### **NOTIFICATION**

## PORTS AND TRANSPORT DEPARTMENT. SACHIVALAYA, GANDHINAGAR. Dated the 12<sup>th</sup> September, 2019.

MOTOR VEHICLES ACT, 1988.

NO :PT/2019/12/MVD/102014/165/KH :- In exercise of the powers conferred by sub - section (1) of section 200 of the Motor Vehicles Act, 1988 (59 of 1988) and of all other powers enabling it in this behalf, and in supersession of all Government notifications issued in this behalf, the Government of Gujarat hereby directs that the offence punishable under section 177, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (3) or sub-section (4) of section 182A, section 182B, sub-section (1) or sub-section (2) of section 183, section 184, section 186, section 189, sub-section (2) of section 190, section 192, section 192A, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196, section 198 may, either before or after the institution of the prosecution, on and from the 16<sup>th</sup> September, 2019 be compounded by officers specified in column 2 of the Schedule appended hereto, for the amount specified in columns 5 and 6, of the said Schedule in respect of the offences punishable under sections specified in column 3 of the said Schedule as under :-

### **SCHEDULE**

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in ₹	Amount for second or subsequent offence in
1	2	3	4	5	6
1	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officers of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	177	1. Violating parking rules 2. Documents like driving license, PUC certificate, registration certificate, permit, fitness, third party insurance certificate, etc. are not in the possession of the person on demand.  Note:-  (1) The documents produced in electronic form (Digilocker) shall be valid.  (2) The documents shall be produced within 15 days from the date of demand.  3. PUC certificate not obtained.  Passenger related offences  4. Having passengers standing on footboard. 5. Having additional person sitting on driver seat. 6. Smoking and/or misbehavior in public service transport vehicle  Conductor Related Offences  7. Not to stop the Bus on stoppage.  Offences related to Transport Vehicles  8. Advertisement on vehicle without permission.  9. Breach of Rule – 123 of Gujarat Motor Vehicles Rules, 1989 by carrying animals in vehicles  10. To charge more than permissible fare.  11. Not to display essential information in goods vehicle. 12. Fare meter in non-working condition 13. Having dark film on glass	500	1000

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in	Amount for second or subsequent offence in
1	2	3	4	5	6
			14. Other offences not mentioned above and for which no penalty is provided for the offence in other sections.	E	
2		178(1)	Offences related to passenger in Stage Carriage  1. To travel without pass or ticket 2. Deny showing ticket or pass when asked for.	500	
3		178(2)	Offences related to Stage Carriage Conductor  1. Not to accept the fare or deny	500	
			to accept the fare  2. Not to issue ticket or deny to issue ticket  3. To supply invalid ticket  4. To supply ticket of less fare  5. Does not check the ticket or pass		
4	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head</li> </ol>	178(3)	Offences related to contract carriages  1. If the holder of a permit or the driver of a contract carriage refuses, in contravention of the provisions of this Act or rules made there under to ply the contract carriage or to carry the passengers, -		
	Constable of Police in all cities and municipal towns when performing traffic regulation duties.		<ul><li>a. in case of two wheel or three wheel motor vehicles,</li><li>b. in other case</li></ul>	50	
5	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	179(1)	Disobedience of orders, obstruction and refusal of information  1. Disobedience of any direction lawfully given by authority 2. Make obstruction in the discharge of any function which authorities required or empowered under this Act to discharge	1000	

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1	2	3	4	5	₹ 6
6	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	179(2)	Refusal to give information or giving false information required to be supplied under this Act  1. Refusal of information which is required to be supplied under this Act.  2. Gives false information, supplies information which he believes not to be true.	1000	
7	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	180	Allowing unauthorized person to drive vehicles Whoever, being the owner or person in charge of motor vehicle, causes or permits, any other person who does not satisfy the provisions of section 3 or section 4 to drive the vehicle	Two wheeler: 2000  Other Vehicles: 3000	
8	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	181	<ul> <li>Driving Vehicle in contravention</li> <li>of Section 3 or Section 4</li> <li>1. Drive vehicle without holding driving license.</li> <li>2. Drive transport vehicle without holding transport authorization</li> <li>3. Under age driver drives the vehicle.</li> <li>4. Drive vehicle in contravention of the conditions of learning license.</li> </ul>	Two wheeler: 2000  Other Vehicles: 3000	

