

**PROCEEDINGS OF THE 299<sup>th</sup> VIRTUAL MEETING OF STA, ODISHA  
HELD ON 20.01.2023 THROUGH VIDEO CONFERENCING.**

**MEMBERS PRESENT:**

- |   |     |     |          |
|---|-----|-----|----------|
| 1. Shri Arun Bothra, IPS<br>Transport Commissioner, Odisha  | ... | ... | Chairman |
| 2. Shri Somit Mitra   | ... | ... | Member   |
| 3. Shri Brajabandhu Bhol, OAS(SS)<br>Secretary, STA.  | ... | ... | Member   |
| 4. Shri Keshab Chandra Muduli,<br>Deputy Secretary to Government<br>Commerce and Transport (Tr) Dept. | ... | ... | Member   |


At the outset the Chairman, STA welcomed all the members of the STA to the 299<sup>th</sup> virtual meeting of STA.

The proceeding of 298<sup>th</sup> virtual meeting of State Transport Authority held on 09.01.2023 circulated among all the members vide this office memo No.1052/TC, dated 19.01.2023 is confirmed.

Action taken by Chairman, STA, Secretary, STA and Joint Secretary, STA as per delegation of powers by STA for the period from 10.01.2023 to 19.01.2023 are approved.

This special meeting of STA is convened to take decision within the ambit of M.V. Act, 1988 regarding proceeding of the meeting held on 11.01.2023 under the Chairmanship of Principal Secretary to Government, Commerce and Transport Department on the demands of All Odisha Bus Owners Association as detailed below. Decision of the meeting was communicated to STA vide Transport Department letter No.469 dated 12.01.2023.

1. Transfer of Permanent Stage Carriage Permit to a second party and modalities / conditions thereof.
2. Plying of Air Conditioned Deluxe Sleeper Stage Carriages during day time above 160 kms of a route (one way).

  
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3. Grant of temporary permit to a stage carriage more than 15 years and less than 20 years of age.

After due deliberation it was resolved that:-

**1. Transfer of Permanent Stage Carriage Permit to a second party and modalities / conditions thereof :-**

Section 82 (1) of M.V. Act, 1988 provides that a permit shall not be transferable from one person to another except with the permission of the Transport Authority which granted the permit and shall not without such permission, operate to confer on any person to whom a vehicle covered by a permit is transferred any right to use that vehicle in the manner authorized by the permit.

Under the statute, stage carriage permit cannot be transferred as a matter of right. However, considering the demand of All Odisha Bus Owners Association, it was decided that transfer of permanent stage carriage permit will be considered on case to case basis with following conditions.

(i) Where stage carriage permit holder has operated the service continuously on a route on the strength of valid permanent permit in his/her own name for a period not less than ten years.

(ii) In case the vehicle is more than fifteen years old from the month and year of manufacture, the prospective transferee shall produce new vehicle against the vehicle covered under the permit.

(iii) Vehicles covered under a stage carriage permit proposed to be transferred must not be kept off road for a period of one year in single or different spells during currency of existing permit. It must be paying tax regularly and must have valid fitness certificate and insurance on the date of making joint application for transfer of permit.

(iv) No proceeding should be pending or proposed to be initiated against permit holder for suspension or cancellation of permit under Section 86 of M.V. Act, 1988.

  
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(v) Declaration to be filed by the transferor and prospective transferee separately to the effect that as on date no tax penalty, Tax Recovery Case, Audit dues, e-challan is pending against any of their vehicles presently owned by him / her or registered in his name earlier, Registration Certificate of which was cancelled/not cancelled and / or the vehicle was sold as scrap. Format of declaration annexed herewith as **Annexure-A** and **Annexure - B**.

(vi) In case the transferor or transferee submits declaration, contents of which are found to be false, even after transfer of permit, such order of transfer shall be revoked, permit will be cancelled and the route will be notified in the website. A criminal action may also be initiated if the STA finds any sort of forgery in the process.

(vii) No e-challan was drawn or closed on payment of fine under Section 192-A of M.V. Act, 1988 (i.e. violating permit conditions, plying or holding permit without countersignature granted by reciprocating State, contract carriage plying as stage carriage, plying without permit, operating portion of route and not operating on the entire route for which permit was granted, making unauthorized trip, ceases to own the vehicle, vehicle seized by financier, obtained permit by fraud or misrepresentation, uses or allows the vehicle in any manner not authorized by the permit) against any of the vehicle owned by the transferor and transferee including the vehicle for which transfer of permit is sought during last one year prior to making joint application for transfer of permit.

