

# PROCEEDING OF THE 305<sup>th</sup> VIRTUAL MEETING OF STA, ODISHA, CUTTACK HELD ON 08.08.2025.

## MEMBERS PRESENT:-

- |   |     |     |          |
|---|-----|-----|----------|
| 1- Shri Amitabh Thakur, IPS<br>Transport Commissioner, Odisha | ... | ... | Chairman |
| 2- Mrs. Chinmayee Biswal, OAS (SAG)<br>Secretary, STA         | ... | ... | Member   |
| 3- Shri Somit Mitra   | ... | ... | Member   |

At the outset, the Chairman, STA welcomed all the members of the STA to the 305<sup>th</sup> virtual meeting of STA.

Proceedings of the 304<sup>th</sup> virtual meeting of State Transport Authority held on 17.03.2025 circulated among all the members vide this Office Memo No.6659/TC dated 08.05.2025 is confirmed.

Action taken by Chairman, STA, Secretary, STA and Addl. Secretary, STA as per delegation of powers by STA for the period from 17.03.2025 to 08.08.2025 are approved.

## 1. POLICY DECISION

### 1.1. Consideration of application for stage carriage permit and clubbing thereof :-

The STA in its 287<sup>th</sup> meeting held on 22.01.2019 resolved that:-

"3.8 In modification of decision taken in 275<sup>th</sup> meeting, it was resolved that all applications for grant of stage carriage permanent / temporary permit on different routes will be considered together, received within ninety days or till the cutoff date is fixed for taking up the applications in STA meeting whichever is earlier.

Xx xx xx."

It is noticed that no cutoff date has been fixed by STA in the 275<sup>th</sup> or 287<sup>th</sup> meetings.

After due deliberation it was resolved that –

"In modification of decision taken in 275<sup>th</sup> or 287<sup>th</sup> meetings of STA, it was resolved that all applications for grant of stage carriages permanent / temporary permit on different vacant routes will be considered together received within

thirty days from the date of notification in the website which shall be the cutoff date for the purpose. In case no application received within 30 days, stage carriage permit will be granted to the applicant on first come first serve basis, provided the applicant fulfils statutory requirements and other eligibility criteria."

**1.2. REPLACEMENT OF VEHICLE BY THE SAME PERMIT HOLDER.**

The STA in its 264<sup>th</sup>, 267<sup>th</sup> and 279<sup>th</sup> meeting resolved that :-

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

The STA in its 264<sup>th</sup> 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 is sought for. Further STA in its 267<sup>th</sup> meeting, 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.

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 tax / penalty must have been paid upto date. Both the vehicles must have equal facilities."

### **3 Grant of temporary stage carriage permit.**

It is noticed that stage carriage owners after availing temporary permit are not making application for grant of permanent stage carriage permit on the selfsame route within the validity of temporary permit. Further, in some cases it is also noticed that after grant of permanent stage carriage permit, the vehicle owners are not lifting the permanent permit so granted and applying for temporary permit in different routes causing inconvenience to travelling public.

Considering the interest of travelling public in providing bus services, it is resolved that in above cases no permanent or temporary stage carriage permit shall be granted to the bus owners for a period of one year on any route. The period of one year shall be completed as under,

(a) In case where the bus owner does not apply for permanent stage carriage permit, from the date of expiry of temporary permit.

(b) In case where permanent stage carriage permit has been granted but not lifted by the bus owner, from the date of grant of permanent permit.

### **1.4 DELEGATION OF POWERS BY THE S.T.A.**

The delegation of various powers previously made by the S.T.A. in 303<sup>rd</sup> meeting was reviewed and a fresh delegation was made in favour of Addl. Secretary/ Deputy Secretary/ Under Secretary, STA.

#### **Powers delegated in favour of the Addl. Secretary / Deputy Secretary / Under Secretary, S.T.A.**

i) Powers to renew or refuse to renew goods carriage permits where there is no arrear tax and penalty (including arrear in dispute) in respect of the vehicles covered by the permits and to attach conditions to the permits thus renewed;

ii) Powers to grant temporary permits up to a period of four months to all types of transport vehicles except to stage carriages where-

(a) the route on which the stage carriage is proposed to ply is an inter-State route; and/or

(b) there is any arrear tax and penalty (including arrear in dispute) in respect of the stage Carriage; and/or

iii) Powers to grant special permits u/s 88 of the M.V. Act, 1988.

v) Issue all types of permits.

1.5. **SURRENDER OF PERMIT**

The STA in its 296<sup>th</sup> meeting held on 07.04.2022 resolved that:-

"In the earlier meeting it was decided by STA that stage carriage permit holder shall not be allowed to change the route within a period of one year taking together the period of validity of temporary permit and permanent permit. Such decision was taken considering the fact that frequent surrender of permit will adversely affect the interest of travelling public.

