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No.C1/23986/TC/2002

17211
Head Office,
Motor Vehicles Department,
Thiruvananthapuram,
Dated 20.11.2002.

Circular No.33/2002

Sub: Implementation of G.O. (P) No.16/2002 – regarding insisting of 'emergency exist' - reg.

Ref: 1) G.O. (P) No.16/2002 dated 13.06.02
2) Judgement in OP No.23519/2002 (Y) dated 30.09.2002 of the Honourable High Court of Kerala.

In the judgement referred to above the Honourable High Court of Kerala has directed the Transport Commissioner to issue a Circular to give general guidelines for implementation of Rule 280 (4) of the KMV Rules to avoid adopting different yardsticks and norms while considering the application for registration by the different registering authorities. In the judgement Court has ordered that "stage carriage operators shall be given time till 30.11.2002 to make necessary alterations in the vehicle for complying with Rule 280 (4) of the KMV Rules. In case the operators have already applied for registration and provisional registration has been granted on the basis of Interim order passed by the Court such provisional registration shall continue in force till 30.11.02 and they will be entitled to regular registration after 30.11.2002 on compliance of Rule 280 (4) of the Kerala Motor Vehicles Rules. In the case of applications for registration which have already been rejected or are pending, provisional registration may be granted till 30.11.2002 subject to the condition that they will have to comply with Rule 280 (4) by 30.11.2002. In such cases also they will be entitled to regular registration only on complying with Rule 280 (4). In the case of any future applications also the same principle will be applicable, i.e. provisional registration upto 30.11.2002 and regular registration after 30.11.2002 only on complying with the provisions in Rule 280 (4) of the KMV Rules.

The following guidelines are also issued as directed by the Court.

- (1) The emergency exit shall be hinged at a point not more than 10 c.m. below the top of the body in order to make it more convenient for opening the emergency exit.
- (2) The emergency exit shall be positioned in such a way that the space inside left behind on either sides of the exit are equal, so as to make it more convenient and safe for passengers to escape in case of an emergency.
- (3) The shutter of the emergency exit shall be provided with one tower bolt on each side which can be operated from inside of the vehicle, so as to prevent accidental opening of the exit.
- (4) Safety glass can be fitted on to the frame of the emergency exit.
- (5) No ladder or grill of any sort, which is likely to obstruct the opening of the emergency exit, shall be fitted outside the rear of the carriage.
- (6) No grill or window bar, which is likely to obstruct the emergency exit, shall be fitted across and in inside the rear portion of the vehicle.

A copy of KMV rules 269, 280, 281, 283, 285 and 287 as amended and also a copy of these guidelines shall be kept in the notice board of each office for reference by the concerned.

Hence all Regional Transport Officers/Joint Regional Transport Officers are hereby directed to comply with the above directions while considering the application for registration of stage carriages. The guidelines issued in pursuance of the order of the Court shall also be followed.

The receipt of the Circular should be acknowledged.

K. S. R. Jagan
Transport Commissioner.

To
Jd.

All Regional Transport Officers
Joint Regional Transport Officers.

Copy to: Secretary, SEA/All DTCs/IO/FO/AO.

Ce/19211/GA/MC

Copy forwarded to R, Section Clerk, MVI and DMV for information and necessary actions