

GOVERNMENT OF KERALA
Transport (B) Department
NOTIFICATION

G.O.(P) No.93/2014/Tran. Dated, Thiruvananthapuram, 29th December, 2014.
14th Dhanu, 1190.

S.R.O. No...../14. – In exercise of the powers conferred by clause (xxxiii) of sub section (2) of section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Kerala hereby make the following rules further to amend the Kerala Motor Vehicles Rules, 1989, the same having been previously published as notification No. 17691/B2/2013/Tran dated 30th July 2014, in the Kerala Gazette Extraordinary No.2007 dated 8th August, 2014 as required by sub – section (1) of section 212 of the said Act , namely : –

RULES

1. *Short title and commencement* .– (1) These rules may be called the Kerala Motor Vehicles (6th Amendment) Rules, 2014.

(2) They shall come into force at once.

2. *Amendment of the rule* – (1) - In rule 174 of the Kerala Motor Vehicles Rules, 1989, the existing proviso after sub rule (3) shall be deleted.

(2) In the note to sub – rule (3) of rule 174, the following sentence shall be inserted at the end, namely :-

“No replacement shall be allowed to a vehicle with material difference for a second time even if the material difference is less than 25 percent and such an application shall be treated as if it is for a fresh permit”.

By order of the Governor,
Dr. V.M. GOPALA MENON,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

As per the request of Transport Commissioner to amend rule 174 of the Kerala Motor Vehicles Rules, 1989, Government issued G.O.(P) No. 85/13/Tran dated the 30th August 2013. Transport Commissioner has mentioned that a mistake had occurred in the notification and there is Writ Petition No. 27982/13 challenging the amendment. Hence Transport Commissioner has requested to delete the proviso inserted in Rule 174(3) as per G.O.(P) 85/2013/Tran dated the 30th August, 2013. Government have examined the matter and decided to delete the proviso inserted in Rule 174 (3).

The notification is intended to achieve the above object.

Endt No. C.13903/7C/2012

Forwarded to all Deputy Transport Commissioners, all Regional Transport Officers and all Joint Regional Transport Officers for information and necessary action.

 Transport Commissioner
2 Nov. 15