(viii) The transferor and transferee shall submit self declaration separately to the effect that they are not habitual transferor or purchaser of stage carriage permit prior to making present application.

(ix) The prospective third party transferee must qualify to get the permit under Section 71 of M.V. Act, 1988. He / she shall produce Solvency Certificate / Bank Guarantee of Rs.99,000/- for one year.

(x) 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 inviting objections to maintain transparency, fair play and to prevent trafficking /

  
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sale of permit. The STA may also call for such other information, as may be required to verify genuineness of application.

(xi) The transferor and transferee shall not be allowed to avail this facility more than once in next five years from the date of allowing the application for transfer of permit.

(xii) Proposal has been submitted to Government to prescribe fee for transfer of permit by way of amendment of Rule 48 of OMV Rules, 1993. After amendment of rules, further action in this regard will be taken by the STA.

(xiii) The above decision shall not create any right in favour of any stage carriage permit holder to claim absolute right to transfer the permit held by him / her.

(xiv) The STA, for the reason to be recorded in writing, following due process of law, may take decision to reject any application for transfer of permit on case to case basis.

**2. Plying of Air Conditioned Deluxe Sleeper Stage Carriages during day time above 160 kms in a route (one way).**

The STA in its 295<sup>th</sup> meeting held on 10.01.2022 decided that grant of stage carriage permit to Air Conditioned Deluxe Sleeper Stage Carriages will be considered in different routes length of which exceeds 240 kms. in a day (one way).

After due deliberation and in modification of decision taken in 295<sup>th</sup> meeting, it was decided that grant of stage carriage permit to Air-conditioned Deluxe Sleeper Stage Carriages will be considered in a route length of which is more than 160 kms (one way).

However, stringent action shall be taken against offending vehicles and in case it is detected that such Stage Carriage is plying violating permit conditions and / or carrying more than one person in a sleeper berth action shall be taken for cancellation of permit. Besides steps will be taken by RTO to charge differential tax taking in to account number of excess persons / passengers carried in a sleeper berth from the date of issue of permit retrospectively.

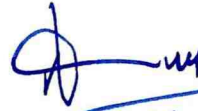
  
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3. **Grant of temporary permit to a stage carriage more than 15 years and less than 20 years of age.**

Considering safety and comfort of passengers travelling in buses, the bus owners were asked to produce latest model / new vehicles in place of buses which are more than 15 years old for the safety of commuting public. However, the bus owners have stated that they are willing to provide new buses against the old stage carriages which are more than 15 years old, but they want some time to place new / later model vehicles.

The STA after due deliberation and keeping in view safety and comfort of commuting public resolved that **one temporary permit for four months** will be considered by Chairman, STA in respect of stage carriages more than 15 years and less than 20 years old from the month/year of manufacture.

The meeting ended with vote of thanks to chair.




Chairman 20.01.23  
STA, Odisha, Cuttack.

Memo No. 1170 /TC.

Dated 20.01.23

Copy forwarded to all Members of STA for information.



Secretary 20.1.2023  
STA, Odisha, Cuttack.

## ANNEXURE-A

(Declaration to be made by the transferor as per decision taken in 299<sup>th</sup> STA meeting held on 20.01.2023 which shall be invariably accompanied with joint application for transfer of permanent stage carriage permit)

### PROFORMA

1. Name of the applicant in full. :-
2. Registration number of vehicle and month / year of manufacture for which application for transfer of permit made. :-
3. Where stage carriage permit holder operate the service in applied route continuously in his/her own name on the strength of valid permanent permits for a period not less than ten years. (furnish self attested copies of permanent permits) :-

Name of permit holder	Vehicle number	Name of registered owner	Name of route	Duration of permanent permits for last ten years including existing permit.

