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Dated:10-10-2022

From,

Transport Commissioner,
Thiruvananthapuram.

To,

All Deputy Transport Commissioners,
All Regional Transport Officers,
All Regional Transport Officers (Enforcement),
All Joint Regional Transport Officers.

Sir,

Sub: Motor Vehicles Dept- SSCR No:20/2021 of Honb'le High Court
of Kerala – Compliance
reg-

- Ref: 1. Order dated 06/10/2022 in SSCR No. 20/2021 of Hon'ble High
Court of Kerala.
2. Order of the Hon'ble High Court in WP(C) No - 34310/2019
dated 07/10/2022.

Vide reference cited above, the Hon'ble High Court of Kerala have
directed the 2nd respondent (Transport Commissioner) to comply with
the following;

1) shall strictly prohibit the use of contract carriages and other transport
vehicles on public place, flouting the safety standards as extracted below;

[(i) *flouting the safety standards prescribed in AIS-008 and AIS- 052
(Rev.1) 2008, after replacing the prototype approved lights, light-
signalling devices and reflectors with after-market multi-coloured
LED/laser/neon lights, flash lights, etc.;*

*(ii) without maintaining lighting and light-signalling devices and also
retro-reflectors as per the individual specifications, namely, number,
position, width, height, length, geometric visibility,orientation, etc.*

specified in AIS-008;

(iii) with high-power audio systems producing loud sound with rating of several thousand watts PMPO, impairing the hearing of the driver and the passengers and causing distraction to other road users;

(iv) with continuously blinking DJ rotating LED lights, multi-coloured LED/laser/neon lights in the passenger compartment, by converting the passenger compartment as a dancing floor, causing distraction to the driver of that vehicle and also to other road users;

(v) with multi-coloured LED/laser/neon lights and also booster amplifiers, equalizer, DJ mixer, etc., with illuminated control panels in the driver cabin, causing glare and reflection of light on the windscreen of the vehicle, endangering the safety of the passengers and other road users;

(vi) mixing up of AC and DC power supply for high-power audio systems with DJ mixer, DJ dancing lights, laser lights, etc., violating safety standards, posing a potential fire hazard to the passengers of such vehicles;

(vii) tampering with the percentage of visual transmission of light of the safety glass of the windscreen, rear window and side windows, by pasting stickers, tint films, etc. upon the safety glass, fixing sliding cloth cutrains, etc., in violation of sub-rule (2) of Rule 100 of the Central Motor Vehicles Rules;

(viii) placing/hanging various objects in front of the windscreen and writing the name of the bus in the middle of the windscreen, above the level of the dashboard, causing obstruction to the clear vision of the driver, in violation of Rule 278 of the Kerala Motor Vehicles Rules;

(ix) exhibiting writings, advertisements, graphics, figures, etc. with the sole object to invite public attention and to promote the contract carriage service, causing distraction to the drivers of other vehicles and also cyclists and pedestrians on public road; since use of such vehicles in public place, flouting the standards in relation to road safety, is likely to endanger the safety of the passengers of such vehicles and also other road users; and

(x) with multi-toned horn giving a succession of different notes or horn

giving unduly harsh, shrill, loud or alarming noise, in violation of sub-rule (2) of Rule 119 of the Central Motor Vehicles Rules.]

Any person who drives, causes or allows to be driven in a public place such a contract carriage or other transport vehicle flouting the safety standards as mentioned above **shall be proceeded against under sub-section (2) of Section 190 of the Motor Vehicles Act and the driving licence held by the driver of such vehicle shall be forwarded to the licensing authority for disqualification or revocation proceedings under Section 19 of the Act. The certificate of fitness granted to such transport vehicle shall be cancelled by the prescribed authority, in accordance with the provisions under sub-section (4) of Section 56 of the Act.**

2) shall ensure that colour photographs and video clippings of the exterior body of the contract carriage or other transport vehicle, the driver cabin and the passenger cabin are enclosed along with the accident report/inspection report and that, the person, who drives or causes or allows to be driven in any public place such a transport vehicle, flouting the safety standards in AIS-008 and the standards prescribed in relation to control of noise, are proceeded against in accordance with law.

3) shall publish 'WhatsApp' number of the Enforcement Officer in each district, in print and visual media, and also in the official website of the Motor Vehicle Department, so as to enable the road users to bring to the notice of the concerned Enforcement Officers, the use of motor vehicles on public place flouting the safety standards regarding the lighting and light-signalling devices, retro-reflectors and also the standards prescribed in relation to control of noise. The Enforcement Officers shall also collect evidence regarding such violations of safety standards, from the video contents available on online video platforms like, 'YouTube'.

4) shall initiate proceedings against the contract carriages in the screen shots at paragraphs 7 and 8 (viz Komban, Shylock, Luminous, Angel, Jesus, Angry Birds, Ponnu, Venomous, Galaxy, Moonlight, Rosariyo, Legend, Pikachu, Mangalath, Oneness, Jaiguru, Perumal, Gulfair, Draupadhi, Royal dream, Anizham, Padaveedan, Combine, Torque etc) of the above Order and shall also obtain the details of the vloggers who posted such promotion videos/posts in 'YouTube' and other online platforms.

In para-16 of the Order of the Hon'ble High Court vide 2nd referred above , Transport Commissioner have been directed to instruct the Officers in his command and charge be entrusted with the task of enforcement strongly, strictly and decisively, to send a strict message to all the drivers that recklessness and carelessness will not be tolerated and that they will be accountable to law to the fullest warrant possible. **As such , all Regional Transport Officers (Enforcement) shall make necessary arrangements to ensure the presence of the Enforcement Officers of the department on road in 24X7 so as to discourage the drivers to commit violations of safety standards on roads.**

All Officers are hereby directed to strictly follow the above directions of the Court in the strict sense in the on-going special drive **“Operation Focus-3”** and further enforcement activities and any lapse

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in this regard will be viewed seriously.

Yours faithfully

PRAMOJ SANKER P S
ADDITIONAL TRANSPORT COMMISSIONER