

## **“REVISED POLICY FOR TAKING ACTION AGAINST TRANSPORT VEHICLES INVOLVED IN REPEATED OFFENCES”**

(i) Vehicle plying without valid permit – If a transport vehicle is found to be plying without valid permit, the vehicle should be challaned and impounded by the enforcement agencies for 15 days. Thereafter, the vehicle may be released only when the owner of the vehicle gets the permit renewed from the STA. In case the vehicle owner fails to get the permit renewed the vehicle shall remain impounded indefinitely. The Courts and STAT should be requested not to order release of such vehicles until the vehicle owner gets his/her permit renewed from STA. This would ensure that a vehicle is not plying without permit repeatedly.

**\* *In case the fitness of the vehicle expires during the currency of the impounding period of 15 days the vehicle owner may be given opportunity of getting his fitness renewed by release of vehicle for a specified period.***

(ii) Plying without valid certificate of fitness – If a transport vehicle is found to be plying without valid certificate of fitness, vehicle should be challaned and impounded by the enforcement agencies for 15 days. Further, the enforcement agencies on request of owner, may release the vehicle for 15 days so that the owner is able to get the fitness of the vehicle renewed. In case, the owner fails to produce the certificate of fitness within 15 days, the enforcement agencies shall report such matter to Transport Department for cancellation of registration of such vehicles.

(iii) Plying of vehicle by a driver not having a valid driving licence – If a transport vehicle is found to be plying by a driver without valid driving licence, vehicle should be challaned and impounded by the enforcement agencies. The enforcement agencies shall report such matter to STA for cancellation of permit and registration of such vehicles. On receipt of such information, STA shall initiate action for cancellation of permit. Thereafter,

the registering authority shall also initiate action for cancellation of registration of the vehicle. In this regard, a prior public notice shall be published in the newspapers.

(iv) Fatal accident – The fatal policy was considered and approved. In case of all transport vehicles involved in two fatal accidents, the policy of the Department as earlier will remain applicable.

Further, the driving licence and badge of the driver involved in fatal accident shall be cancelled.

(v) (a) Violations of directions of Hon'ble Supreme Court – Delhi Traffic Police is already taking action by challaning / impounding of the vehicle and subsequently also suspending the permit of the offending vehicle for suitable duration. Delhi Traffic Police shall be sending cases to Transport Department where the same offence is committed by a particular driver of a vehicle for three times in a calendar year, for cancellation of driving licence and badge of the driver. If the offence is committed by the another driver of the particular vehicle for three times in a calendar year, driver's licence and badge shall be cancelled, the permit and the registration of the vehicle shall also be cancelled in the event of the above mentioned **FOUR** offences in a calendar year.

(b) Violations of directions of Hon'ble Supreme Court by the transport vehicle drivers

In the above said cases, a data bank of the offences of the transport vehicle drivers shall also be maintained to take suitable action against violations by a driver having driven different vehicles. . Delhi Traffic Police shall be sending such cases where the offence is committed by a particular driver, for three times in a calendar year for cancellation of driving licence and badge of the driver.

(vi) In case of offences committed by the driver such as drunken driving, violating any condition of permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, strict action of cancellation or suspension of driving licence of the driver of the

vehicles involved shall be taken by the licensing authority. Delhi Traffic Police shall continue to refer such cases to STA. If the above mentioned offences are committed second time by the driver his licence and badge shall be cancelled.

The permit and the registration of the vehicle shall also be cancelled in the event of **TWO** offences in a calendar year.

1.8 Mechanism for sharing of information regarding repeated offences

Delhi Traffic Police has now started e-challaning of vehicles. Hence, cases of repeated offences shall easily be detected and prosecution system of the Delhi Traffic Police shall be strengthened. Suitable software should be devised by the Delhi Traffic Police for detection of multiple offences committed by particular vehicle and particular driver and on-line access should be given to the Transport Department so that prompt action can be taken for cancellation of permit/registration/driving license.

1.9 Action on subsequent offences under section 182, 192 and 192A under the Act has to be taken by the Delhi Traffic Police and Enforcement Branch. Letter has already been issued to Delhi Traffic Police."