

**PROCEEDINGS OF THE 279TH MEETING OF STA, ODISHA HELD IN THE
OFFICE CHAMBER OF TRANSPORT COMMISSIONER-CUM-CHAIRMAN,
STATE TRANSPORT AUTHORITY, ODISHA ON 17.06.2015**

MEMBERS PRESENT

- | | | |
|----|---|----------|
| 1. | Dr. C.S Kumar, I.A.S,
Transport Commissioner-cum
Chairman, S.T.A, Odisha. | Chairman |
| 2. | Ignace Hasda, OAS, (SAG),
Secretary, S.T.A, Odisha. | Member |
| 3. | Smt. Babita Mohanty, OAS, (SB),
Deputy Secretary to Govt.,
Commerce & Transport (Transport) Department. | Member |
| 4. | Sri Somit Mitra | Member |

At the outset of the meeting Chairman, S.T.A. welcomed all the members of the S.T.A to the 279th S.T.A meeting.

The proceeding of the 278th meeting of State Transport Authority held on 10.02.2015 has been circulated among all the members vide this office memo No. 3428 dtd. 18.03.2015 and no complaints received, hence it is confirmed.

POLICY DECISION

(A) TRANSFER OF PERMANENT STAGE CARRIAGE PERMIT.

With a view to prevent trafficking and sale of permit and to protect interest of travelling public, the STA in its 228th meeting held on 28.02.2005 and 231st meeting held on 24.12.2005 following decision taken regarding transfer of Permanent Stage Carriage Permit.

"TRANSFER OF PERMANENT STAGE CARRIAGE PERMIT.

Section 82 of M.V.Act, 1988 and rules made thereunder provides procedure for transfer of permit. It is noticed that persons holding permanent stage carriage permits are indulged in trafficking of such permits and/or selling permits alongwith the vehicle. Trafficking of permit is prohibited under law. Permit is granted in the interest of travelling public considering the merits of grantee

under Section 71 &72 of MV Act, 1988. Very often advertisements appearing in news papers by the bus owners to sell buses alongwith permits.

In order to protect the interest of travelling public it is resolved that transfer of permanent Stage Carriage Permit shall only be considered in case of succession. In all other cases where application for transfer of permanent stage carriage permit made by the permanent permit holder, such permit shall be cancelled and the route will be notified in the website/notice board with copy to all R.T.As to select a suitable operator on merit basis in accordance with law for the interest of travelling public who can provide better service to public.

In some cases it is found that permit holders are hiring vehicles from the registered owner and plying under given permit, subsequently abandons the route and the registered owner is taking the permit on the ground that said vehicle is/was operating on such route on hire basis. This practice should be discontinued and the route be notified in the above manner."

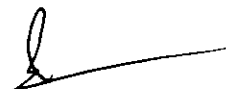
"4:1 MODIFICATION OF DECISION ON TRANSFER OF PERMANENT STAGE CARRIAGE PERMIT.

The STA in its 228th meeting held on 28.02.2005 vide item-5(B) has resolved that transfer of permanent stage carriage permit shall only to be considered in case of succession.

The STA after due deliberation has resolved to modify such decision as "transfer of Permanent Stage Carriage Permit shall only be considered by STA Body in case of succession or close blood/marriage based relationship".

The matter was placed before STA for decision. The members of STA after due deliberation resolved that transfer of permanent stage carriage permit will be considered by STA and RTA in the following cases on case to case basis.

- (i) In cases where the permit holder is suffering from terminal disease that cannot be cured or adequately treated and that is reasonably expected to result in the death of the patient within a short period of time. The disease such as cancer or advanced heart disease or



being physically handicapped above 80% supported by certificate issued by the medical board and unable to operate the bus / buses on given route / routes.

- (ii) In cases where the permit holder dies and his / her successor unable to operate the bus / buses on given route / routes.

In respect of transfer of permanent stage carriage permit is covered under clause (i) above, the permit holder shall produce Medical Certificate in original to establish the fact that the permit holder is suffering from Cancer. He / she shall file self declaration stating that he is unable to manage the bus services for which permit / permits held by him / her. No tax / penalty / certificate case / audit dues pending in respect of all buses owned by him / her. To this effect clearance from concerned RTO is necessary. The permit holder shall transfer all stage carriage permanent permits held by him / her and no permit should be retained by him / her. In case the permit holder wants to transfer one permit or more permits, he / she shall have to surrender remaining permits before the STA / RTA, as the case may be, which will be cancelled and notified in the news paper inviting applications for grant of permanent stage carriage permit to deserving operator who can provide better service to the travelling public. The permit holder shall not be allowed to transfer any permit held by him / her to any of his / her family members or close blood / marriage based relationship and transfer one or more permits held by him to third party so as to prevent trafficking of permit.

In respect of transfer of permanent stage carriage permit is covered under clause (ii) above, the successor shall get the permit transferred to his / her name following the procedure outlined under Section 82 (2) and (3) of M.V. Act, 1988. After getting the permit transferred to his / her name by STA / RTA, as the case may be, he / she shall file self declaration stating that he is unable to manage the bus services for which permit / permits held by him / her. No tax / penalty / certificate case / audit dues pending in respect of all buses owned by him / her. To this effect clearance from concerned RTO is necessary. The permit holder shall transfer all stage carriage permanent permits held by him / her and no



permit should be retained by him / her. In case the permit holder wants to transfer one permit or more permits, he / she shall have to surrender remaining permits before the STA / RTA, as the case may be, which will be cancelled and notified in the news paper inviting applications for grant of permanent stage carriage permit to deserving operator who can provide better service to the travelling public. The permit holder shall not be allowed to transfer any permit held by him / her to any of his / her family members or close blood / marriage based relationship and transfer one or more permits held by him to third party so as to prevent trafficking of permit.

