimbatore in the Government order second read above. It was also ordered therein, that the Transport officials be allowed to exercise the power of compounding of offences in check posts on the lines of police officers exercising such authority. In the G.O third read above, the Government while extending the spot fine system to Tiruchirapalli have also doubled the rates of spot fine. Further in the said G.O, the Government have also authorized the Motor Vehicle Inspector (Non-Technical) in the check posts of the Transport Department in respect of the vehicles coming from other States and have also authorized the Police Officers not below the rank of an Inspector of Police having jurisdiction over the areas in the cities of Chennai, Madurai, Coimbatore and Tiruchirapalli other than the check posts of Transport Department to compound offences committed under the said Act. Subsequently, an amendment was issued to the notification issued in the G.O third above by which officials of the Transport Department not below the rank of Motor Vehicle Inspector Grade-II having jurisdiction over the places other than the check posts shall exercise the power of compounding of offences in the places other than the check posts in respect of vehicles of other States.

2. In the G.O fifth read above, the Government have accepted the record of decisions submitted by High Powered Committee on 52 Recommendations of Tamil Nadu Police Commission (Third) under chapter II "Traffic Management" and the Director General of Police / Transport Commissioner was directed to send necessary proposals to Government.

3. Based on the above, the Transport Commissioner/ Director General of Police, Chennai in their letters seventh & eighth read above have sent proposals on the following recommendations of the Police Commission:-

(i) To extend spot fine system to all Districts.

(ii) To review the spot fine ceilings.

(iii) To authorize the Sub-Inspector of Police to collect spot fines.

4. The Government have examined the above proposals and decided to extend the spot fine system now in vogue in Chennai, Madurai, Coimbatore and Tiruchirapalli to all Districts in Tamil Nadu and to enhance the existing spot fines. The Government have also decided to authorize the officers of Traffic Police not below the rank of Sub-Inspector of Police (Traffic) in the Commissionerates and the jurisdiction officers including traffic police not below the rank of Inspector of Police in other parts of the State to levy spot fines. The Government have also decided to authorize the Motor Vehicle Inspector (Non-Technical) in the check posts of Transport Department and the Motor Vehicle Inspector (Grade-II) in their respective jurisdiction to levy spot fines. The Government have decided to issue a fresh notification in this regard. Accordingly, the notification appended to this order will be published in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

RAMESHRAM MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Works Manager, Government Central Press,
Chennai -79.

(for issue of the notification in TamilNadu Government
Gazette and supply of 200 copies of notification).

The Transport Commissioner, Chennai-5.

The Director General of Police, Chennai-4.

All Commissioners of Police.

Joint Transport Commissioners /

Deputy Transport Commissioners.

All Regional Transport Authorities.

All Regional Transport Officers.

Copy to

Special Personal Assistant to Hon'ble Minister (Transport).

SF/SC.

//FORWARDED BY ORDER//

G. Navanatha Krishnan
SECTION OFFICER 13/12/2011
13-12-11

APPENDIX.

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 in supersession of the Home Department Notifications No.II (2) /HO/109/2000 dated the 11th January 2000 published at pages 50 and 51 of Part II Section 2 of the TamilNadu Government Gazette dated the 2nd February, 2000 and ~~No.II (2)/HO/583/2008 dated the 24th November, 2008 published at page 400~~ of Part II Section 2 of the TamilNadu Government Gazette dated the 10th December 2008, the Governor of TamilNadu hereby authorizes the officers specified in column (2) of Table-I below, in the areas specified in the corresponding entries in column (3) thereof, within their respective jurisdiction, to compound the offences committed under the said Act and punishable under the sections specified in column (3) of Table-II below, either before or after the institution of prosecution, for the amounts specified in the corresponding entries in column (4) thereof:-

TABLE-I.