4. The vehicle -----is of ---- model and not more than fifteen years old from the month / year of manufacture. :-
5. Vehicle covered in the stage carriage permit proposed to be transferred is not kept under off road for a period of one year in different spells during currency of existing permit, paying tax regularly, have valid fitness certificate and insurance on the date of making joint application for transfer of permit. :-
6. No proceeding pending or proposed to be initiated against me (permit holder) for suspension or cancellation of permit under Section 86 of M.V. Act, 1988. :-
7. As on date no tax penalty, Tax Recovery Case, Audit dues, e-challan pending against any vehicles presently owned by me or registered in my name earlier, Registration Certificate of which was cancelled/not cancelled and / or the vehicle was sold as scrap. :-
8. No e-challan was drawn or closed on payment of fine under Section 192-A of M.V. Act, 1988 (i.e. violating permit conditions, plying or holding permit without countersignature granted by reciprocating State, contract carriage plying as stage carriage, plying without permit, operating portion of route and

- not operating in the entire route for which permit granted, making unauthorized trip, ceases to own the vehicle, vehicle seized by financier, obtained permit by fraud or misrepresentation, uses or allows the vehicle in any manner not authorized by the permit) against any of the vehicle owned by me including the vehicle for which transfer of permit sought during last one year prior to making joint application. :-
9. I am not a habitual transferor or purchaser of stage carriage permit prior to making present application. :-
  10. Registration number of all stage carriages owned by me. :-
  11. Registration number of all contract carriages owned by me. :-
  12. Up to date tax has been paid in respect of all vehicles. :-
  13. No tax / penalty / audit dues remain unpaid in respect of all vehicles. (Furnish details) :-
  14. No Tax Recovery Case / MVT Appeal / Revision/ criminal case etc is pending against me. :-

Place :-  
Date :-

Full signature of the transferor.

**Note:-**

1. In case the transferor or transferee submits declaration, contents of which are found to be false, even after transfer of permit, such order of transfer shall be revoked, permit will be cancelled and the route will be notified in the website. A criminal action may also be initiated if STA finds any sort of forgery in the process.
2. Above declaration to be filled up and signed by the applicant and format can be downloaded.

(Declaration to be made by the transferee as per decision taken in 299<sup>th</sup> STA meeting held on 20.01.2023 which shall be invariably accompanied with application for transfer of permanent stage carriage permit)

**PROFORMA**

1. Name of the applicant in full. :-
2. Registration number of vehicle and month / year of manufacture for which application for transfer of permit made. :-
3. The vehicle -----is of --- model which is more than fifteen years old from the month / year of manufacture. I am offering new vehicle bearing registration No.....in place of existing vehicle which is not covered under any permit.
4. I am otherwise qualify to get the permit under Section 71 of M.V. Act, 1988. I am enclosing herewith Solvency Certificate / Bank Guarantee (nationalized bank) of Rs.99,000/- for one year. :-
5. As on date no. tax penalty, Tax Recovery Case, Audit dues, e-challan pending against any vehicles presently owned by me or registered in my name earlier, Registration Certificate of which was cancelled/not cancelled and / or the vehicle was sold as scrap. :-
6. No e-challan was drawn or closed on payment of fine under Section 192-A of M.V. Act, 1988 (i.e. violating permit conditions, plying or holding permit without countersignature granted by reciprocating State, contract carriage plying as stage carriage, plying without permit, operating portion of route and not operating in the entire route for which permit granted, making unauthorized trip, ceases to own the vehicle, vehicle seized by financier, obtained permit by fraud or misrepresentation, uses or allows the vehicle in any manner not authorized by the permit) against any of the vehicle owned by me during last one year prior to making joint application. :-
7. I am not a habitual transferor or purchaser of stage carriage permit prior to making present application. :-
8. Registration number of all stage carriages owned by me. :-



9. Registration number of all contract :-  
carriages owned by me.
10. Up to date tax has been paid in respect :-  
of all vehicles.
11. No tax / penalty / audit dues remain  
unpaid in respect of all vehicles. :-  
(Furnish details)
12. No Tax Recovery Case / MVT Appeal / :-  
Revision/ criminal case etc is pending  
against me.

Place :-

Date :-

Full signature of the transferee.

**Note:-**

1. In case the transferor or transferee submits declaration, contents of which are found to be false, even after transfer of permit, such order of transfer shall be revoked, permit will be cancelled and the route will be notified in the website. A criminal action may also be initiated if STA finds any sort of forgery in the process.
2. Above declaration to be filled up and signed by the applicant and format can be downloaded.