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in	Amount for second or subsequent offence in
1	2	3	4	5	6
9	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	182(1)	Driving the vehicle by a person who is disqualified under this Act for holding or obtaining driving license.	Two wheeler: 2000 Other Vehicles: 3000	
10	Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.	182(2)	Acting as a conductor of Stage Carriage by a person who is disqualified under this Act for holding or obtaining conductor license.	2000	
11	Officers of the Motor Vehicle Department of and above the rank of Assistant Regional Transport Officer.	182A(1)	Whoever, being a manufacturer, importer or dealer of motor vehicles, sells or delivers or alters or offers to sell or deliver a vehicle that is in contravention of the provisions of Chapter VII of the Act and the rules and regulations made there under.	1 lakh per vehicle	
12	Officers of the Motor Vehicle Department of and above the rank of Assistant Regional Transport Officer.	182A(3)	Whoever, sells or offers to sell, or permits the sell of any component of a motor vehicle which has been notified as a critical safety component by the Central Government and which does not comply with the provisions of Chapter VII of Act and the rules and regulations made there under.	1 lakh per component	
13	Officers of the Motor Vehicle Department of and above the rank of Inspector of Motor Vehicles on checking duty.	182A(4)	Whoever, being a owner of a motor vehicle, alters a motor vehicle, including by way of retrofitting of motor vehicle parts, in a manner not permitted under the Act or the rules and regulations made there under.	5000 per alteration	

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1	2	3	4	5	6
14	Officers of the Motor Vehicle Department of and above the rank of Deputy director of transport or Officer on Special Duty serving at the office of the Transport Commissioner.	182B	Contravenes provisions of section 62 A (Subject to the commencement of this section 62 A)	10,000	
15	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	183	Driving at excessive speed Whoever drives a motor vehicle or causes any person who is employed by him or is subject to his control in driving to drive a motor vehicle in contravention of the speed limits referred to in section 112 of the Act.	Two-Three wheeler: 1500  Tractor: 1500  LMV: 2000  Other vehicles: 4000	Two-Three wheeler: 2000  Tractor: 2000  LMV: 3000  Other vehicles: disqualify for 6 months from holding a driving license
16	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	184	<ol> <li>Driving dangerously</li> <li>Driving a motor vehicle at a speed which is dangerous to the public.</li> <li>Driving a motor vehicle in a manner which is dangerous to the public.</li> </ol>	Two-Three wheeler: 1500  LMV: 3000  Other vehicles: 5000	Two-Three wheeler: 1500  LMV: 3000  Other vehicles: 5000
17	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	186	Driving when mentally or physically unfit to drive  1. Whoever drives a motor vehicle in any public place when he is suffering from any disease or disability which hinders his driving and is a source of danger.	1000	2000

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in	Amount for second or subsequent offence in
18	1. Officers of the Motor	3	4	5	6
10	Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	189	Racing and Trials of speed  Whoever without the written consent of the State Government permits or takes part in a race or trial of speed between motor vehicles in any public place.	5000	10000
19	Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.	190(2)	Any person who drives or causes or allows to be driven in any public place a motor vehicle in contravention of the standards prescribed in relation to road safety, control of noise and air pollution.  1. Contravention of standards of road safety	Two-Three wheeler - LMV : 1000 Other vehicles : 3000	
			Violation of the standards     prescribed in relation to air     pollution	Two-Three wheeler - LMV : 1000 Other vehicles : 3000	
			3. Violation of the standards prescribed in relation to Noise Pollution	Two-Three wheeler - LMV : 1000	
			4. Use of vehicle in contravention of rule 93(1) to (7) (having over dimension)	Other vehicles : 3000  Over dimension: (1) Car carrier or automobile carrier - 1000 per dimension (2) Other vehicles - 10000 per dimension.	

