



GOVERNMENT OF KERALA

D3
Forward direction
to all RTAs.
20/12/14
See.

No.10689/B1/2014/Tran.

Transport(B)Department.
Thiruvananthapuram,
Dated:-20/12/2014.

From

The Secretary to Government.

To

The Transport Commissioner, Kerala.
~~The~~ Secretary, State Transport Authority.
The Chairman and Managing Director, KSRTC.
Secretary, All Regional Transport Authorities.

Sub:- Renewal of permit to Private Stage Carriage Operators - Reg.

Ref:- Government letter of even No.17/07/2014.

As per the Government letter referred to above, directions were given to the Regional Transport Authorities to issue temporary permits in respect of the private stage carriages, the permits of which had been rejected by the Regional Transport Authorities as a result of coming into being of the schemes notified as per S.R.O. No. 555/2013 and S.R.O. No.57/2014. It was also stipulated that the above directions were only a temporary measure and a stop gap arrangement to ensure travel facilities to the public at large since the KSRTC was not found capable of operating all the services as per the above schemes. It was further made clear that the above directions would be applicable only to the scheme notified as per S.R.O. No. 555/2013 and S.R.O. No.57/2014.

and that the Regional Transport Authorities should not issue any new permits in the routes covered by the above schemes until further orders.

In the Government letter referred to above, the CMD,KSRTC was directed to formulate appropriate scheme under Section 99 of the Motor Vehicle Act making an objective assessment on the actual requirement of the KSRTC taking into account all relevant factors affecting the operations.

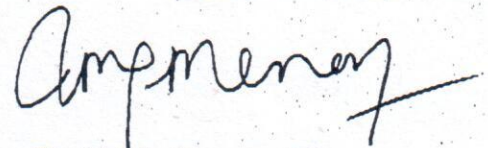
In the judgment dated 20.09.2014 in WP(C) No.18786/2014 and 20952/2014 the Hon'ble High Court directed the Secretary(Transport) to consider whether the temporary directions issued by the Government could be withdrawn in the event of the CMD,KSRTC would convince that they are capable of operating all the services as per the schemes notified as per S.R.O. No.555/2013 and S.R.O. No.57/2014.

The CMD,KSRTC without formulating a proposal for a new scheme has subsequently reported that the KSRTC is capable of taking over all the services as per the above schemes notified by the Government and has suggested that a new class of service viz "Limited Stop Ordinary Service" can be included in the Kerala Motor Vehicles Rules, 1989 and that the private operators can be permitted to operate such service consequent to the expiry of the temporary permits issued to them as per the directions contained in the Government letter dated 17.07.2014 and that this will not be against the interest of the KSRTC also. Regarding the Ponnani - Chelari route, the CMD,KSRTC has reported that the KSRTC intends to operate only long distance services through the notified route.

As per the order dated 19.12.2014 in WP(C) Nos.18786/2014 and 20952/2014, the Hon'ble Hoigh Court has directed to file affidavit on 20.12.2014 on the directions issued by the Hon'ble High Court as per the judgment dated 29.09.2014 taking into account the report dated 04.11.2014 of the CMD,KSRTC which has already been received in the Government.

In the above circumstances and in compliance of the directions of the Hon'ble High Court, Government withdraw the directions contained in the Government letter referred to above . The Regional Transport Authorities will take immediate action to implement the schemes notified as per S.R.O. No.555/2013 and S.R.O. No.57/2014. The CMD,KSRTC will take all measures to ensure that the above schemes are implemented in true spirit for satisfying the purpose of the schemes.

Yours faithfully



Dr.V.M. Gopala Menon

Secretary to Government.

Encl: D2/12534/870/12 dated 24/12/14

Copy forwarded to all RTA Secretaries for strict compliance.



For Transport Commissioner