

## **Kerala Road Safety Authority Rules 2007**

In exercise of the powers conferred by Section 38 of the Kerala Road Safety Authority Act 2007 (8 of 2007) the Government Kerala hereby make the following Rules namely- The Kerala Road Safety Authority Rules.

### **RULES**

#### **1. *Short title and commencement:...***

- (1) These rules may be called the Kerala Road Safety Authority Rules, 2007.
- (2) They shall come into force at once.

#### **2. *Definitions:---***

- (1) In these rules unless the context otherwise requires:-
  - (a) "Act " means the Kerala Road Safety Authority Act, 2007 (Act 8 of 2007).
  - (b) "Form" means the form appended to these Rules.
  - (c) "Section" means a section in the Act
  - (d) "Tax" means Motor Vehicle Tax
  - (e) "The Schedule" means the schedule appended in the Act.
- (2) All other words and expressions used but not defined in these rules but defined in the Act shall have meaning assigned to them respectively in the Act.

#### **3. *The manner and period of collection of cess:...***

- (1) The cess levied under sub- section (1) of Section 10 be paid as stated below:
  - (a) The cess in respect of vehicles registered after coming into force of these rules, shall be paid at the time of registration along with the quarterly tax or half yearly tax, as the case-may be, together with the next installment and the cess in respect of vehicles, of those who have remitted one time tax shall be paid within one year from the date of commencement of these rules.
  - (b) The cess in respect of vehicles registered after coming into force of these rules, shall be paid at the time of registration

a long with one time tax or quarterly tax or half yearly tax, as the case may be, at the rate, as may be specified in the schedule of the Act.

- (2) The Taxation Officer shall issue in TR-5 (C) receipt for the amount of cess received .
- (3) The Taxation Officer shall remit the said amount to the Government account in the Head of Account allotted by the Government.
- (4) The proceeds of cess not exceeding one per cent of the cess amount collected together with the fine, interest and fees under Sub-section (6) of section 10, may be transferred for the expenditure for the collection of cess and the balance amount shall be entered into and transferred to the fund.

#### **4. Payment from Fund: —**

- (1) The Chairman of the Executive Committee of the Authority shall be competent to sanction an amount not exceeding two lakh rupees at a time subject to the maximum of 10 lakh rupees in a financial year.
- (2) The Executive Committee may sanction an amount up to the limit of 5 lakh rupees at a time, subject to the maximum of 20 lakh rupees in a financial year for expenditure.
- (3) Road Safety Commissioner may sanction for expenditure an amount upto one lakh rupees at a time and subject to the maximum limit of 10 lakh rupees in a financial year.
- (4) Amount exceeding 1,000 Rupees from the Fund shall be given by Cheque or Demand Draft.
- (5) All remittance shall be made along with the original bill and stamped receipt or voucher.
- (6) All expenses made under sub-rules (2), (3) and (4) shall be regularized by the Authority in its next meeting .
- (7) All works for an amount not exceeding one lakh rupees shall be done by short tenders. Works exceeding an amount of one lakh rupees shall be allotted by tenders.

Provided that, under special emergency situations, the Authority may allot works upto 10 lakh rupees without any tender proceedings for reasons to be recorded.

- (8) The acceptance of projects and the payment given for projects and its works shall be on the basis of recommendations of the technical committee constituted from time to time from among the technical staff members of the Authority by the Executive Committee of the Road Safety Authority.
- (9) Application for financial assistance shall be submitted before the Authority for approval.

**5. *Recovery of cost for removing causes of accident or causes of obstruction:—***

- (1) The Road Safety Commissioner or any officer authorized in this behalf by the Authority shall issue a notice to recover the amount spent under sub-section (2) of Section 14 in the form appended stating the facts in detail within seven days.
- (2) On receipt of the demand notice the person liable to pay the amount shall remit the amount on demand either in cash or by demand draft within a period of seven days from the date of receipt of the notice.
- (3) The Officer accepting the amount shall issue TR-5(C) receipt.

**(5A) Staff of the Kerala Road Safety Authority. (1)** The service of the Kerala Road Safety Authority shall consist of the following categories of officers, namely:-

Category	1	..	Administrative Officer
Category	2	..	Accounts Officer
Category	3	..	Junior Superintendent
Category	4	..	Upper Division Clerk
Category	5	..	Lower Division Clerk
Category	6	..	Peon
Category	7	..	Part-time Sweeper

**(5B) Method of appointment and qualifications -** The method of appointment and qualification to the various categories mentioned in column (1) of the table below shall be as follows:

		<b>TABLE</b>	
Category		Method of appointment	Qualifications
(1)		(2)	(3)
1.	Administrative Officer	On Deputation from the cadre of Under Secretary/ Deputy Secretary of Administrative Secretariat	As in parent Department
2	Accounts Officer	On deputation from the cadre of Under Secretary/ Accounts Officer of Finance Department	As in parent Department
3	Junior Superintendent	On deputation from the various Departments of the Government	Equivalent to common Categories with knowledge of Desktop computer operations
4	Upper Division Clerk	On deputation from the various Departments of the Government	Equivalent to common categories with knowledge of Desktop computer operations
5	Lower Division Clerk	On deputation from the various Departments of the Government	Equivalent to common categories with knowledge of Desk top computer operations
6	Peon	On deputation from the various Departments of the Government	Equivalent to common categories
7	Part-time Sweeper	By the method specified by Government for appointment as Part-time Sweeper in the Kerala Part-time Contingent Service	Qualification as specified by Government for appointment as Part-time Sweeper in the Part-time Contingent Service

Inserted by G.O.(P) No.79/2010/Trans dated 22.11.10

**6. *Maintenance of accounts:—***

The accounts of the Authority shall be maintained in the commercial accounting pattern.