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in	Amount for second or subsequent offence in
1	2	3	4	5	6
20	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties. (offence other than related to</li> </ol>	192	Using vehicle without registration  1. Whoever drives or causes or allows to be driven a motor vehicle carrying a registration mark displayed in contravention of rule 50 or rule 51 of the Central Motor Vehicles Rules, 1989 in public place. a. Two wheeler vehicle	300	
	fitness)		b. Three wheeler		
			vehicle c. Light Motor Vehicle having Four wheels d. Vehicle other than above 2. Whoever drives or causes or allows to be driven a motor vehicle without registration or in spite of suspension or cancellation of registration or in violation of provisions with respect to trade certificate in public place:-	400 500 1000	
			a. Two wheeler vehicle b. Three wheeler vehicle c. Light Motor Vehicle having Four wheels d. Vehicle other than above  3. Whoever drives or causes or allows to be driven a transport vehicle without valid certificate of fitness	1000 2000 3000 5000 Three wheeler: 500 Other vehicles: 5000	

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in ₹	Amount for second or subsequent offence in
1	7 2	3	4	5	6
21	Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.	192A	Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of sub-section (1) of section 66 of Act or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be driven.	10,000	10,000
22	Officers of the Motor	194(1)	Driving vehicle exceeding		
	Vehicle Department of and		permissible weight etc		
	above the rank of Assistant Inspector of Motor Vehicles on checking duty.		1. Whoever drives or causes or allows to be driven a transport vehicle in contravention of the conditions of permit prescribed by State or Regional Transport Authorities under sub-section 1 of section 113 prohibiting or restricting the use of such vehicle in area or route	5000	
			Driving vehicle or cause or allow to be driven in any public place which is not fitted with pneumatic tyres.	5000	
			3. Driving vehicle or cause or allow to be driven in any public place-  a. the unladen weight of which exceeds the unladen weight specified in the certificate of registration of the vehicle,  b. The laden weight of which exceeds the gross vehicle weight specified in the certificate of registration of the vehicle.	5000 and additional amount of Rs.1,000 per ton of excess load	
			4. Whoever drives or causes or allows to be driven in contravention of the notification of the State Government issued under section-115 restricting or prohibiting the use of such vehicle on any road or bridge.	5000	

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1	2	3	4	5	6
23	Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.	194(1A)	Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven when such motor vehicle is loaded in such a manner that the load or any part thereof or anything extends laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit.	As mentioned in table at Annexure	
24	Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.	194(2)	Driving vehicle or cause or allow to be driven violating the provisions of section 114  1. Refuses to stop and submit vehicle to weighing after being directed to do so by an officer authorized in this behalf under section 114, or  2. Removes or causes the removal of the load or part of it prior to weighing.	5000	
25	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	1948	Failure to use safety belts while driving	500	
26	1. Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.  2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.	194C	Whoever drives a motor cycle or causes or allows a motor cycle to be driven carrying more than one person in addition to himself.	100	

Sr. No.	Officers exercising powers	Section	with brief description of offence	Amount for first offence in ₹	Amount for second or subsequent offence in
1	2	3	4	5	6
27	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and</li> </ol>	194D	Violation of not wearing Helmet	500	
	above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.				
28	Officers of the Motor     Vehicle Department of     and above the rank of     Assistant Inspector of     Motor Vehicles on     checking duty.     Officer of the police	194E	Failure to allow free passage to emergency vehicles like ambulance, fire fighting vehicle, etc.	1000	
	department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.				
29	Officers of the Motor	194F	Whoever while driving a motor		
23	Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.		vehicle:-  (i) sounds the horn needlessly or continuously or more than necessary to ensure safety or	1000	
	2. Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.		(ii) sounds the horn in an area with a traffic sign prohibiting the use of a horn, or  (iii) drives a motor vehicle which makes use of a cut out by which exhaust gases are released other than through the silencer.		