After receipt of joint application for transfer of permit, subject to fulfillment of above conditions, same will be hosted in the website and published in the news paper, cost of which will be borne by the permit holder / prospective transferee to prevent trafficking / sale of permit.

The prospective third party transferee must qualify to get the permit. He / She shall produce Solvency Certificate / Bank Guarantee for one year, declaration to the effect that he had not violated permit conditions, plying any vehicle without permit on any unauthorized route, making unauthorized trip, without payment of tax due within twelve months prior to the date of making joint application for transfer of permit. He / She has never involved in transfer of permit to his / her name or never transferred any stage carriage permit to other person. No tax / penalty / certificate cases / audit dues outstanding against any of his vehicle. As regards plying of vehicles violating permit conditions, plying any vehicle without permit on any unauthorized route, making unauthorized trip, Vehicle Check Reports drawn / reports submitted to that effect will be considered irrespective of the fact that the VCR was closed on composition of offences.

The prospective third party transferee shall have to produce new vehicle / latest model vehicle not more than two years old from the date of registration in case the vehicle covered under the permit held by the transferor is more than ten years old from the year of manufacture .

(B) REPLACEMENT OF VEHICLE BY THE SAME PERMIT HOLDER.

The STA in its 264th meeting resolved that in cases where grantee / P.P. holder applies to replace the vehicle by another vehicle, it must be either equal to or higher in terms of model and facilities provided in the present vehicle and which is registered subsequent to the date of registration of the vehicle for which replacement sought for.

Further STA in its 267th meeting, after due deliberation, it was resolved that replacement of vehicle by another in a permanent stage carriage permit will be considered if the vehicle is registered in the same year for which replacement is asked for.

After due deliberation it was resolved that replacement of vehicle by another covered in two permanent stage carriage permits will be considered, subject to the condition that both the permits and vehicles covered in it shall stand recorded in the name of same permit holder, both the vehicles are on road with valid M.V. documents and the permit holder shall produce tax clearance certificate in respect of both the vehicles.

(C) **CRITERIA FOR GRANT OF STAGE CARRIAGE PERMIT.**

The STA in its 260th meeting and subsequent meeting had fixed the evaluation criteria for evaluation of applications for grant of permanent stage permit. Accordingly grant of stage carriage permits are being considered on (i) Type of facilities provided in bus (ii) Financial stability of the operator on basis of Solvency Certificate / Bank Guarantee for Rs.99,000/- for one year, (iii) Year of make of bus, (iv) Number of years of operation as stage carriage operator and marks secured in each of the criteria as per the documents submitted by the applicants. Off-road position, Tax position, VCR position, pendency of Court cases in respect of each applicant. In order to bring objectivity in evaluation of applications, STA has devised a marking criteria for each of the criteria referred to above and based on the marks obtained by each of the individual applicants, the best operator is being selected.

After deliberation it was resolved that :

- (a) No marks will be awarded for experience as stage carriage operator.



- (b) Plying of vehicle by the applicant violating permit conditions, plying any vehicle without permit on any unauthorized route, making unauthorized trip, Vehicle Check Reports drawn / reports submitted to that effect will be considered irrespective of the fact that the VCR was closed on composition of offences. Five marks for each violation will be deducted for above offences.
- (c) Priority will given to the vehicle owners who are operating buses under Biju Gaon Gadi Yojana.
- (d) Negative marking will be awarded to the old buses to phase out the vehicles from the road. For example - 10 years old vehicle will get negative marking 10 marks, like wise for every successive year 02 marks will be deducted till 15 years and so on.

Where the applicant's vehicle was involved in accident for his fault, five marks will be deducted for each case.

ITEM NO – 1

CUTTACK TO ASTARANGA & CUTTACK TO KAKATPUR

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above mentioned route. The vacancy arose due to non renewal of permanent permit by Sri Niranjan Biswal in respect of his vehicle No.OR02AN-2137 on the above route.

- i) Sri Ratilal Mohanty owner of vehicle No. OD05J-2499 (Model-2014).
- ii) Sri Dwijabar Nayak owner of vehicle No. OR30-0119 (Model-2009).
- iii) Sri Niranjan Senapati owner of vehicle No. OR05AF-7288 (Model-2009).

Heard.



Sri Ratilal Mohanty, owner of vehicle No.OD05J-2499 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.

Sri Dwijabar Nayak, owner of vehicle No.OR30-0119 appeared in person.

Sri Niranjana Senapati, owner of vehicle No.OR05AF-7288 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.

Taking all the factors in to account and upon perusal of marks obtained by applicant Dwijabar Nayak, details of which is annexed as **Annexure-1**, after deliberations, it was decided to grant permanent stage carriage permit in favour of Dwijabar Nayak, owner of vehicle No.OR30-0119 in the route **CUTTACK TO ASTARANGA & CUTTACK TO KAKATPUR & BACK** for a period of five years as **Ordinary Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO - 2

BHADRAK TO BARIPADA

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express"



dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above mentioned route. The vacancy arose due to surrender of permanent permit by Sri Dillip Kumar Nayak in respect of vehicle No.OR01K-0797 on the above route.

