

No.C1/9470/TC/89.

Office of the Transport Commissioner,  
Trivandrum, Dated 7.3.1989.

From

The Transport Commissioner,  
Trivandrum.

To

The Regional Transport Officer(N.C)  
Kozhikode.

Sir,

Sub:-MVs. - Goods Vehicle's Seating accommodation of  
other persons (than Driver) in the cab of Goods  
Vehicles - Clarification requested - regarding -

Ref:-Your letter No.R2/73 3/89/D dated 7.3.89.

Referring to the above you are informed that the Provisions in the K.M.V.Rules dealing with the seating room in the cabin of a Goods Vehicle are contained in Rule 331 Sub-rule (1) of the said rule lays down that save in the case of a vehicle with left hand steering control which is specifically exempted by the State Transport Authority. Rules 304 and 309 (these rules are laid down for public service vehicles) relating to drivers seat shall apply to every goods vehicle other than a light motor vehicle. Sub-rule (2) of rule 331 provides that as many persons as there is seating capacity accommodation for at the rate of 38 cms for each person measured along wise the seat excluding the space reserved for the driver, may be permitted to be carried in the cab of a goods vehicle. You have reported that according to rules 331(2) and complying with the requirements of the rules regarding the seating space for the driver, the seating capacity admissible in the cab is 3 in all. Therefore, it has necessarily to be presumed that the remaining seats are provided just behind the seat of a driver inside the cabin. Hence the question that really falls for consideration is whether it is permissible under sub-rule (2) of rule 331 to provide additional seat (the centre length as against the seating space for one) inside the cabin of a goods vehicle, other than the one in which the driver is seated. The expression in the Sub-rule, "measured along the seat excluding the seat reserved for the Driver", does not permit providing of additional seats besides the driver's seat inside the cab to provide seating accommodation for others. The Sub-rule only speaks about providing of seating accommodation for others alongside the seat occupied by the driver. The provision in rule 56(3) is one laying down the conduct of the driver of a goods vehicle and not one laying down the rules for providing seats. Further more, only clause (a) of rule 56(3) is applicable to the carriage of persons other than the driver in the cabin of a goods vehicle. Clause (b) lays down the number of persons that can be carried in a goods Vehicle in all in addition to the driver. From a reading of the provisions under sub-rule (3) of rule 56 it is clear that all the 6 persons referred to in clause (b) of rule 56(3) are not necessarily to be carried in the cab but includes the maximum number that may be carried upon the loading space also. Again, the number of persons

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Office of the Transport Commissioner,  
 Tiruvandur, Dated 7.3.1989.  
 126  
 11353  
 (c)  
 Reduction of Goods

under clause (a)  
 laid down in  
 scope for a view  
 relates only for  
 inside the driver's  
 cab of a goods  
 (3) of rule 56 subject  
 clause (b) of rule 56(3)  
 rule 531(2)

cannot be provided in  
 its prescribed in sub-rule  
 in the case of a goods  
 less exemption is granted

Yours faithfully,

For Transport Commissioner.

Copy to:- All Registering, Addl. Registering/Asst. Registering  
 Authorities for information.

21-33/85/2000  
 G.O. to M.O., J.N.R., and J.S.S., dated 21.3.89.  
 Ch. 11.422 down from

CL/25.3.

B2/11253/85/2

the connected file is under C.T.S.  
 Section. How can we be helped  
 to 15 section

R

16/4/89