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GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O.(P)No. 19 /2018/Tran.

Dated, Thiruvananthapuram,

4th June, 2018

21st Idavam, 1193

14th Jyaishta, 1940

S.R.O. No..... /2018.- WHEREAS, the Chairman and Managing Director, Kerala State Road Transport Corporation, Thiruvananthapuram has requested the Government of Kerala to exempt Super Express service and Super Fast Service as specified respectively in sub-rules (ub) and (uc) of rule 2 of the Kerala Motor Vehicles Rules, 1989, from the third proviso to sub-rule (2) of rule 267 of the Kerala Motor Vehicles Rules, 1989;

AND WHEREAS, the Government of Kerala are satisfied that it is necessary, in public interest, to exempt the said classes of Services, from the said provision;

NOW, THEREFORE, in exercise of the powers conferred by rule 334 of the Kerala Motor Vehicles Rules, 1989, the Government of Kerala hereby exempt, in public interest, the classes of Services as specified in sub-rules (ub) and (uc) of rule 2 of the Kerala Motor Vehicles Rules, 1989 from the third proviso to sub-rule (2) of rule 267 of the Kerala Motor Vehicles Rules, 1989.

By order of the Governor,

K R JYOTHILAL

Principal Secretary to Government.

Explanatory Note

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

The Hon'ble High Court of Kerala in its judgement dated 27th March ,2018 in WP(C) no.7933/18 dated 27/3/2018 has ordered that the KSTRC shall be bound to comply with the provisions contained in the sub-rule (2) of rule 267 of the Kerala Motor Vehicles Rules, 1989,whereby they are prohibited to have standing passengers in luxury services, Super deluxe services, Super express services and Super Fast services. The Hon'ble High Court had clarified that the judgement shall be without prejudice to the right of the Government to make appropriate modification to the rules, if the Government deems it necessary . In the wake of the order, Chairman and Managing Director, Kerala State Road Transport Corporation, Thiruvananthapuram has requested the Government of Kerala to exempt Super Express service and Super Fast Service as specified respectively in sub-rules (ub) and (uc) of rule 2 of the Kerala Motor Vehicles Rules, 1989, from the third proviso to sub-rule (2) of rule 267 of the Kerala Motor Vehicles Rules, 1989. Government have considered the request in detail and decided to grant exemption for the said classes of services, in public interest.

The notification is intended to achieve the above object.