- i) Sri Panchanan Nayak, owner of vehicle No.OD01G-8177 (Model-2013).
- ii) Sri Bijay Kumar Sahu, owner of vehicle No.OD01G-8195 (Model-2013).
- iii) Sri Laxmikanta Mishra, owner of vehicle No.OD01C-8697 (Model-2013).

Heard.

Sri Panchanan Nayak, owner of vehicle No.OD01G-8177 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri Bijay Kumar Sahu, owner of vehicle No.OD-01G-8195 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri Laxmikanta Mishra, owner of vehicle No.OD01C-8697 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act. 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

After due deliberation it was resolved to reject the all the above applications for the reason that the applicants have not submitted Solvency Certificate to adjudge financial stability of each applicant as required under Section 71 (3) (d) (i) of M.V Act, 1988. The route be notified in the news paper inviting applications for grant of permanent permit to deserving applicant. _

ITEM NO – 3



ROUTI TO BHUBANESWAR

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above mentioned route. The vacancy arose due to surrender of permanent permit by Sri Basant Kumar Acharya in respect of vehicle No.OR02X-2690 on the above route.

- i) Sri Prasanta Kumar Sahoo, owner of vehicle No.OR05AE-0630 (Model-2008).
- ii) Sri Ram Chandra Dhal, owner of vehicle No.OD02V-3591 (Model-2014).

Heard.

Sri Prasanta Kumar Sahoo, owner of vehicle No.OR05AE-0630 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.

Sri H.P. Mohanty, Advocate appeared on behalf Sri Ram Chandra Dhal, owner of vehicle No.OD02V-3591.

Taking all the factors in to account and after deliberations, it was decided to grant permanent stage carriage permit in favor of Sri Ram Chandra Dhal, owner of vehicle No.OD02V-3591 in the route **ROUTI TO BHUBANESWAR & BACK** for a period of five years as **Ordinary Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of



model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO – 4

BHUBANESWAR TO SUBALAYA VIA. NARSINGHPUR

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to surrender of permanent permit by the owner of vehicle No.OD02B-7839 on the above route.

- i) Sri Ratilal Mohanty, owner of vehicle No.OD05J-2499 (Model-2014).
- ii) Sri Laxmidhar Mohapatra, owner of vehicle No.OR05AQ-5475 (Model-2011).

Heard.

Sri Ratilal Mohanty, owner of vehicle No.OD05J-2499 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.

Sri Laxmidhar Mohapatra, owner of vehicle No.OR05AQ-5475 appeared in person.

Taking all the factors in to account and after deliberations, it was decided to grant permanent stage carriage permit in favor of Sri Laxmidhar Mohapatra, owner of vehicle NO.OR05AQ-5475 in the route **BHUBANESWAR TO SUBALAYA & BACK** for a period of five years as **Ordinary Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee

shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO – 5

BHUBANESWAR TO GOUDAGOTHA

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due non lifting of permanent permit by the owner of vehicle No.OR12-4393 on the above route.

- i) Sri Prasanna Kumar Sahoo, owner of vehicle No.OR05AE-0630 (Model-2008).
- ii) Sri Nabin Kumar Amarka, owner of vehicle No.OR02BW-2111 (Model-2011).

Heard.

Sri Prasanna Kumar Sahoo, owner of vehicle No.OR05AE-0630 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.



Sri Nabin Kumar Amarka, owner of vehicle No.OR02BW-2111 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

After due deliberation it was resolved to reject all the above applications for the reason that the applicants have not submitted Solvency Certificate to adjudge financial stability of each applicant as required under Section 71 (3) (d) (i) of M.V Act, 1988. The route be re-notified in the newspaper inviting applications for grant of permanent permit to deserving applicant.

ITEM NO – 6

BHUBANESWAR TO CHIKITI

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to non-renewal of permanent permit in due time by Sri Satyanarayan Panda in respect of vehicle No.OR05AZ-5199 on the above route.

- i) Sri Satyanarayan Panda, owner of vehicle No.OR02AZ-5199 (Model-2009).
- ii) Sri Satyanarayan Panda, owner of vehicle No.OD02U-9599 (model-2015).
- iii) Sri Bijay Kumar Patra, owner of vehicle No.OR12A-8959 (Model-2007).
- iv) Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 (Model-2008).
- v) Sri Santosh Kumar Gantayat, owner of vehicle No.OR25A-8578 (Model-2009).

Heard.



Sri M.B.K. Rao, Advocate appeared on behalf Sri Satyanarayan Panda, owner of vehicle No.OR02AZ-5199. He has submitted solvency certificate for Rs.31,00,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Satyanarayan Panda, owner of vehicle No.OR02AZ-5199 ranked-2nd (21 marks) as per statement under **Annexure-6** annexed to this proceeding.

Sri M.B.K Rao, Advocate appeared on behalf Sri Satyanarayan Panda, owner of vehicle No.OD02U-9599. He has submitted solvency certificate for Rs.31,00,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Satyanarayan Panda, owner of vehicle No.OD02U-9599 ranked-1st (71 marks) as per statement under **Annexure-6** annexed to this proceeding.