**7. *Annual Report:—***

An Annual Report in respect of Administrative and Financial activities relating to the previous financial year shall be prepared and submitted before the 30 day of June of every year to the Government.

**8. *Appeals:—***

(1) Any person aggrieved by the order passed by an Officer of the Authority or the District Road Safety Council under the Act, may file an appeal before the Appellate Authority, within thirty days from the date of the said order.

Provided that such Appellate Authority may admit an appeal after the expiry of the said period if it is satisfied that the appellant has sufficient cause for not submitting the appeal within the aforesaid period.

(2) Every appeal preferred under sub-rule (1) shall be accompanied by a fee of three hundred rupees.

**9. *Appointing Authority—***

The Appointing Authority in respect of all categories shall be Kerala Road safety authority with the approval of the Government.

**10. *Service conditions—***

Same as otherwise provided in the Special Rules, the Service conditions of Officers appointed on deputation to the authority shall be subject to the Kerala Service Rules and Kerala State and Subordinate Service Rules.

**FORM**

(See Rule 5)

Notice for recovery of the cost of removing causes of accident or  
causes of obstruction

To

(Name and Address)

It is noticed that the.....  
vehicle/object/animal, parked/placed by you in the .....  
..... Public road.....  
.....caused the accident/causing  
practical difficulty to traffic. For removing the said difficulty.....  
..... amount has been spent.  
Therefore the said amount with an interest of .....  
.....shall be remitted before the.....  
.....within 7 days.

Place:

Date:

(Seal)

(Signature)

Designation

Note: Strike off that which is not applicable.

By order of the Governor,

P. GEETHA,

Deputy Secretary

For Additional Chief Secretary to Government

## GOVERNMENT OF KERALA

### Abstract

Transport - Kerala Road Safety Authority - Delegation of functions and powers to District Road Safety Councils - Sanctioned Orders issued.

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### TRANSPORT(D) DEPARTMENT

G.O(Rt) No. 573/2010/Trans. Thiruvananthapuram, Dated: 15.12.2010

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Read: 1 . Minutes of the 7th meeting of Kerala Road Safety Authority held on 16.04.2010

2. Letter No. A1 /235/KRSA/2010, dated 07 .06.10 from the Road Safety Commissioner.

### **ORDER**

The Road Safety Commissioner has requested Government to delegate certain functions and powers to the District Road Safety Councils as per the decision taken interalia in the 7<sup>th</sup> meeting of Kerala Road Safety Authority held on 16.04.2010 .

Government have examined the matter in details and are pleased to accord sanction for the declaration of the following functions and powers to the District Road Safety Councils, constituted under Kerala Road Safety Authority.

#### **Functions**

- a) Enforcing road safety standards and procedures: (Section 4(b)).
- b) Formulate and recommended projects and programmes, at State level relating to road safety to the Executive Committee of Kerala Road Safety Authority; Section 4(c)).
- c) Co-ordinating the functions of all the agencies and Government Department in the respective Districts discharging the duties related to road safety. (Section 4(d)).
- d) Implementing road safety awareness programmes; (Section 4(e))
- e) Administration of funds allotted to the District Road Safety Council; (Section 4(f)).

- f) Sanctioning/recommending expenditure for the implementation of road safety schemes and programmes within the limits of Road Safety Fund actually allotted to them (4(g))
- g) Sanctioning expenditure for road safety projects and for purchase and installation of equipments and devices connected with road safety limiting to the amount actually allotted from Road Safety Fund to the District Road Safety Councils. (4(h))
- h) Sanctioning expenditure for the conduct of studies, projects and research on matters relating to road safety within the limits of Road Safety Fund actually allotted to them; (4(i))
- i) Sanctioning expenditure for trauma - care programmes or activities with in the limits of amount actually allotted under Road Safety Fund.
- j) Sanctioning administrative expenditure of the District Road Safety Councils with in the limits of the amount actually allotted to the Road Safety Fund: (4(k))
- k) Sanctioning expenditure on matters connected with road safety measures within the limits of the amount actually allotted to the Road Safety Fund : (4(1))

Functions under section 4 (f) to (k) shall be subject to the availability of funds and approval by Executive Committee.

## **Powers**

1. Power Under Section 13 of the Kerala Road safety Authority Act for the utilization of funds allotted to the District Road Safety Council under intimation to Chairman, Executive Committee, Kerala Road Safety Authority,
  - a) Implementing road safety awareness programmes (Section 4(e))
  - b) Administration of funds allotted to the District Road Safety Council; (Section 4(f))
  - c) Sanctioning/recommending expenditure for the implementation of road safety schemes and programmes.



- d) Sanctioning expenditure for road safety projects and purchase and installation of equipments and devices connected with road safety.
  - e) Sanctioning expenditure for the conduct of studies, projects and research on matters relating to road safety.
  - f) Sanctioning expenditure for trauma-care programmes.
  - g) Sanctioning administrative expenditure of the District Road Safety Council.
2. Power Under Section 15 of the Kerala Road Safety Authority Act to order works or improvement on a public road, as it considers necessary, to secure safety on such roads under intimation to Chairman, Executive Committee, Kerala Road Safety Authority.
3. Power Under Section 16 of the Kerala Road Safety Authority Act to recover cost under intimation to Chairman, Executive Committee, Kerala Road Safety Authority.

By the Order of the Governor

V.P. Joy

Secretary to Government