Sr. No.	Officers exercising powers	Section 3	with brief description of offence	Amount for first offence in ₹	Amount for second or subsequent offence in
30	<ol> <li>Officers of the Motor Vehicle Department of and above the rank of Assistant Inspector of Motor Vehicles on checking duty.</li> <li>Officer of the police department of and above the rank of Head Constable of Police in all cities and municipal towns when performing traffic regulation duties.</li> </ol>	196	Driving uninsured vehicle  1. Whoever drives or causes or allows to drive a motor vehicle without third party insurance policy as required under section 146 of the Act.  2. Whoever drives or causes or allows goods vehicle transporting the goods which is dangerous and hazardous to the human life without insurance policy issued under the public liabilities insurance Act, 1991 along with third party insurance policy.	2000	4000

### **Annexure**

## Compounding Fee in case of violation of rule 93 (8) of Central Motor Vehicles Rules, 1989.

Sr. No.	Type of Vehicle	Type of Goods Loaded	Compounding fee In ₹
1	2	3	4
1	Rigid Chassis	Agro Product and House Keepings	1,000/-
2	Rigid Chassis	Loose Goods/ODC/ Metal Plates/ Pipes/ Channels	2,000/-
3	Articulated trailer/ tractor trailer combination/ truck trailer combination	Loose material Agro Product and House Keepings	4,000/-
4	Trailer/ tractor trailer combination/ truck trailer combination	Indivisible Goods/ODC/Metal Plates/Pipes/Channels	10,000/-
5	Car Carrier or automobile Carrier	Automobiles	1,000/-

By order and in the name of the Governor of Gujarat.

(Prakash Majmudar)
Deputy Secretary to Government

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### Copy to:-

1. The Manager, Government Central Press, Gandhinagar

With a request to publish Notification in Part-IV-A of Gujarat Government Gazette Extra Ordinary of today's date and supply spare copies of the Notification to the following departments as indicated against them.

No. of copies

(a) Ports and Transport Department, Sachivalaya, Gandhinagar.

200

(b) Commissioner of Transport, Gujarat, Gandhinagar.

300

(c) Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar.

5

- 2. The Assistant Draftsman, Translation Unit, L & PA Department, Sachivalaya, Gandhinagar with a request to translate the Notification in the Gujarati within three days and arrange its publication in appropriate part of Gujarat Government Extra Ordinary Gazette and supply 200 copies to this department.
- 3. The Principal Secretary to Hon'ble Governor, Raj Bhavan, Gandhinagar.
- 4. The Chief Principal Secretary to Hon'ble Chief Minister.
- 5. The Personnel Secretary to Hon'ble Deputy Chief Minister.
- 6. The Personnel Secretary to Hon'ble Minister (Transport), Sachivalaya, Gandhinagar.
- 7. The Personal Secretary to Hon'ble Minister of State (Transport), Sachivalaya, Gandhinagar.
- 8. Additional Chief Secretary, Home Department, Sachivalaya, Gandhinagar.
- Principal Secretary, Urban Development & Urban Housing Department, Sachivalaya, Gandhinagar.
- 10. Principal Secretary, Panchayat, Rural Housing & Rural Development Department, Sachivalaya, Gandhinagar.
- 11. Secretary, Road and Building Department, Sachivalaya, Gandhinagar.
- 12. The Commissioner of Transport, Gujarat State, Gandhinagar with a request to issue necessary instructions to Regional Transport Officers/Assistant Regional Transport Officers concerned with a request to circulate the instructions to all Commissioner of Police, Municipal corporations, Collectors, SPs.
- 13. Road Safety Commissioner, Gujarat State, Gandhingar.
- 14. The Director General and Inspector General of Police, Gujarat State, Gandhinagar.
- 15. System Manager, "Ch-Branch", Ports and Transport Department, Sachivalaya, Gandhinagar to upload on department website.
- 16. Branch Select file.
- 17. D.S.O. Select file.

