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GOVERNMENT OF KERALA

Public Works and Transport (M) Department

NOTIFICATION

G. O. (P) No. 29/89/PW & T Dated, Trivandrum, 7th April, 1989.

S. R. O. No. 591/89.—Whereas in Notification G. O. (P) No. 1/87/PW & T dated the 5th January, 1987 published as S. R. O. No. 9/87 in the Kerala Gazette Extraordinary No. 16 dated the 5th January 1987, directions were issued to the State Transport Authority, Kerala to fix the rates of concessions for travelling in stage carriages other than those owned by the Kerala State Road Transport Corporation in respect of Physically handicapped persons permanently residing in Kerala State;

And whereas, a condition was stipulated therein that the identity cards for concession tickets may be issued on the basis of the certificate of a Medical Officer not below the rank of an Assistant Surgeon in the Orthopaedic branch of a recognised hospital certifying that the applicant has not less than fifty per cent disability;

And whereas, representations have been received by Government that the persons belonging to the blind, deaf and dumb categories are not getting the benefit of travel concessions since the medical officers in the Orthopaedic branch of hospitals are not competent to issue certificates of disability to these categories;

33/1766/MC.

And whereas, Government consider that it is necessary to modify the said directions suitably so as to give the benefit of travel concessions to the blind, deaf and dumb persons, who also come under the category of the "Physically handicapped";

Now, therefore in exercise of the powers conferred by clause (i) of sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Government of Kerala hereby issue the following directions to the State Transport Authority, in partial modification of the directions issued in Notification G. O. (P) No. 1/87/PW & T dated the 5th January, 1987, published as S. R. O. No. 9/87 in the Kerala Gazette Extraordinary No. 16 dated the 5th January, 1987. The draft of the same having been previously published in Notification No. 65234/M1/87/PW & T dated the 3rd January, 1989, published in the Kerala Gazette Extraordinary No. 9 dated the 3rd January, 1989, and the objections and suggestions having been considered as required by the proviso to the said sub-section, namely:—

DIRECTIONS

1. For condition No. 1 in notification G. O. (P) No. 1/87/PW & T dated the 5th January 1987, the following condition shall be substituted, namely:—

"1. The Physically handicapped persons of the following categories shall be allowed concession in fares in stage carriages other than those owned by the Kerala State Road Transport Corporation for a distance not exceeding 40 kilometres for a single journey:—

- (a) The blind
- (b) The deaf and dumb; and
- (c) The orthopaedically handicapped".

2. For condition No. 3 of the said notification the following condition shall be substituted, namely:—

"3. The identity cards may be issued on the basis of the certificate of a Medical Officer not below the rank of an Assistant Surgeon in the Ophthalmologic, ENT or Orthopaedic branch, as the case may be, of a recognised hospital certifying that the applicant has not less than 50% (Fifty per cent) disability."

*Note:—*The term "recognised hospitals" means Government hospitals or hospitals recognised by the Government for the purpose of issuing certificates to the Physically Handicapped persons by the Social Welfare Department.

By order of the Governor,

K. UPPILIAPPAN,

Secretary to Government.

Explanatory Note

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

It has been brought to the notice of Government that in the absence of a proper definition of the term "handicapped" and in view of the fact that an Orthopaedic surgeon will not be a competent person to issue a medical certificate to persons belonging to blind, deaf and dumb categories, the applicability of the condition issued in notification G. O. (P) No. 1/87/PW & T dated 5-1-1987, published as S. R. O. No. 9/87 in the Kerala Gazette Extraordinary No. 16 dated 5-1-1987 became limited and the persons belonging to blind, deaf and dumb categories are not getting certificate of disability for the issue of identity cards for travel concessions in private stage carriages. Government, having examined the representations in this regard consider it necessary to modify the directions already issued suitably. Hence this notification.