

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O.(P) No.35/2016/Tran. *Dated, Thiruvananthapuram, 18th April, 2016.*
5th Medam, 1191.

In exercise of the powers conferred by sub - section (1) and clause (l) of sub - section (2) of section 65 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. 9455/B2/2015/Tran dated 25th January, 2016 in the Kerala Gazette Extra ordinary No. 261 dated 2nd February 2016, 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 (1st Amendment) Rules, 2016.

(2) They shall come into force at once.

2. *Amendment of the rules.* - In the Kerala Motor Vehicles Rules, 1989, - (1) in rule 105,-

(i) after sub - rule (2), before the existing proviso, the following proviso shall be inserted, namely :-

“Provided that no officer of the Motor Vehicles Department shall accept an application for the grant or renewal of certificate of fitness or other

services, except for remittance of tax, with respect to a transport vehicle, unless the same is accompanied by a clearance certificate in "Form CC" from the original registering authority to the effect that the vehicle has no government dues, arrears of Motor Vehicles Tax or any other legal action pending in that office :".

(ii) in the existing proviso, between the words "Provided" and "that" the word "further" shall be inserted.

(2) in Appendix - I, after "FORM CFRA", the following form shall be inserted, namely :-

" FORM CC
Clearance Certificate
[See Rule 105 (2)]

Registration Mark :

Name of Registered Owner :

Address :

Class of vehicle :

Whether the vehicle has any
departmental dues pending with
this office :

Details (If any) :

Place:

Date :

Registering Authority /
Additional Registering
Authority.
"

By order of the Governor,

M. SIVASANKAR. IAS
Secretary to Government.

Explanatory Note

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

There is no rule in Kerala Motor Vehicles Rules 1989 to insist that unless the check report or other Government dues are cleared, application for grant or renewal of certificate of fitness in respect of a transport vehicle will not be entertained. This causes delays in clearing the check report and Government dues and consequential revenue loss. Hence Government have decided to amend the Kerala Motor Vehicles Rules, 1989.

The notification is intended to achieve the above object.