Sri Bijay Kumar Patra, owner of vehicle No.OR12A-8959 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 appeared in person. She has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri Santosh Kumar Gantayat, owner of vehicle No.OR25A-8578 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.



Taking all the factors in to account and upon perusal of marks obtained by applicant Sri Satyanarayan Panda, details of which is annexed as **Annexure-6**, after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Satyanarayan Panda, owner of vehicle No.OD02U-9599 in the route **BHUBANESWAER TO CHIKITI & BACK** for a period of five years as **EXPRESS Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within two years. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO – 7

BHUBANESWAR TO PHULBANI.

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to cancellation of permit for violation of permit conditions by the permit holder.

Being aggrieved Sri A. K. Routray filed M.V. Appeal No.08/2015 before Hon'ble STAT. Hon'ble STAT vide their order dtd.09.06.2015 directed the STA not to take any final decision on the basis of the advertisement dtd14.05.2015 in respect of the route Bhubaneswar to Phulabani (Sl. No. 33) till 30.06.2015.



- i) Sri Surendra Mohanty, owner of vehicle No.OR02BS-5157 (Model-2011).
- ii) Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 (Model-2008).
- iii) Sri Gangadhar Sundaray, owner of vehicle No.OD02D-2199 (Model-2012).

Heard the parties. Hearing closed.

Hon'ble STAT vide Misc. Case No.15/2015 arising out of M.V. Appeal No.08/2015 vide order dtd.09.06.2015 directed that ***"not to take any final decision on the basis of the said advertisement dtd.14.05.2015 in respect of the route vide Sl. No. 33, Bhubaneswar to Phulbani till 30.06.21015"***.

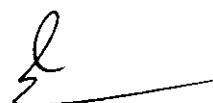
In view of orders passed by Hon'ble Tribunal, it was resolved to defer the final decision.

ITEM NO – 8

CUTTACK TO NARSINGHPUR.

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to discontinuance of service by OSRTC. The route was partly notified as Cuttack to Narsinghpur as per order of Chairman dated 10.10.2014.

- i) Sri Diptikanta Muduli, owner of vehicle No.OD05H-3242 (Model-2014).
- ii) Sri Chittaranjan Mishra, owner of vehicle No.OR02AG-7943 (Model-2005).



Heard.

Sri Diptikanta Muduli, owner of vehicle No.OD05H-3242 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri Chittaranjan Mishra, vehicle No. OR02AG-7943 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri P. Behera, Advocate submitted that the applicant Sri Chittaranjan Mishra, owner of vehicle OR-02AG-7943 has manipulated Fitness Certificate and Insurance Certificate which may be enquired into before consideration of his application.

After due deliberation it was resolved to reject all the above applications for the reason that the applicants have not submitted Solvency Certificate to adjudge financial stability of each applicant as required under Section 71 (3) (d) (i) of M.V Act, 1988. The route be notified in the newspaper inviting applications for grant of permanent permit to deserving applicant.

ITEM NO – 9

NETANGA TO BHUBANESWAR

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to non-renewal of permanent permit in respect of vehicle No. OR12A-1957 on the above route.

Being aggrieved Smt. P. Panda filed M.V. Appeal No.09/2015 before Hon'ble STAT. Hon'ble STAT vide their order dtd.09.06.2015 directed the STA not to take any final decision on the basis of the advertisement dtd.14.05.2015 in respect of the route NETANGA TO BHUBANESWAR (Sl. No. 42) till 09.07.2015.



- i) Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 (Model-2008).
- ii) Sri Satyanarayan Panda, owner of vehicle No.OD02R-9599 (Model-2014).
- iii) Sri Santosh Kumar Gantayat, owner of vehicle No.OR25A-8578 (Model-2009).

Heard the parties. Hearing closed.

Hon'ble STAT vide Misc. Case No.14/2015 arising out of M.V. Appeal No.09/2015 vide order dtd.09.06.2015 directed that ***"not to pass any final order as regards the route at Sl. No. 42 of the appeal till 09.07.2015"***.

In view of orders passed by Hon'ble Tribunal, it was resolved to defer the final decision.

ITEM NO – 10

BHUBANESWAR TO BAHALDA

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to surrender of permanent permit by the owner of vehicle No.OR05AH-2968 on the above route.

- i) Sri Panchanan Nayak, owner of vehicle No. OD01G-8177 (Model-2013).
- ii) Sri Laxmikanta Mishra, owner of vehicle No.OD01C-8697 (Model-2013).

Heard.

Sri Panchanan Nayak, owner of vehicle No.OD01G-8177 appeared in person. He has not submitted solvency certificate as required under Section 71



(3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri Laxmikanta Mishra, owner of vehicle No.OD01C-8697 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

After due deliberation it was resolved to reject the all the above applications for the reason that the applicants have not submitted Solvency Certificate to adjudge financial stability of each applicant as required under Section 71 (3) (d) (i) of M.V Act, 1988. The route be notified in the news paper inviting applications for grant of permanent permit to deserving applicant.

ITEM NO – 11

KAILO TO MASTERCANTEEN AND MASTER CANTEEN TO ALIPINGAL.

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to non-lifting of permit by the owner of vehicle No. OR02AC-3402 since 2013 on the above route.

- i) Sri Prakash Chandra Jena, owner of vehicle No.OR02AY-9855 (Model-2009).
- ii) Smt. Bhagabati Mishra, owner of vehicle No.OR05Z-2060 (Model-2006).

