

OFFICE OF THE TRANSPORT COMMISSIONER-CUM- CHAIRMAN,
STATE TRANSPORT AUTHORITY, ODISHA, CUTTACK

CIRCULAR NO. 2 OF 2020

Sub:- Collection of fine from other State goods carriages.

It is noticed that OMVD officers are collecting fine invariably from other State goods carriages once in every month under Section 177 and Section 194-B (1) of M.V. Act, 1988 mechanically without adhering to the provisions of statute. The vehicle operators from other parts of the country are raising concerns about this practice in different forums and this is tarnishing the image of our State.

Excerpts of Section 177 and 194-B (1) of M.V. Act, 1988 are quoted below for better appreciation:

"177. General provisions for punishment of offences. – Whoever contravenes any provision of this Act or of any rule, regulation or notification made thereunder shall, if no penalty is provided for the offence, be punishable for the first offence, with fine which may extend to five hundred rupees and for any second or subsequent offence with fine which may extend to one thousand and five hundred rupees."


"194-B. Use of safety belts and the seating of children. (1) Whoever drives a motor vehicle without wearing a safety belt or carries passengers not wearing seat belts shall be punishable with a fine of one thousand rupees".

All penal provisions need to be enforced uniformly across the State for all motor vehicles without resorting to any discrimination between home State and other State goods carriages.

It is also noticed that the OMVD officers are drawing e-VCRs against other State goods carriages under Section 177 for second and subsequent offence and

collecting fine of rupees one thousand five hundred in every month. In some cases e-VCRs are being drawn under Section 177 as first offence along with section 194-B (1) of M.V. Act, 1988 and collecting total fine amount of rupees one thousand five hundred in every month. This type of practice of collecting fine from other State goods carriages routinely once every month needs to be discontinued. Further while conducting enforcement, it must be ensured that non-erring vehicle owners are not penalised or harassed and the rule should be equally applicable to home State and other State vehicles.


It is therefore, instructed that the practice of routine collection of fine under Section 177 and 194-B (1) of M.V. Act, 1988 by OMVD officers once in every month from other State goods carriages should be discontinued forthwith. Any deviation to above instruction by OMVD officers shall be viewed seriously.

 11-2-2020
Transport Commissioner
Odisha.

Memo No. 2003

dated 11-02-20

Copy forwarded to all Officers at Head Quarters / All D.C.Ts. / All RTOs for information and necessary action. Copy to Computer Cell to host in the website/ twitter/facebook. Copy to Guard file.

 11-2-2020
Transport Commissioner
Odisha.