

Government of Kerala
കേരള സർക്കാർ
2009



Reg. No. ഓർ. നമ്പർ
KL/TV(N)/12/2009-2011

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

സംസ്ഥാനപ്രസിദ്ധീകരണ കമ്മീഷൻ, തിരുവനന്തപുരം

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	മംഗളം	1931 ആഷാഢം 23	

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G. O. (P) No. 42/2009/Tran. Dated, Tiruvananthapuram, 14th July 2009.

FORM B

N. R. O. No. 608/2009.—WHEREAS, the Government of Kerala are of the opinion that for the purpose of providing an efficient, adequate, economical and properly co-ordinated passenger road transport service, it is necessary in public interest that the passenger road transport service as per the particulars in the Schedule given below should be run and operated by the State Transport Undertaking, in supersession of Notifications given in the Annexure hereto published for general information:

AND WHEREAS, the Government of Kerala in Civil Appeal No. 4994/2002 had given an undertaking before the Hon'ble Supreme Court to amend the existing scheme;

32256/2009/DTP.

AND WHEREAS, the Government of Kerala has published a new Scheme, vide G. O. (P) No. 20/2008/Trans. dated 6th May, 2008 as S.R.O. No. 444/2008 in the Kerala Gazette Extraordinary No. 893 dated the 6th May, 2008;

AND WHEREAS, the Hon'ble High Court of Kerala in its judgment dated 24th July, 2008 in WP(c) No. 15194/2008, has struck down clauses 4 and 19 of the said Scheme and thereby the Scheme became inoperative and it has become necessary to publish a Draft Scheme as directed by the High Court;

AND WHEREAS, the proposal regarding the Scheme for the purpose was previously published as per Notification No. 6122/B1/2008/Tran. dated the 15th September, 2008 in the Kerala Gazette Extraordinary No. 2001 dated the 15th September, 2008 and in the New Indian Express daily dated 23rd September, 2008, and Mathrubhumi daily dated 25th September, 2008, for the area covered by the proposal as required by section 59 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

AND WHEREAS, the State Government, after having considered the objections received and after having heard the objections and representatives of the State Transport Undertaking, are satisfied that it is necessary in public interest to implement the Scheme relating to the proposal;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 100 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Kerala hereby approve the proposal regarding the Scheme that the passenger road transport service, as per the particulars in the Schedule given below, should be run and operated by the State Transport Undertaking.

SCHEDULE

define

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| 1. Route or routes (with their important intermediate points) or the area in relation to which the scheme is proposed | As mentioned in column 5 of the Annexure. |
| 2. Route length (in the case of scheme in relation to route or routes only) | As mentioned in column 7 of the Annexure. |

3. Class of service (Stage carriage/Contract carriage, Goods carriage mofussil or city or town service in the case of stage carriage). All classes of stage carriages.

4. Whether the services are to be operated by the State Transport Undertaking to the exclusion of other persons or otherwise

Yes, the permits issued in the private sector on or before 9-5-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 9-5-2006 temporary permits shall be issued after their expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

5. If the operation shall be to the exclusion of other services:

(a) Whether such exclusion shall be complete or partial

Partial till the existing private services operating on the routes are replaced as provided in item 4 above.

(b) If such exclusion shall be partial, the sector of the route from where other services are to be excluded; and

The existing services issued with permit on or before 9-5-2006 and after 9-5-2006 shall be permitted to continue as in Clause 4 above till they are replaced by buses owned by the State Transport Undertaking.

- (c) whether it is proposed to allow other service to pick or set down passengers between any two places on the route covered by the scheme. Yes, on the portion of the route permitted to operate as in clause 4 above. Permits will also be granted to private stage carriages of other routes permitting them to overlap 5 K.m. or 5% of the length of their own routes, whichever is less on the notified routes for purposes of intersection.
6. The maximum and minimum number of vehicles to be operated in relation to each area or route by the State Transport authority. As per traffic demand.
7. The maximum and minimum number of trips to be provided in relation to each area or route by the State Transport Undertaking in the case of Stage Carriages. As per traffic demand.
8. Number of vehicles intended to be kept in reserve to maintain the services and to provide for special occasions. As per rules.
9. Arrangements proposed for housing and maintenance of vehicles belonging to State Transport Undertakings. Garages and workshops are existing. According to demand new facilities shall be set up by the State Transport Undertaking.
10. Arrangements proposed for the comfort and convenience of passengers. Latest type of vehicles with improved amenities as per the Kerala Motor Vehicles rules will be provided for maximum comfort.
11. Arrangements proposed for the transport of luggage of passengers. Luggage of passengers within the permissible payload of Stage Carriage will be transported.
12. Arrangements proposed for the stands and halts on the route and for the exhibition of timetable by the State Transport Undertaking. Garages and Bus Stands are provided as required.

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| 13. Type of vehicles proposed to be used by the State Transport Undertaking | Semi Saloon single decker. |
| 14. The maximum and minimum seating capacity of the vehicle to be used | Varying from 40 to 60 in all. |
| 15. The weight and nature of passenger luggage that could be carried free of charge and the total weight of luggage that may be carried in relation to each passenger | No luggage shall be charged for articles weighing less than 12 kg. |
| 16. The rate of charge that may be levied for luggage in excess of free allowance | As per schedule published by the Kerala State Road Transport Corporation. |
| 17. The rate of fares proposed to be levied on ordinary and special occasions | The fares will be charged at the rates fixed by the Government from time to time. |
| 18. Whether it is proposed to carry goods in addition to passengers, and if so, the nature of goods proposed to be carried | No |
| 19. Any other information the State Transport Undertaking may desire to be furnished in this connection | The right to operate any new service and to increase the trips in the 31 routes in the Annexure or its portions will be reserved exclusively for State Transport Undertaking. |

By order of the Governor,

AJOY CHAUDHURI,
Additional Chief Secretary to Government.