Heard.



Sri K.C Das, Advocate appeared on behalf Sri Prakash Chandra Jena, owner of vehicle No.OR02AY-9855. He has submitted solvency certificate for Rs.99,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Prakash Chandra Jena owner of vehicle No.OR02AY-9855 ranked-1st (15 marks) as per statement under **Annexure-11** annexed to this proceeding.

Smt. Bhagabati Mishra vehicle No. OR05Z-2060 appeared in person. She has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Taking all the factors in to account and upon perusal of marks obtained by applicant Sri Prakash Chandra Jena, details of which is annexed as **Annexure-11**, after deliberations, it was decided to grant permanent stage carriage permit in favor of Sri Prakash Chandra Jena, owner of vehicle No.OR02AY-9855 in the route **KAILO TO MASTERCANTEEN AND MASTERCANTEEN TO ALIPINGAL** for a period of five years as **ORDINARY Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be

ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO – 12

BHUBANESWAR TO GOBARA

Pursuant to the advertisement published in Daily Odia News Paper "The Samaj" dated 14.05.2015 and English News Paper "The New Indian Express" dated 14.05.2015, following Stage Carriage Operators have applied for grant of Permanent Permit on the above route. The vacancy arose due to non-renewal of permanent permit in respect of vehicle No. OR02AN-1729 on the above route.

- i) Sri Santosh Kumar Gantayat, owner of vehicle No.OR25A-8578 (Model-2009).
- ii) Sri Santosh Kumar Polai, owner of vehicle No.OD32-2727 (Model-2014).
- iii) Sri Surendra Mohanty, owner of vehicle No.OR02BS-5157 (Model-2011).
- iv) Sri Samarendra Pattnaik, owner of vehicle No.OR02AZ-1829 (Model-2009).
- v) Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 (Model-2009).
- vi) Sri Satyanarayan Panda, owner of vehicle No.OD02R-9599 (Model-2014).
- vii) Sri Prasanta Kumar Sahoo, owner of vehicle No.OR05AE-0630 (Model-2008).
- viii) Sri Surendra Pradhan, owner of vehicle No. OD02B-5499 (Model-2012).

Heard.

Sri Santosh Kumar Gantayat, owner of vehicle No.OR25A-8578 appeared in person. He has not submitted solvency certificate as required under Section 71



(3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri J.N Mohanty, Advocate appeared on behalf Sri Santosh Kumar Polai owner of vehicle No.OD32-2727. He has submitted solvency certificate for Rs.99,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Santosh Kumar Polai, owner of vehicle No. OD32-2727 ranked-1st (54 marks) as per statement under **Annexure-12** annexed to this proceeding.

Sri Surendra Mohanty, owner of vehicle No.OR02BS-5157 appeared in person. He has submitted Bank Guarantee for Rs.5,00,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Surendra Mohanty owner of vehicle No. OR02BS-5157 ranked-3rd (34 marks) as per statement under **Annexure-12** annexed to this proceeding.

Sri Samarendra Pattnaik, owner of vehicle No.OR02AZ-1829 appeared in person. She has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Smt. Swapna Rani Guru, owner of vehicle No.OR02AV-5353 appeared in person. She has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Sri M.B.K Rao, Advocate appeared on behalf Sri Satyanarayan Panda, owner of vehicle No.OD02R-9599. He has submitted solvency certificate for Rs.31,00,000/-.



Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Satyanarayan Panda, owner of vehicle No. OD02R-9599 ranked-2nd (51 marks) as per statement under **Annexure-12** annexed to this proceeding.

Sri Prasanta Kumar Sahoo, owner of vehicle No.OR05AE-0630 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.

Sri Surendra Pradhan vehicle No.OD02B-5499 appeared in person. He has not submitted solvency certificate as required under Section 71 (3) (d) (i) of M.V Act, 1988 to adjudge his merit. For such statutory deficiency, he did not qualify to get the permit.

Taking all the factors in to account and upon perusal of marks obtained by applicant Sri Santosh Kumar Polai, details of which is annexed as **Annexure-12**, and after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Santosh Kumar Polai, owner of vehicle No.OD32-2727 in the route **BHUBANESWAR TO GOBARA & BACK** for a period of five years as **EXPRESS Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR



clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

CASE MATTER (Deferred cases) (INTER DISTRICT ROUTES)

ITEM NO.13

PAILIPADA TO BHUBANESWAR AND BACK.

The matter was placed before STA in its 274th Meeting held on 27.11.2013 & 28.11.2013 vide Item No.19 and following decision taken.

This route was notified in Daily Odia News Paper "The Samaj" & English news paper "The New Indian Express" dated 03.10.2013. The vacancy arose due to Non-production of own vehicle in place of hired vehicle by Sri Basanta Ku. Sahu. Sri Basanta Ku. Sahu took shelter before Hon'ble High Court of Orissa in W.P.(C) No. 23813 of 2013 challenging the order of notification of the above route by Chairman STA. Hon'ble Court has passed interim order dated 27.11.2013 directing STA not to take final decision regarding grant of permanent permit on the above mentioned route. The following eight applications have been received including petitioner.

