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GOVERNMENT OF KERALA
Transport(B) Department

NOTIFICATION

G.O(P) No.28/2017/Tran

Dated, Thiruvananthapuram, 13th December,2017

28th Vrischikam 1193

S.R.O.No/2017- In exercise of the powers conferred by clause (a) of sub-section(2) of section 111 of the Motor Vehicles Act, 1988(Central Act 59 of 1988), the Government of Kerala, after considering the objections and suggestions received on the draft rules published as notification No: B1/10/2016/Tran. dated 31st October, 2016 in the Kerala Gazette No.47 dated 29th November, 2016 as required by sub-section (1) of section 212 of the said Act, hereby make the following rules further to amend Kerala Motor Vehicles Rules, 1989, namely:-

RULES

1. *Short title and commencement-* (1) These rules may be called the Kerala Motor Vehicles (5th Amendment) Rules, 2017.

(2) They shall be come in force at once

2. Amendment of the Rules- In the Kerala Motor Vehicles Rules,1989, in rule 269, in sub-rule (10a), after the existing sentence, the following sentence shall be inserted, namely:-

“Out of the total twenty-five percent of the seats reserved for ladies as per sub-rule(5), one seat shall be set apart for pregnant women”

By order of the Governor,

K.R.JYOTHILAL
Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport)

Sub-rule(5) of the rule 269 of the Kerala Motor Vehicle Rules, 1989 provides that in all stage carriages, twenty five-per cent of the seats excluding those provided for the driver and the conductor shall be set apart for ladies. As per existing sub-rule (10 a) of the said Rules, in all stage carriages, except in services having reservation facility, five percent of the seats (maximum of two seats) excluding those provided for driver and the conductor, shall be set apart for women accompanied with a child below 3 years of age. The Kerala State Human Rights Commission in its order dated 17th February, 2016 in Complaint No.941/16 had required Government to furnish a report regarding the allocation of seats in stage carriages for pregnant women.

As per notification No. B1/10/2016/Trans dated 31st October, 2016, Government have issued draft rules inviting objections and suggestions, if any, for amending the Kerala Motor Vehicles Rules, 1989, for providing 5% of the seats for pregnant women out of twenty-five percent reserved for ladies. The Transport Commissioner has reported that as per the reservation provided under sub-rule (5) of rule 269 of the said Rules women are eligible for only 11 seats in a bus having 48 seats and the proposed reservation of 5% out of the total twenty-five percent seats would not amount at least one seat. Therefore, the Transport Commissioner has suggested to incorporate a provision to include at least one seat for pregnant women in stage carriages. Government have examined the matter in detail and decided to allocate one seat for pregnant women out of the twenty-five percent seats, by amending the Kerala Motor Vehicles Rules, 1989.

The notification is intended to achieve the above object.