

CHART NO. 1

OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT, 1988

AT A GLANCE

Unless otherwise stated, the revised or enhanced or new penalties mentioned in column (5) of the following Table are applicable with effect from 1-9-2019:

<i>Sl. No.</i>	<i>Offence</i>	<i>Section</i>	<i>Punishment under existing provisions of MV Act, 1988</i>	<i>Punishment* under amended provisions applicable w.e.f. 1-9-2019</i>	<i>Whether compoundable under existing provisions</i>	<i>Whether compoundable under amended provisions of section 200 applicable from 1-9-2019</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Driving without holding effective driving licence	3 & 181	Imprisonment upto 3 months or fine upto Rs. 500 or both	Imprisonment upto 3 months or fine of Rs. 5000 or both	Yes	Yes. State Govt. may impose community service in addition to payment of composition amount.
2.	Driving by under-aged person	4 & 181	Imprisonment upto 3 months or fine upto Rs. 500 or both	Imprisonment upto 3 months or fine of Rs. 5000 or both	Yes	Yes. State Govt. may impose community service in addition to payment of composition amount.
3.	Owner or person-in-charge of a vehicle permitting an unlicensed person	5 & 180	Imprisonment upto 3 months or fine upto Rs. 1000 or both	Imprisonment upto 3 months or fine of Rs. 5,000 or both If underaged person i.e. minor permitted-	Yes	Yes. provided section 199A is not attracted. State Govt. may impose

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Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	or an under-aged person to drive it (Parents/guardians/friends permitting minor to drive)			to drive, then section 199A will also apply. Guardian/owner shall be deemed to be guilty. Rs. 25,000 with 3 yrs. imprisonment. For Juvenile to be tried under JJ Act. Registration of Motor Vehicle to be cancelled.		community service in addition to payment of composition amount.
4.	Holder of a D/L permitting it to be used by other person	6(2) & 177	Upto Rs.100 for the first offence Upto Rs.300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs.1500 for second or subsequent offence	Yes	Yes. State Govt. may impose community service in addition to payment of composition amount.
5.	(i) Disqualified person driving a vehicle or (ii) applying for or obtaining a D/L or (iii) seeking a D/L without disclosing endorsements made on D/L previously held	23 & 182(1)	Imprisonment upto 3 months or fine upto Rs. 500 or both D/L obtained by him shall have no effect	Imprisonment upto 3 months or fine of Rs. 10,000 or both D/L obtained by him shall have no effect.	Yes	Yes. State Govt. may impose community service in addition to payment of composition amount.
6.	(i) Disqualified conductor acting as conductor or (ii) applying for conductor's licence or (iii) seeking a licence without disclosing endorsements made on licence previously held	23 & 182(2)	Imprisonment upto 1 month or fine upto Rs. 100 or both C/L obtained by him shall have no effect.	Imprisonment upto 1 month or fine upto Rs. 10,000 or both C/L obtained by him shall have no effect.	Yes	Yes. State Govt. may impose community service in addition to payment of composition amount.

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I-35 OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT 1988

Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
7.	Running driving school without a licence	177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes, State Govt. may impose community service in addition to payment of composition amount.
8.	Contravening the provisions of construction and maintenance of vehicle		Section 182A: Violating the provisions of section 109(3) Rs.1000 for the first offence Rs.5000 for second or subsequent offence Section 191 : Sale of vehicle in or alteration of vehicle to condition contravening this Act: fine upto Rs. 500	Contraventions of Chapter VII [secs. 109, 110, 110A, 110B and 111] or rules and regulations made thereunder Fine of Rs. 1,00,000 per component or imprisonment upto 1 year or both for component dealers for selling non-type approved critical safety components for vehicles [Sec. 182A(3)] Fine of Rs.5,000 per alteration or imprisonment upto 6 months or both on owner altering his motor vehicle incl. Retrofitting parts in manner not permissible under the Act (e.g. fog lights, pressure horns, extra lights, roof top carriers, metallic protectors along the sides) [Sec. 182A(4)] Offence by dealers of vehicles. Fine of Rs.1,00,000 per	Offence by u/s 191 compoundable.	Offences under sub-sections (1), (3) & (4) are compoundable. State Govt. may impose community

