നമ്പർ. സീ/9367/2016-റ്റിസി ടാൽന്യോർട്ട് കൽപ്പണനേറ്റ് കേരളം nerios alias, sostas, versigi, cirposanist, pomanos sela min [\$087]-2333337/2333317 ang 0471-2333314] WKKW. DYGLESTORGOV ID | be-assess - teoffice (ekenslamyd gov in) തീയ്യതി: 13/09/2017 Фവൃഷകൻ, ട്രാൻസ്പോർട്ട് കമ്മീഷണർ, തിരുവനന്തപരം. സ്വീകർത്താവ്. എല്ലാ ഡെപുട്ടി ട്രാൻസ്പോർട്ട് കമ്മീഷണർമാരും എല്ലാ റീജയണൽ ട്രാൻന്യോർട്ട് ഓഫീസർമാതം എല്ലാ ജോയിന്റ് റീജയണൽ ട്രാൻസ്പോർട്ട് ഓഫീസർമാതം. സർ. വിഷയം :-**മോട്ടോർ വാഹന വക**എ്— ബി.എസ്.3 നിലവാരത്തിലുള്ള വാഹനങ്ങളടെ വിവരം ലഭ്യമാക്കുന്നത് - സംബന്ധിച്ച് 24/08/2017 ലെ ജി.ഒ(ആർ.ടി) നം.392/2017/ട്രാൻസ് നമ്പർ സർക്കാർ maim : ഉത്തരവ് മേൽ സൂചനയിലേയ്ക്ക് ശ്രദ്ധ ക്ഷണിച്ചകൊള്ളന്നു. സൂചന പ്രകാരം 01/04/2016 മുമ്പ് നിർത്തിച്ചിട്ടുള്ളയും 31/03/2017 ന് മുമ്പ് വിറ്റുപോയിട്ടുള്ളതുമായ ബി.എസ് 3 നിലവാരത്തിലുള്ള വാഹനങ്ങളെ സംബന്ധിച്ച് കോടതി മുൻപാകെയുള്ള കേസുകളെ സംബന്ധിച്ച് ഓരോ ഓഫീസുകളിലേയും വിവരം ശേഖരിച്ച് വകപ്പിന്റെ ഇപാർശ സഹിതം ഒരു മാസത്തിനുള്ളിൽ അറിയിക്കണമെന്ന് സർക്കാർ ആവശ്യപ്പെട്ടിരുന്നു. ആയരിനാൽ പ്രസ്തര വിഷയവുമായി ബന്ധപ്പെട്ട വാഹനങ്ങളുടെ വിശദവിവരം 7 ദിവസത്തിനുള്ളിൽ അടിയന്തിരമായി ഈ ഓഫീസിൽ അറിയിക്കുവാൻ നിർദ്ദേശിക്കുന്നു. സൂംനപ്രകാരമുള്ള ഉത്തരവിന്റെ ചകർപ്പ് താങ്കളുടെ അറിവിലെക്കായി ഇതോടൊപ്പം ഉള്ളടക്കും ചെയ്യകൊള്ളുന്നു. വിശാനൂതയോടെ സീനിയർ ഡെപൂട്ടി ട്രാൻസ്പാർട്ട് കമ്മീഷണർ (ടാക്ലേഷൻ) ട്രാൻേസ്പാർട്ട് കമ്മിഷണർക്ക വേണ്ടി 25 no may 3 min mont: 21/1475 2017 (2.80. m) year) അംഗികാരത്തോടെ 01.04.2016 gmi macal 2100 31.03.2017 no gmi war ach personal ESS and Best wow कारवाद्य प्रमण्डामान्त्रे ह्यारका विष्णाविष्यके के Weersum of you so seing weeren Fill & grand of west & wyo 3000 am 18 of 31 vale of - 1840 of roll Bigger auca Alle ages de 400. KOZHIKODE

GOVERNMENT OF KERALA

AUG 2017

TRANSPORT COMMISSIONERAL KERALA

Transport Department - Registration of BS III vehicles - Compliance of Honble High Court Order - Orders issued.

TRANSPORT (B) DEPARTMENT

G.O.(Rt) No.392/2017/Trans.

Dated, Thiruvananthapuram, 24.08.2017.

Judgement in WP(C)s 5243/2017 dated 12/04/2017, 5310/2017 dated Read :-12/04/2017, 6517/2017 dated 27/03/2017, 5420/2017 dated 17/02/2017, 1409/2017 dated 08/02/2017, 1262/2017 dated 06/04/2017, 4745/2017 dated 13/02/2017.

ORDER

As per the judgments of Hon'ble High Court read above the Court had directed to hear the petitioners in connection with the registration of their BS III vehicles and take appropriate decision.

The petitioners were heard on various days. They have prayed that they were purchased BS III category vehicles after 01/04/2016 and got the vehicles temporarily registered, however now the registering authorities are denying permanent registration of the vehicles . The Transport Commissioner informed that the BS III category vehicles can't be registered which was manufactured after 01/04/2016 with respect to the Central Government Notifications.

As per section 115(15)(a) of CMV Rules 1989 published vide GSR No.643(E) dated 19/08/2015, Bharath Stage IV shall be applicable in the State of Kerala in respect of four wheeled transport vehicles manufactured on or after the 1st April 2016, except four wheeled transport vehicle having interstate permits or national permits or All India tourist permits. The Hon'ble Supreme Court in its judgment IA 487/2017 dated 29/03/2017 or the Hon'ble Kerala High Court in its judgment in WP(C) 123/2017 dated 30/03/2017 had not repealed the section 115(15)(a) of CMV Rules 1989. As per judgment in IA 487/2017 Hon'ble Supreme Court directed that no vehicles including two wheeler, three wheeler and four wheeler can be sold other than BS IV emission standard vehicles after 01/04/2017.

In the above circumstances, in respect of BS III emission standard vehicles, it is clear that the vehicles manufactured before 01/04/2016 and sold before 31/03/2017 can only be registered. Having examined the case in detail based on the various orders passed by the court in connected cases, Govt are pleased to direct the Transport Commissioner to collect the details of all pending cases for registration, examine the eligibility of each case and to furnish specific recommendation in each case to Government within one month positively .

The direction of the Hon'ble High Court as per the judgment in the W.PC)s read above is complied with accordingly.

By Order of the Governor,

NAZIM M

Deputy Secretary
For Secretary to Government

The

The Transport Commissioner, Thiruvananthapuram The petitioners.

Ivocate General , Emakulam(With covering lefter) ok file/ Office copy

Forwarded By Order

Section Officer



AUG 2017

Transport Department - Registration of BS III vehicles - Compliance of Hon'ble High Court Order -- Orders issued.

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