- i) Sri Pramod Ku. Ray, owner of vehicle OD02J-4399, owner of vehicle OR05AF-7288 (Model-2013).
- ii) Sri Manoj Ku. Nayak, owner of vehicle OR25B-4595 (Model-2010).
- iii) Sri Basanta Ku. Sahu, owner of vehicle OR02BU-9679 (Model-2003).
- iv) Sri Avinash Sahoo, owner of vehicle OD02C-3846 (Model-2012).
- v) Sri Prakash Ch. Mishra, owner of vehicle OD02J-5787 (Model-2013).
- vi) Sri Upendra Pradhan, owner of vehicle OD02-8199 (Model-2012).
- vii) Sri Surendra Mohanty, owner of vehicle OD02C-7857 (Model-2012).
- viii) Sri Birendra Patra, owner of vehicle OR02BC-3523 (Model-2009).



The members of STA had resolved to keep the findings pending in respect of this route till receipt of the final orders passed by the Hon'ble High Court of Orissa in W.P.(C) No. 23813 of 2013.

In the meantime W.P. (C) No.23813 of 2013 has been disposed of by the Hon'ble High Court passing the order as follows:-

"Considering the contentions raised by the learned counsel for the parties, it appears that since the petitioner's initial renewal application as hire purchase agreement holder has been rejected, he has filed the present application on the ground that without complying the procedure of law, no fresh advertisement could have been issued inviting applications from the outsiders without considering the application filed by the petitioner and as such. No opportunity has been given to the petitioner for such renewal. But when the matter was sub judice before this Court, the petitioner sought for fresh renewal on the basis of the fact that he is the owner of the vehicle and such application has also been taken into consideration by the STA, but no final order has been passed because of the interim order passed by this Court on 27.11.2013 in the present application. In that view of the matter, let the application of the petitioner for grant of permanent permit be considered by the authority by following due procedure of law and final order be passed thereon. The opposite parties are also directed to communicate the result to the petitioner within a period of four weeks from the date of communication of this order, Needless to say that if the petitioner is aggrieved by the order passed by the STA, he is at liberty to move the appropriate forum ventilating his grievances.

With such liberty, the writ petition stands disposed of."

The application of the writ petitioner Basanta Kumar Sahoo and other applications were considered by STA.

Sri Pramod Ku. Ray, owner of vehicle OD02J-4399 has filed memo to withdraw his application. Hence his application is rejected as withdrawn.



In the meantime ownership of vehicle OR05AF-7288 has been transferred from the name of Sri Pramod Ku. Ray to the name of Niranjan Senapati and P.P. No.267-G/2015 has been issued to Sri Senapati in the route Talasinga to Bhubaneswar valid from 30.06.2015 to 29.06.2020. Hence the application filed by Sri Ray is rejected being infructuous.

Permanent permit has been granted in favour of the applicant Sri Manoj Ku. Nayak, owner of vehicle OR25B-4595 vide Item No.27 of 274th meeting held on 27.11.2013 & 28.11.2013 in the route Bhubaneswar to Phulbani which was issued on 28.12.2013. His application is accordingly rejected being infructuous.

K. Mohammad, Advocate appeared on behalf of Sri Basanta Ku. Sahu, owner of vehicle OR02BU-9679.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Basanta Ku. Sahu, owner of vehicle OR02BU-9679 ranked-2nd (07 marks) as per statement under **Annexure-13** annexed to this proceeding.

In the meantime permanent permit No.PP99/140548/G has been granted to Sri Avinash Sahoo, owner of vehicle OD02C-3846 in the route Bhubaneswar to Sankarakhola via Nayagarh valid from 22.08.2014 to 21.08.2019. His application is accordingly rejected being infructuous.

Sri Prakash Ch. Mishra, owner of vehicle OD02J-5787 appeared in person.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Prakash Ch. Mishra, owner of vehicle OD02J-5787 ranked-1st (12 marks) as per statement under **Annexure-13** annexed to this proceeding.

In the meantime permanent permit No.PP99/140199/G has been granted to Sri Upendra Pradhan, owner of vehicle OD02-8199 in the route Sudra to



Cuttack via Nayagarh valid from 10.03.2014 to 09.03.2019. His application is accordingly rejected being infructuous.

Permanent permit has been granted in favour of the applicant Sri Surendra Mohanty, owner of vehicle OD02C-7857 vide Item No.08 of 274th meeting held on 27.11.2013 & 28.11.2013 in the interstate route Puri to Ranchi. Permanent permit has being issued in his favour valid from 10.02.2014 to 11.02.2019. His application is accordingly rejected being infructuous.

Sri Birendra Patra, owner of vehicle OR02BC-3523 is absent on call.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Birendra Patra, owner of vehicle OR02BC-3523 ranked-3rd (06 marks) as per statement under **Annexure-13** annexed to this proceeding.

Taking all the factors in to account and upon perusal of marks obtained by applicant Sri Prakash Ch. Mishra, details of which is annexed as **Annexure-13**, after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Prakash Ch. Mishra, owner of vehicle OD02J-5787 (Model-2013) in the route **PAILIPADA TO BHUBANESWAR AND BACK** for a period of five years as **EXPRESS Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the



Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM NO.14.

CHARIBATIAGHAT TO BHUBANESWAR, BHADRAK, via. CHANDIKHOL AND BACK.

Sri H.P Mohanty, Advocate appeared on behalf of Sri Sudhanshu Panigrahi and submitted that the vehicle OR-09F-9717 has already been sold. Hence the application filed by Sri Panigrahi may be rejected.