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
				<p>vehicle or imprisonment upto 1 year or both [Sec.182A(1)]</p> <p>Stringent penalties of fine upto Rs. 100 cr imprisonment upto 1 year or both for non-compliance by manufacturers and power of Central Govt. to order compulsory recall of motor vehicles u/s 110A [Sec.182A(2)]</p> <p>Section 191 omitted as penalty covered in new section 182A(1)</p>		<p>service in addition to payment of composition amount.</p> <p>Offences u/s 182A(2) is not compoundable.</p>
9.	Contravention of section 62A by registering authority or prescribed authority by registration/issue of certificate of fitness to oversized vehicles	62A & 182B	—	<p>Min. penalty Rs. 5,000</p> <p>Max. penalty Rs. 10,000</p>	—	<p>Yes.</p> <p>State Govt. may impose community service in addition to composition amount.</p>
10.	A defect in a particular type of motor vehicle may cause harm to the environment or to the driver or occupants of such motor vehicle or other road users and same has been reported to the Central Govt. by any source.	110A	—	<p>Central Govt. empowered to order for recall of motor vehicles if a defect in the vehicle may cause damage to the environment, or the driver, or other road users (applicable from a date to be notified by the Central Govt.)</p> <p>The manufacturer of the recalled vehicle</p>	—	No.

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I-37 OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT 1988

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
				will be required to:(i) reimburse the buyers for the full cost of the vehicle, or (ii) replace the defective vehicle with another vehicle with similar or better specifications. And manufacturers will also be liable to pay fines. However, he need not pay fines if informs the Central Govt. of the defect and initiates recall proceedings voluntarily (applicable from a date to be notified by the Central Govt.).		
11.	Driving a vehicle at an excessive speed	112 & 183(1)	Upto Rs.400 for the first offence Upto Rs.1,000 for second or subsequent offence	(A) FIRST OFFENCE (I) For motor cycles, motorcabs and auto-rickshaws: Min. Penalty: Rs. 1,000 Max. Penalty: Rs. 2,000 (II) For medium goods vehicle or passenger vehicle or heavy goods/passenger vehicle Min. Penalty: Rs. 2,000 Max. Penalty: Rs. 4,000 (B) SECOND/SUBSEQUENT OFFENCE	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount. But no relief from impounding of driving licence.

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Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
				Driving licence of driver to be impounded under section 206(4)¹		
12.	Permitting/ causing employee or a person subject or his control to drive at an excessive speed		Secs. 112 & 183(2) Upto Rs. 300 for the first offence Upto Rs. 500 for second or subsequent offence	---do--- Secs. 112 & 183(1) Section 183(2) omitted and its provisions merged into sub-section (1) of section 183 so that the offence which was earlier punishable u/s 183(2) is now punishable u/s 183(1)	Yes	Yes. State Govt. may impose to community service in addition to payment of composition amount. But no relief from impounding of driving licence.
13.	Driving or permitting to drive a vehicle carrying excess load	113(3), 114, 115 & 194(1)	Minimum fine of Rs. 2,000 plus additional Rs. 1,000 per ton of excess load together with charges for off loading the excess load	Rs. 20,000 and Rs. 2,000 per extra ton together with charges for off loading the excess load. Such motor vehicle shall not be allowed to move before such excess load is removed or is caused or allowed to be removed by the person in control of such motor vehicle.	Yes	Yes. State Govt. may impose to community service in addition to payment of composition amount.
14.	Drives a loaded motor vehicle or causes or allows such motor vehicle to be driven when the load or any part thereof or anything extends laterally beyond the side	194(1A)	New penalty provision	Fine of Rs. 20,000 + pay charges for off-loading of such load. Such motor vehicle shall not be allowed to move before such load is arranged in a manner such that there is no extension of the load.	—	Yes. State Govt. may impose to community service in addition to payment of composition amount.

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1. The provisions of sub-section (4) of section 206 have not yet been brought into force. They shall come into force on date to be notified by the Central Govt.

I-39 OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT 1988

Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	of the body or to the front or to the rear or in height beyond the permissible limit			Such motor vehicle shall not be allowed to move before such load is arranged in a manner such that there is no extension of the load laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit.		
15.	Driver refusing to stop and submit his vehicle to weighing or removing the load prior to weighing	114 & 194(2)	Fine upto Rs. 3,000	Fine of Rs. 40,000	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
16.	Any person driving or permitting to drive any vehicle with a left hand steering control unless equipped with prescribed device	120 & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
17.	Driving dangerously/its abetment	184 & 188	“Driving in a manner dangerous to the public” is the offence. Punishable as under: (i) Fine upto Rs. 1,000 or imprisonment upto 6 months or both for the first offence	Offence is driving in a manner dangerous to the public or which causes a sense of alarm or distress to the occupants of the vehicle, other road users and persons near roads (i) The following shall be treated as dangerous driving: (a) jumping a red light;	Yes	Yes. Only for holding mobile in hand while driving. Yes.State Govt. may impose to community service in addition to payment of composition amount.