# NOTIFICATION PORTS AND TRANSPORT DEPARTMENT, SACHIVALAYA, GANDHINAGAR, Dated the 12<sup>th</sup> September, 2019.

MOTOR VEHICLES ACT, 1988. NO: PT/2019/11/MVD/102014/165/KH: In exercise of the powers conferred by the subsection (2) of section 112 of the Motor Vehicles Act, 1988 (59 of 1988) and of all other powers enabling it in this behalf, and in supersession of all notifications issued in this behalf, the Government of Gujarat or prescribed authorities under rule 184 of the Gujarat Motor Vehicles Rules, 1989, hereby fixes the maximum speed limit in respect of the class of motor vehicles as specified in the table below:

#### **TABLE**

No.	Class of Motor Vehicles	Express way with excess control	4 lane and above divided (including National & State Highway) carriageway (roads with median strips/ Drivers)	State Highway (Other than those at Column D)	Road within municipal Limits	Main District Road	Other District Road	Village Road
ı	11	HI	IV	v	VI	VII	VIII	IX
1	Motor Vehicles used for carriage of passengers comprising not more than eight seats in addition to the driver's seat (M1category vehicles)	120	100	80	70	65	60	50
2	Motor vehicles used for carriage of passengers nine or more seats in addition to the driver's seat (M3 category vehicles)	100	90	75	60	60	60	50

3A	Motor vehicles used for carriage of goods (All N category Vehicles)	80	80	70	60	60	50	40
3B	Tractor	40	40	40	30	30	30	30
	Motor Cycles							
4	(A) > 100 CC	80*	80	70	60	60	60	50
	(B) < 100 CC	-	60	60	50	50	50	40
	Quadricycle							
5	(A) Passengers		60	60	50	50	40	40
	(B) Non Passengers	-	50	50	40	50	40	40
6	Three-wheelers vehicles	-	50	50	40	40	35	30

<sup>\*</sup> If permitted to ply on Expressway .

By order and in the name of Governor of Gujaraf.

(Prakash Majmudar)

**Deputy Secretary to Government** 

### Copy to:-

1. The Manager, Government Central Press, Gandhinagar

With a request to publish Notification in Part-IV-A of Gujarat Government Gazette Extra Ordinary of today's date and supply spare copies of the Notification to the following departments as indicated against them.

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(b) Commissioner of Transport, Gujarat, Gandhinagar.

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- 2. The Assistant Draftsman, Translation Unit, L & PA Department, Sachivalaya, Gandhinagar with a request to translate the Notification in the Gujarati within three days and arrange its publication in appropriate part of Gujarat Government Extra Ordinary Gazette and supply 200 copies to this department.
- 3. The Principal Secretary to Hon'ble Governor, Raj Bhavan, Gandhinagar.
- 4. The Chief Principal Secretary to Hon'ble Chief Minister.
- 5. The Personnel Secretary to Hon'ble Deputy Chief Minister.
- 6. The Personnel Secretary to Hon'ble Minister (Transport), Sachivalaya, Gandhinagar.
- 7. The Personal Secretary to Hon'ble Minister of State (Transport), Sachivalaya, Gandhinagar.
- 8. Additional Chief Secretary, Home Department, Sachivalaya, Gandhinagar.
- 9. Principal Secretary, Urban Development & Urban Housing Department, Sachivalaya, Gandhinagar.
- 10. Principal Secretary, Panchayat, Rural Housing & Rural Development Department, Sachivalaya, Gandhinagar.
- 11. Secretary, Road and Building Department, Sachivalaya, Gandhinagar.
- 12. The Commissioner of Transport, Gujarat State, Gandhinagar with a request to issue necessary instructions to Regional Transport Officers/Assistant Regional Transport Officers concerned with a request to circulate the instructions to all Commissioner of Police, Municipal corporations, Collectors, SPs.
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- 15. System Manager, "Ch-Branch", Ports and Transport Department, Sachivalaya, Gandhinagar to upload on department website.
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