The application filed by Sri Panigrahi is accordingly rejected. The route be notified in the news paper inviting applications for grant of permanent permit to deserving applicant.

ITEM NO.15.

BARIPADA TO BHUBANESWAR.

The matter was placed before STA in its 278th Meeting held on 10.02.2015 vide Item No.12 and following decision taken.

The STA in its 277th meeting in item No.11 resolved that the application of Smt. Sabita Sahu, owner of vehicle OD11B-6465 to place the matter in next STA meeting or till finalization of rationalized timings on the above mentioned route whichever is earlier. The application of the petitioner will be considered in the vacant slot available, if any in the rationalized timings.

Sri H.P. Mohanty, Advocate appeared for Smt. Sabita Sahu and prayed to consider his application.

It was resolved to grant permit against the vacant slot if available after the rationalization of timing on the route and temporary permit for 119 days only in vacant slot as last service of rationalized timing to be granted.

ITEM No.16.

BHUBANESWAR TO KARANJIA.



Heard Sri H.P. Mohanty, Advocate for the applicant Smt. Bhanumati Parida, owner of vehicle OR-05AB-5479.

The matter was placed before STA in its 278th Meeting held on 10.02.2015 vide Item No.21 and following decision taken.

The members of STA unanimously resolved to defer the matter to next STA meeting or till finalisation of rationalised timings on the above mentioned route whichever is earlier.

After due examination of alignment of route in question, it is found that the proposed service will be diverted from Panikoili towards Karanjia which is not included in the rationalization of timing of Baripada-Bhubaneswar route.

On scrutiny of records it is found that permanent permit No.619 of 2014 has been issued in favour of applicant Smt. Bhanumati Parida, owner of vehicle OR05AB-5479 Chandikhole to Karanjia valid from 23.10.2014 to 22.10.2019. During validity of said permanent permit, the applicant has applied for grant of permanent permit in the route Bhubaneswar to Karanjia in respect of the same vehicle. It is well settled that withdrawal of vehicle in existing route without replacing the same is bound to cause inconvenience to travelling public. Besides more than one permit cannot be granted to one vehicle as provided under section 71 & 72 of M.V.Act,1988. In the present case, grant of permit in the route Bhubaneswar to Karanjia to the applicant having permanent permit in the route Chandikhole to Karanjia will be detrimental to the interest of travelling public.

In view of foregoing discussion, after due deliberation it was resolved to reject the application filed by Smt. Bhanumati Parida, owner of vehicle OR05AB-5479 in the route Bhubaneswar to Karanjia is rejected.

ITEMNO. 17.

BANGARA TO BHUBANESWAR via. SORO (BHADRAK BY PASS).

Heard Sri H. P. Mohanty, Advocate for the applicant Sri Kamalakanta Rana.



The matter was placed before STA in its 278th Meeting held on 10.02.2015 vide Item No.23 and following decision taken:-

Sri Kamalakanta Rana, owner of OR01Q-6488 has applied for grant of temporary permit on the route Bangara to Bhubaneswar via. Soro (Bhadrak Bypass) & back which has been rejected by the Chairman, STA. The applied route covers on Baripada to Cuttack / Bhubaneswar which is under rationalisation, application for grant of T.P has been rejected on the above ground. Being aggrieved Sri Rana has filed M.V Appeal No. 13 of 2014 before the Hon'ble STAT, Odisha, Cuttack. The Hon'ble STAT vide their order dated 14.01.2014 has directed to re-consider the application of the appellant in accordance with law within a period of one month from the date of receipt of the order.

The members of STA unanimously resolved to defer the matter to next STA meeting or till finalisation of rationalised timings on the above mentioned route whichever is earlier.

After due deliberation it was resolved to consider his application for grant of permit against any vacant slot if available after finalization of rationalized timingone.(temporary permit for short period subject to verification of timing and rationalisation of timing in available slot as last service.)

ITEM No. 18.

BHUBANESWAR TO ANGUL VIA. ATHAGARH & BACK.

Heard Sri P. Behera, Advocate for Sri Bichitra Ranjan Behera, owner of vehicle OR-05AC-4349.

Sri Bichitra Ranjan Behera, Owner of vehicle OR-05AC-4349 has applied for grant of Permanent Permit on the route Bhubaneswar to Angul via. Athagarh & back with proposed set of timings. The said application was placed in Committee in its meeting held on 12.03.2015 which was rejected due to rationalised route. Sri Behera has applied for grant of Permanent Permit on the above mentioned route vide SIRP-15/20994 dt.2.5.2015 through on line.



Being aggrieved upon the orders passed by the Committee in its meeting held on 12.03.2015, Sri Behera has filed W.P.(C) No. 9138 of 2015 before the Hon'ble High Court of Odisha. Hon'ble High Court vide their order No. 2 dt.12.05.2015 has directed Opp. Parties to consider the application for grant of Permanent Permit in the next STA meeting.

Taking all the factors in to account, after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Bichitra Ranjan Behera, owner of vehicle OR-05AC-4349 in the route **BHUBANESWAR TO ANGUL VIA ATHAGARH AND BACK** for a period of five years as **EXPRESS / DELUXE Service subject to verification of original documents submitted by him and subject to verification of rationalised timing and clash free timing.** No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM No. 19.