Sl.No (1)	Officers (2)	Areas (3)
1.	Police Officers of Traffic wing not below the rank of Sub-Inspectors of Police.	Commissionerates of the State, except the check posts of Transport Department.
2.	All Police Officers not below the rank of Inspectors of Police, including Traffic Police.	Entire State of TamilNadu, except the commissionerates and the check posts of Transport Department.
3.	MotorVehicle Inspectors (Non-Technical).	Check posts of Transport Department.
4.	Officers of Transport Department not below the rank of Motor Vehicle Inspectors (Grade-II).	Entire State of TamilNadu, except the check posts of Transport Department.

TABLE-II.

Sl. No	Nature of offence	Section under which offences punishable	Amount (Rs)	
			First offence	The second and subsequent offences
(1)	(2)	(3)	(1)	(2)
1.	Whoever contravenes any provision of the Motor Vehicles Act and Rules made thereunder, and if no penalty is provided for the offence, under the Motor Vehicles Act	177	100	300
2.	Failure to renew registration	177	100	300
3.	Failure to apply for new registration within 12 months on removal of vehicle to another State	177	100	300
4.	Failure of the transferor or transferee to report about transfer of ownership within prescribed period	177	100	300
5.	Willfully removing, altering, defacing or tampering with traffic signs	177	100	300
6.	Violation of mandatory traffic signs	177	100	300

7.	Leaving vehicle in dangerous position at public place	177	100	300
8.	Carrying person on running board or otherwise than within the body of the vehicle	177	100	300
9.	Travelling on the running board or on the top of the bonnet of the vehicle	177	100	300
10.	Allowing any person to stand or sit or place anything in a manner as to hamper the control of driver	177	100	---
11.	Allowing the vehicle to remain stationary without a licenced driver on seat or stopping mechanism	177	100	300
12.	Triple riding on a two wheeler	177	100	300
13.	Driving a motor cycle without protective headgear (helmet)	177	100	300
14.	Not producing Driving Licence, Conductor's Licence, Registration Certificate, permit, fitness certificate and insurance certificate on demand	177	100	300
15.	Not stopping at unguarded Railway level crossing to ensure that no train or trolley is coming	177	100	300
16.	Disobedience of orders of the authority, obstruction of the discharge of duty by the authority	179	500	500

	and refusal to give information			
17.	Giving information which the person knows to be false	179	500	500
18.	Allowing unauthorized persons to drive	180	500	1000
19.	Driving vehicles in contravention of sections 3 or 4	181	500	500
20.	Offences relating to licences (Driving the vehicle by a person who is disqualified etc.,)	182 (1)	500	500
21.	Offence relating to licences (Acting as a conductor when disqualified for holding or obtaining conductor's licence etc.,)	182 (2)	100	100
22.	Driving at excessive speed	183 (1)	400	1000
23.	Causing a person to drive at excessive speed etc.,	183 (2)	300	500
24.	Driving dangerously (rash and negligent driving)	184	1000	2000
25.	Driving when mentally or physically unfit to drive	186	200	500
26.	Racing and trials of speed without permission	189	500	500
27.	Driving or allowing to drive a vehicle violating air/noise pollution standards	190 (2)	1000	2000
28.	Alteration of a motor vehicle without permission	191	500	500
29.	Using the vehicle without registration	192 (1)	2500	5000

30.	Driving or allowing to drive a vehicle as transport vehicle without permit or contravention of permit conditions	192-A (1)	2500	5000
31.	Driving vehicle exceeding permissible weight	194 (1)	2000 and an additional amount of Rs.1000 per tonne of excess load together with the liability to pay charges for off-loading of the excess load.	2000 and an additional amount of Rs.1000 per tonne of excess load together with the liability to pay charges for off-loading of the excess load.
32.	Refusal to stop the vehicle and submit it to weighing and removal of excess load prior to weighing	194 (2)	3000	3000
33.	Driving uninsured vehicle-			
	(a) Two Wheelers	196	500	1000
	(b) Other Vehicles:			
	(i) Non-Transport	196	700	1000
	(ii) Transport	196	1000	1000
34.	Unauthorized interference with vehicle	198	100	100

G. Navaneetha Krishnan
SECTION OFFICER 13/12/2011
13/12/11