പതിനാലാം കേരള നിയമസഭ അഞ്ചാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നം. 4141 16.05.17 ൽ മറുപടിയ്ക്ക് സ്വകാര്യ ബസ്സകളിലെ സീറ്റുകളുടെ വിന്യാസം

സ്വകാര്യ ബസ്സകളി	ല സീറ്റുകളുടെ വിന്യാസം
ചോദ്യം	മറുപടി
<u> </u>	ശ്രീ.തോമസ് ചാണ്ടി
ശ്രീ.കെ. ദാസൻ	(ഗതാഗത വകപ്പമന്ത്രി)
എ) സംസ്ഥാനത്ത് സർവ്വീസ് നടത്തുന്ന സ്വകാര്യ ബസ്സുകളിൽ സീറ്റുകൾ തമ്മിൽ ആവശ്യത്തിന് അകലമില്ലാത്തതിനാൽ ദീർഘദ്ദര യാത്രാ സർവ്വീസ് നടത്തുന്ന ബസ്സുകളിൽ യാത്രക്കാർ പ്രത്യേകിച്ച് പ്രായമായവർ അനഭവിക്കുന്ന ശാരീരിക ബുദ്ധിമുട്ടുകൾ സർക്കാരിന്റെ ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ; (ബി) കൂടുതൽ ആളെ ഇരുത്തുക എന്ന ഉദ്ദേശ്യത്തോടെ പരമാവധി സീറ്റുകൾ സ്ഥാപിക്കുന്നതിനായി ഇങ്ങനെ ചെയ്യുന	പാടില്ലാത്ത തുമാണ . ബസ്സുക്കൾ രാഹ്യും ചെയ്യുമ്പോഴം വാർഷിക ടെസ്റ്റിംഗ് സമയത്തും, സാധാരണ വാഹന പരിശോധനാ സമയങ്ങളിലും ഈ അളവുകൾ പാലിയ്ക്കപ്പെടുന്നുവെന്ന് ഉറപ്പവരുത്താറുണ്ട്. എങ്കിലും, മേൽ അളവുകൾ പാലിയ്ക്കാത്തതുകൊണ്ടുണ്ടാകുന്ന ബുദ്ധിമുട്ടുകൾ ചൂണ്ടികാണിച്ചുള്ള പരാതികളിൽ ആവശ്യമായ നടപടികൾ മോട്ടോർ വാഹന വകപ്പം സ്വീകരിയാറുണ്ട്.
പ്രവണത സ്വകാര്യ ബസ്സുകളിൽ ഉണ്ട എന്നത് ശ്രദ്ധയിൽപെട്ടിട്ടുണ്ടോ;	
(സി) ഈ വിഷയത്തിൽ മലബാർ മേഖലയിൽ ഓടുന്ന ബസ്സുകളിൽ സീറ്റുകളുടെ ക്രമീകരണം യാത്രക്കാർക സൗകര്യമായ വിധത്തിലാണോ എന്നു സൂക്ഷ്യമായ പരിശോധന നടത്താന സീറ്റുകൾക്ക് നിശ്ചിത അകലമില്ലാത ബസ്സുകൾ കണ്ടെത്തി അവ ശരിയാ നിലയിൽ ക്രമീകരിക്കാനും വേദ നടപടികൾ സ്വീകരിക്കുമോ;	ലഭിയ്ക്കയാണെങ്കിൽ വാഹനം പരിശോധിച്ച് നിയമ നടപടികൾ സ്വീകരിയ്ക്കുന്നതാണ്.
(ഡി) പാസ്സങ്ങൾ ബസ്സുകളിൽ സീറ്റുക തമ്മിൽ ഉണ്ടായിരിക്കേണ്ട അകല സീറ്റിന്റെ ഉയരം,വീതി മുതലാ കാര്യത്തിൽ റേഷേ നിശ്ചയിച്ചുകൊണ്ട് നിയമങ്ങ സർക്കാർ ഉത്തരം നിലവിലുണ്ടോ;എങ്കിൽ പകർപ്പുക ലഭ്യമാക്കാമോ?	ao (മാട്ടോർ വാഹന ചട്ടം 267-െ യ പ്യാ പകർപ്പ് അനബന്ധമായി ചേർക്കുന്നു. ളൂം വും

സെക്ഷൻ ഓഫീസർ

CONSTRUCTION, EQUIPMENT AND MAINTENANCE

705

Provided that this sub-rule shall not apply to a vehicle for the completion of any journey which the use of the spare wheel was necessitated.

- (2) Tools.— Every transport vehicle shall at all times be furnished with an efficient jack and tools necessary to change a wheel and to attend to minor repairs enroute.
- 63. Wooden chocks.— (1) In order to prevent goods vehicles or stage carriages from g backwards on stopes or otherwise to render it immobile every such goods vehicle or stage age plying through ghat roads shall be equipped with two wedge-shaped solid wooden chocks treasuring thirty centimetres in tength, thirty centimetres in width and twenty-five centimetres all with one of its sides having a slope making an angle or forty-five degrees at the end of the surface and the sloped side being rendered concave so as to fit the outer circumference of size of tyre (eg. 8.25 x 20,9.00 x 20) normally fitted to the rear wheels of the vehicle.
- (2) Each such chock shall be kept in a bracket fitted on the outer skirt of the tail-board of chicle and shall have a hook. The tail-board of the vehicle shall also have a hook in the centre.
- (3) Each such chock shall be linked with the tail-board by means of a metal chain of cient length fastened to the hooks in the chock and in the tail-board.
- 264. Paintwork or varnish.— The paintwork or varnish of every transport vehicle shall be named in a clean and sound condition and in accordance with the specifications, if any, laid in by the State or Regional Transport Authority.