BHUBANESWAR TO ANGUL VIA. ATHAGARH & BACK.

Heard Sri P. Behera, Advocate for Sri Bichitra Ranjan Behera, owner of vehicle No.ORY-3991.



Sri Bichitra Ranjan Behera, owner of vehicle No. ORY-3991 has applied for grant of Permanent Permit on the route Bhubaneswar to Angul via Athagarh & back with proposed set of timings vide SIRP-15/21175 dt. 22.5.2015 through on line.

Learned Advocate on behalf of Sri Behera has filed W.P.(C) No.10011 of 2015 before the Hon'ble High Court of Odisha. Hon'ble High Court vide their Order No. 2 dt. 27.05.2015 has directed opp. parties to consider the application for grant of Permanent Permit in the next STA meeting.

Taking all the factors in to account, after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Bichitra Ranjan Behera, owner of vehicle No. ORY-3991 in the route **BHUBANESWAR TO ANGUL VIA ATHAGARH AND BACK** for a period of five years as **EXPRESS / DELUXE Service subject to verification of original documents submitted by him and subject to verification of rationalised timing and clash free timing.** No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM No. 20.

BANKI TO SENDHAKUDA, VIA - CUTTACK, RAHAMA, KUJANGA & BACK

Heard Sri H. P. Mohanty, Advocate for Sri Dharanidhar Das, owner of vehicle OR-05W-3369.

In the meantime the timings of buses Cuttack- Paradeep route has been rationalized.

Taking all the factors in to account, after deliberations, it was decided to grant permanent stage carriage permit in favour of Dharanidhar Das, owner of vehicle OR-05W-3369 in the route **BANKI TO SENDHAKUDA, VIA-CUTTACK, RAHAMA, KUJANGA & BACK** for a period of five years as **EXPRESS Service subject to verification of original documents submitted by him and subject to verification of vacant slot in the rationalised timing of Cuttack to Paradeep route.** No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM No. 21.

GAILO TO ROURKELA, VIA. SARASARA, RAJAMUNDA, LATHIKATA & BACK.

Heard Sri H. P. Mohanty, Advocate for Md. Noorul Haque, owner of vehicle OD14D-1443.

Taking all the factors in to account, after deliberations being the single applicant, it was decided to grant permanent stage carriage permit in favour of Md. Noorul Haque, owner of vehicle OD14D-1443 in the route **GAILO TO**



ROURKELA, VIA. SARASARA, RAJAMUNDA, LATHIKATA & BACK for a period of five years as **ORDINARY Service subject to verification of original documents submitted by him and subject to clash free timing**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These conditions shall form a part of the Permit conditions. Before issue of permit Tax payment position, Audit and VCR clearance should be obtained and it should be ensured that the vehicle was not off road on the date of application and on the date of consideration.

ITEM No. 22.

KARANJIA TO CHAKULIA VIA. TIRINGI, HATA & BACK.

As per reciprocal transport agreement made between Odisha and Jharkhand published by Govt. of Odisha vide Notification No. LC-IV-RA-3/07-1679-T dt.28.03.2007, the State of Odisha have to grant 01 permit with 2 trips and the State of Jharkhand have to grant 3 permits with 6 trips. The above route finds place at Sl. 45 annexure of Reciprocal Transport Agreement. Following applications are received for grant of one permit.

- i) Sri Manoranjan Patra, owner of vehicle No. OD11E-3024 (Model-2015).
- ii) Sri Arun Kumar Agarwalla owner of vehicle No.OD09D-8956 (Model-2015).

Sri A. Das, Advocate appeared on behalf Sri Manoranjan Patra, owner of vehicle No.OD11E-3024. He has not submitted solvency certificate as required

under Section 71 (3) (d) (i) of M.V Act, 1988 to **adjudge** his merit. For such statutory deficiency, he did not qualify to get the permit.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Manoranjan Patra, owner of vehicle No. OD11E-3024 ranked-2nd (65 marks) as per statement under **Annexure-22** annexed to this proceeding.

Sri H.P. Mohanty, Advocate appeared on behalf Sri Arun Kumar Agarwalla owner of vehicle No.OD09D-8956. He has submitted solvency certificate for Rs.5,00,000/-.

Based on the marks secured as per evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Arun Kumar Agarwalla owner of vehicle No. OD09D-8956 ranked-1st (73 marks) as per statement under **Annexure-22** annexed to this proceeding.

Taking all the factors in to account, Sri Arun Kumar Agarwalla being the remaining applicant, after deliberations, it was decided to grant permanent stage carriage permit in favour of Sri Arun Kumar Agarwalla owner of vehicle No. OD09D-8956 in the route **KARANJIA TO CHAKULIA VIA. TIRINGI, HATA & BACK** for a period of five years as **Ordinary Service subject to verification of original documents submitted by him**. No change of vehicle and timing shall be allowed. The grantee shall not leave the route and shall not surrender the permanent permit so granted at least within one year. The grantee shall lift the permit within a period of ten days from the date of communication of grant order failing which such grant of permit is liable to be cancelled. The grantee shall not withdraw the vehicle or replace by any other vehicle till the validity of the permanent permit on this given route. The grantee can however replace the present vehicle by another vehicle which is either equal to or higher in terms of model and facilities provided in the present vehicle. Such replacement shall not be done before completing one year of service except in case of accident or any exigent reasons with the prior concurrence of competent authority. These