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Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			(ii) Imprisonment upto 2 years or fine upto Rs. 2,000 or both for second and subsequent offence committed within 3 years of first offence	<p>(b) violating a stop sign;</p> <p>(c) use of handheld communications devices (e.g., mobiles) while driving;</p> <p>(d) passing or overtaking other vehicles in a manner contrary to law;</p> <p>(e) driving against the authorised flow of traffic; or</p> <p>(f) driving in any manner that falls far below what would be expected of a competent and careful driver and where it would be obvious to a competent and careful driver that driving in that manner would be dangerous</p> <p>Punishable as under:</p> <p>(ii) Fine not less than Rs. 1,000 but which may extend to Rs. 5,000 or imprisonment not less than 6 months which may extend to 1 year or both for the first offence</p> <p>(iii) Imprisonment upto 2 years or fine of Rs. 10,000 or both for second and subsequent offence committed within 3 years of first offence</p>		No relief from impounding of D/L and disqualification proceedings u/s 206(4).

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I-41 OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT 1988

Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
				Driving licence liable to be impounded and sent for disqualification proceedings u/s 19 [New sub-section (4) of section 206]¹		
18.	Driving by a drunken person or by a person under the influence of drugs/ its abetment	185 & 188	Punishable as under: (i) Fine upto Rs. 2000 or imprisonment upto 6 months or both for the first offence (ii) Imprisonment upto 2 years or fine upto Rs. 3,000 or both for second and subsequent offence committed within 3 years of first offence	Punishable as under: (i) Fine of Rs.10,000 or imprisonment upto 6 months or both for the first offence (ii) Imprisonment upto 2 years or fine of Rs.15,000 or both for second and subsequent offence Driving licence liable to be impounded and sent for disqualification proceedings u/s 19 [New Sub-section (4) of section 206]¹	No	No
19.	Driving when mentally or physically unfit to drive/its abetment	186 & 188	Punishable as under: (i) Fine upto Rs.200 for the first offence (ii) Fine upto Rs. 500 for second or subsequent offence	(i) Fine upto Rs.1,000 for the first offence (ii) Fine upto Rs. 2,000 for second or subsequent offence	Yes	Yes. State Govt. may impose to community service in addition to payment of composition amount.

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1. The provisions of sub-section (4) of section 206 have not yet been brought into force. They shall come into force on date to be notified by the Central Govt.

Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
20.	Driving an uninsured vehicle	146 & 196	Imprisonment upto 3 months or fine upto Rs. 1000 or both	(i) For first offence: Imprisonment upto 3 months or fine of Rs.2,000 or both (ii) For subsequent offence: Imprisonment upto 3 months or fine of Rs.4,000 or both	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
21.	Driver's failure to obey mandatory traffic signs	119 & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
22.	Driver's failure to make prescribed signals on prescribed occasions	121 & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
23.	Driver allowing any person to obstruct his control of the vehicle (sitting at a place so as to hamper driving, etc.)	125 & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
24.	Driver of two-wheeler/motor cycle carrying more than one person in addition to himself (triple seat/triple riders)	128(1) & 177 128(1) & 194C	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Fine of Rs. 1000 Disqualification from holding driving licence for 3 months	Yes.	Yes.State Govt. may impose to community service in addition to payment of composition amount.

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I-43 OFFENCES AND PUNISHMENT/FINE UNDER MOTOR VEHICLES ACT 1988

Sl. No.	Offence	Section	Punishment under existing provisions of MV Act, 1988	Punishment* under amended provisions applicable w.e.f. 1-9-2019	Whether compoundable under existing provisions	Whether compoundable under amended provisions of section 200 applicable from 1-9-2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)
						No relief from impounding of D/L and disqualification proceedings u/s 206(4).
25.	Driver and pillion rider failing to wear protective headgear (helmet)	129 & 177 129** & 194D	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Fine of Rs.1000 Disqualification from holding driving licence for 3 months	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount. No relief from impounding of D/L and disqualification proceedings u/s 206(4).
26.	Any person in-charge of a vehicle or a trailer abandoning or permitting to abandon, etc., in a public place (improper and obstructive parking)	122, 127 & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence Owner shall also be liable for towing costs.	The word 'disabled' deleted in section 201(1). Therefore, it appears that offences under sections 122 & 127 will be punishable u/s 201 [See item No. 38 in this Table]	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.
27.	Any person in-charge of a vehicle carrying or permitting to carry any person on the running board, etc.	123(1) & 177	Upto Rs. 100 for the first offence Upto Rs. 300 for second or subsequent offence	Upto Rs. 500 for the first offence Upto Rs. 1500 for second or subsequent offence	Yes	Yes.State Govt. may impose to community service in addition to payment of composition amount.

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**The new substituted section 129 has not yet been brought into force. The new substituted section 129 shall come into force on a date to be notified by the Central Govt. Till then, the penalties made new section 194D shall apply with reference to existing section 129.