PART III

SPECIAL RULES APPLICABLE TO EVERY PUBLIC SERVICE VEHICLE OTHER THAN AN AUTORICKSHAW

265. Stability.— (1) Of double-decked vehicles.— A double decked vehicle shall not be be overturned when loaded with weights of fifty-five Kilograms per person placed in the relative position to represent the driver and conductor (if carried) and a full complement of logers on the upper deck only, if the surface on which the vehicle stands were tilted to either an angle of twenty-eight degrees from the horizontal.

Of single-decked vehicles.—A single-decked vehicle shall not be liable to be overturned invocations of load at an allowance of fifty-five kilograms per passenger, plus the maximum luggage and goods which the vehicle is permitted to carry, if the surface on which the stands were titted to either side to an angle of thirty-five degrees from the horizontal.

lest regarding.— For the purpose of conducting test of stability of a vehicle the height be used to prevent a vehicle from slipping sideways shall not be greate than two-thirds of bes between the surface upon which the vehicle stands before it is tilted and that part of that wheel which is then nearest to such surface when the vehicle is loaded in accordance requirements of stibinales (1) and (2):

Side overhang.— In the case of a vehicle used as a stage carriage no part of the ther than a direction indicator when in operation, or a driving mirror, shall project laterally an thirty-five centimetres and five millimetres beyond the centre lines of the rear wheels in of single-rear wheels or more than fifteen centimetres beyond the extreme outer edge of the type in the case of dual-rear wheels.

Passenger Capacity—Specification for.— (1) Seating room.— In every vehicle there provided for each passenger a reasonably comfortable seating space of thirty-eight centimetres in easured on straight lines along and at right angles to the front of each seat, and

- (a) When seats are placed along the vehicle, the backs of the seats on one side shall be at least one hundred and thirty-seven centimetres distant from the backs of the seats on the other side.
- (b) When the seats are placed across the vehicle and are facing in the same direction there shall be every where a clear space of not less than sixty-eight centimetres and five millimetres between the backs of the seats, and

When the seats are placed across the vehicle and are facing each other there shall be a clear space excluding padding and upholstery between the such surface of any portion of the seat against which the back of the passenger is to rest and the surface of the corresponding portion of the seat facing it of a minimum width of one hundred and twenty-four centimetres and five millimetres and a clear space excluding padding and upholstery between the fronts-of facing seats of a minimum width of forty-eight centimetres and five millimetres:

Provided that this sub-rule shall not apply to vehicles which were registered before 16-5-1961.

(2) Standing capacity.— The State or Regional Transport Authority may, in respect of any public service vehicle other than a motor cab, fix the number of standing passengers the vehicle may be permitted to carry or the permit holder may be required to carry in the vehicle:

Provided that-

- (a) Such standing passengers may be permitted to be carried only in case of vehicles wherein the internal height or head-room is not less than one hundred and sixtyseven centimetres and five millimetres, and
- (b) the number of standing passengers so fixed shall not exceed twenty-five per cent of the number of passengers for whom there is seating accommodations as specified in sub-rule (1):

Provided further that fifty per cent standing passengers may be allowed in "City Services" or "Town Services".

^{42A}[X X X X]

⁴³[Provided also that no standing passenger shall be allowed in luxury services, super deluxe services, super express services or super fast services].

Case Law

Operators are entitled to a hearing: Before fixing the standing capacity, operators are entitled to a hearing. Devee Motors v. State of Kerala — 1996 KHC 395: 1996 (2) KLT 755: ILR 1997 (1) Ker. 599.

268. Maximum passenger capacity.— (1) Subject to the provisions of Rule 267 regarding passenger capacity, the number of passengers (including standing, if any) that may be permitted to be carried in a vehicle shall not exceed the number determined by the following formula, viz.—

$$N = \frac{G - (U+C)}{60} \text{ where}$$

N means the number of passengers.

G means the gross vehicle weight of the vehicle in kilograms,

U means the unladden weight in kilograms, and

C means the weight in kilograms of the crew including the driver, conductor and one checking inspector, if any, at the rate of fifty-five kilograms per head.

Note.— The denomination 60 denotes the average weight in kilograms of a passenger and personal effects.

- (2) Passenger capacity of double-decked vehicles.— Subject to the provisions of sub-rule (1) of Rule 267 and sub-rule (1), not more than 72 sitting passengers in all and not more than 12 standing passengers in the lower deck may be carried in a double-decked stage carriage.
- 269. Minimum seating capacity of stage carriage.— (1) The minimum seating capacity of a stage carriage shall be directly proportionate to the wheel base of the vehicle. In all stage

"The State or Regional Transport Authority shall determine which are the City or Town services for the purpose of this rule."

43. Added by Notification G.O. (P) No. 4/99/Tran. dt. 01/02/1999, published as SRO. No. 118/99/in K.G. Ext. 228 dt. 03/02/1999 with immediate effect.

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⁴²A. Omitted by Notification G.O. (P) No. 4/99/Tran. dt. 01/02/1999, published as SRO. No. 118/99 in K.G. Ext. 228 dt. 03/02/1999. Prior to the omission it read as: