



## GOVERNMENT OF KERALA

### Abstract

Transport Department - WP (C) No. 234/2024 filed by Shri James George - Judgement dated 09/01/2024 complied with- Orders Issued

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### TRANSPORT (B) DEPARTMENT

G.O.(Rt)No.192/2024/TRANS Dated,Thiruvananthapuram, 28-05-2024

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Read (1) Judgement dated 09/01/2024 in WP (C) No. 234/2024 filed by Shri James George

(2) Letter dated 05/02/2024 from Shri James George addressed to the Secretary, Transport Department

### ORDER

1) The application of Sri James George, Karott, Santhinagar, Sreekariyam, Thiruvananthapuram, to register the 18-seater Traveller (Force Motors - Chassis no. MC1E4DJA5RP048103, Engine no. 071039046) as private service vehicle for personal use, was rejected by the Joint RTO, Kazhakoottam on the ground that the vehicle is not intended for personal use.

2) Private Service Vehicle is defined as the motor vehicle constructed or adapted to carry more than six persons excluding the driver and ordinarily used by or on behalf of the owner of such vehicle for the purpose of carrying persons for,or in connection with,his trade or business otherwise than for hire or reward but does not include a motor vehicle used for public purposes.

3)The Honourable High Court of Kerala, as per judgment read (1) held that "Private Service Vehicle" can have the vehicle specified as a private service vehicle for personal use, if it is registered in his name and he gives a declaration to the effect that the vehicle is intended to be used by him solely for personal use".And the petitioner was directed to submit a declaration to the respondents.As per the affidavit submitted by Dr James,the vehicle will be used to create awareness among the youth against social evils.Since it is against the specifications in the S.O.1248(E),dated 5-11-2004,the vehicle can only

be classified as Private Service Vehicle under the category transport vehicle.

4) Government have examined the matter in detail. Though the affidavit filed by Sri James Geroge states the use of the vehicle as private and will never be commercial and Transport, the purpose of use mentioned there in is not personal. Since a Private Service Vehicle does not include a motor vehicle used for public purposes, the application filed by Shri James George for registering the 18-seated traveler (Chassis no. MC1E4DJA5RP048103 and Engine no. 071039046) as Private Service Vehicle(non tranaport) cannot be considered.

4. The judgement read (1) above is thus complied with.

(By order of the Governor)  
Dr Vasuki K I A S  
SECRETARY

To:

Dr. James George, Former Director, ICAR CTRI, Karott, Santhi  
Nagar, Sreekaryam, Thiruvananthapuram - 17

The Advocate General Kerala, Ernakulam  
Transport Commissioner, Thiruvananthapuram.

Principal Accountant General (A&E/Audit), Thiruvananthapuram

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