

C1/17970/TC/12

Transport Commissionerate, Kerala  
Trans Towers, Thiruvananthapuram  
Dated: 22-09-2012

From

The Transport Commissioner

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Exemption for use of black films on vehicles on security considerations-Reg

Ref: Letter No.RT-11021/12/2011-MVL dated 14-08-2012 of Government of India

Attention is invited to the above reference. Vide reference cited, I am directed to inform that in the judgement in W.P.(C) No.265/2011, the Hon'ble Supreme Court has stated that any exemption for use of black films on vehicles on security consideration would need to be provided under Rule 100(4) of the Central Motor Vehicles Rules, 1989. Rule 100(4) of the Central Motor Vehicles Rules, 1989 states that notwithstanding anything contained in this Rule if the Central Government is of opinion that it is necessary and expedient to do so in public interest, it may be order published in the Official Gazette exempt (any motor vehicle including construction equipment vehicle) for use by any person, from the provisions of this rule.

In order to consider exemption under Central Motor Vehicles Rules by the Ministry on use of black films on vehicles for security considerations, specific recommendations of the Ministry of Home Affairs would be required with regard to exemption for VVIPs, Z and Z+ security categories which inter-alia would be based on the recommendation of the Committee consisting of Director General of Police/Commissioner of Police and the Home Secretary. This committee as per the orders of the Hon'ble Supreme Court would examine such cases for grant of exemption in accordance with law and with due application of mind and exemption would be provided only in relation to official cars of VVIPs/VIPs depending upon the category of security that the person has been awarded by the competent authority. This is for favour of information and necessary action.

Yours faithfully

Sd/-

Joint Transport Commissioner  
For Transport Commissioner

Approved for issue

Senior Superintendent

22.9.12