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GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

No. 268/B2/2017/Tran.

Dated, Thiruvananthapuram, 24<sup>th</sup> December, 2018

9<sup>th</sup> Dhanu, 1194

3<sup>rd</sup> Pousha, 1940

The following draft rules further to amend the Kerala Motor Vehicles Rules, 1989, which the Government of Kerala propose to make, in exercise of the powers conferred by clause (a) of section 176 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) is hereby published for general information as required by sub-section (1) of section 212 of the said Act.

Notice is hereby given that the said draft will be taken up for consideration on or after thirty days from the date of publication of this notification in the Gazette and that objections or suggestions, if any, that may be received from any person in respect of the draft rules on or before the period specified above will be considered by the Government. Objections or suggestions, if any, in duplicate, shall be addressed to the Principal Secretary to Government, Transport Department, Government Secretariat, Thiruvananthapuram.

DRAFT RULES

1. *Short title and commencement-* (1) These rules may be called the Kerala Motor Vehicles (.....Amendment) Rules, 2018.

(2) It shall come into force at once.

2. *Amendment of the Rule* - In the Kerala Motor Vehicles Rules, 1989, -

(a) in rule 371, after sub-rule (3), the following sub rule shall be inserted, namely:-

“(4) Every application for compensation shall be accompanied by,-

(i) attested copies of photo identity card and address proof of the applicant;  
(ii) an undertaking in the form of an affidavit that the claimant or claimants have not filed any other application before any other forum in respect of the same cause of action.”

(b) in APPENDIX I, in FORM Comp. A, under

“Necessary Particulars in respect of injury, vehicle etc; are given below:”,-

(i) for serial number 3 and entry against it, the following serial number and entry shall be substituted, namely:-

“3. Age and date of birth of the person injured or dead (to be supported by documentary evidence, if available);”

(ii) for serial numbers 18, 19 and the entries against them, the following serial numbers and entries shall, be substituted, namely:-

“18. Policy particulars of the vehicle or vehicles involved, if available.

19. Name and address of the driver of the vehicle.

20. Details of driving licence of the driver or drivers of the vehicle or vehicles involved, if available.

21. Has any claim been lodged with the owner or insurer? If so, with what result.

22. Has any other claim been lodged in any other forum in respect of the same cause of action? If so, with what result?”;

(iii) the existing serial numbers 20 to 25 shall be renumbered as serial numbers 23 to 28 respectively;

(iv) the existing serial number 26 and the entry against it shall be omitted;

(v) the existing serial number 27 shall be renumbered as serial number 29 and after serial number 29 as so renumbered, the following serial numbers and entries shall be inserted, namely:-

“30. Whether any application has been preferred by any other legal heirs on the same claim? If so, state details.

31. Has any application been filed by any other injured in respect of the same accident? If so, state details, if available.”;

(vi) the existing serial number 28 shall be renumbered as serial number 32.

By order of the Governor,  
K R JYOTHILAL  
*Principal Secretary to Government.*