It is noticed that after obtaining temporary stage carriage permit or permanent permit by the vehicle owner, the permit holder is surrendering the temporary or permanent permit on some pretext or other. After surrender of permit, the vehicle owner is making application for grant of temporary permit on a new route leaving the route abandoned for which permit was issued to him to provide service to the commuting public. It is a fact that while making application for grant of temporary stage carriage permit, the bus operator himself selects the route of his choice and accordingly temporary permit was issued to him following due procedure. In case the permit holder is allowed to change the route frequently, the travelling public will be deprived of getting bus service from that particular route and such practice of surrendering the permit should be discontinued.

After due deliberation, it was resolved that in case where the permit holder is surrendering the stage carriage permit, whether temporary or permanent, within a period of one year, no permit shall be granted to the owner on any route in respect of said vehicle for a period of six months from the date of surrender of permit, except in case where the vehicle owner decided to transfer ownership of said vehicle to other than family members. Change of route shall not be allowed where the permit holder did not obtain permanent permit after expiry of temporary permit."

The STA in its 301<sup>st</sup> meeting held on 19.07.2023 resolved that:-

"After due deliberation and partial modification of aforesaid decision, it is resolved that where the holder of a permanent / temporary permit surrendered the permit, said permit shall be cancelled and the route will be notified in website inviting applications from the deserving bus operators for grant of permit in the interest of travelling public. The permit holder who surrendered the permit shall not be allowed to apply for any new stage / contract carriage permit in STA / RTA for a period of one year from the date of surrender."

After due deliberation and partial modification of aforesaid decision, it is resolved that;

"Where the holder of a temporary stage carriage permit surrenders the Temporary permit within validity of temporary permit period and the holder of a permanent permit surrenders the permanent stage carriage permit within one year shall not be allowed to apply for any new stage / contract carriage permit in STA / RTA for a period of one year from the date of surrender."

1.6. Replacement of vehicle.

It is noticed that stage carriage permit holder after getting permanent / temporary stage carriage permit by offering latest model vehicle with better facilities making application for replacement of the existing vehicle by lower model vehicle (having permit) having less facilities which is not congenial to travelling public. Permit was granted to a stage carriage operator considering model of vehicle and facilities provided in it.

Taking above factors into consideration vis-à-vis interest of travelling public it was resolved that:-

"In no case replacement of vehicle by another shall be allowed where stage carriage permanent / temporary permit was granted considering model of vehicle and facilities provided by adjudging merit of the permit holder unless offered vehicle shall be of equal / higher model and having equal / better facilities than the existing vehicle.

For example, a Air conditioned deluxe sleeper stage carriage shall not be considered for replacement by Air conditioned deluxe stage carriage."

**1.7 Rationalization:**

- Grant of stage carriage permit in intra region route cannot be issued by RTA, if the proposed time covers 100% of any particular category or sub category of rationalization timing.
- Grant of stage carriage permit in intra region route on all rationalized routes except Sundargarh - Rourkela route will be considered by RTA where overlapping does not exceed 30% (For Sundargarh- Rourkela route overlapping should not exceed 35%) of routes covered under the main category (the route covered from the starting point to the terminus of the said rationalized route) and should not cover more than 50% of the route category wise as per 303<sup>rd</sup> STA resolution.
- Grant of temporary permit in rationalized route will not be considered if the temporary permit application consists of more than one excluded route as mentioned in the ground rule of any rationalized route.

**2. Consideration of application for renewal of permanent permit vide No.PP99/130331/G on the route Balasore to Bolangir and back in respect of vehicle OR01S-7187 in favour of Sri Rajesh Kumar Periwal.**

Sri Rajesh Kumar Periwal owner of vehicle OR01S-7187 (Model-07/2010) was present in person Heard.

Sri Periwal has filed W.P. (C) No.5916 of 2025 which was disposed of on 24.04.2025 Hon'ble High Court has passed the following order.

"3. Learned counsel for the Petitioner submits that in order to substantiate his illness and treatment the petitioner has furnished a Medical Certificate before the authorities. Even if he was not fully cured, he made application dated 10.03.2023 for renewal of his permanent permit paying the prescribed application fees of Rs.500/- and making his bus on-road since March, 2023. Then he went on paying the monthly Tax and additional tax regularly with the hope to get his renewal permanent permit. Without yielding any income from his bus he has paid a huge amount of tax, but the authorities have not taken into account of this aspect and surprisingly issued show cause notice dated 30.11.2023, which he received on 07.12.2023. It has been directed to file off-road for 17 months. Immediately thereafter, the petitioner rushed to the office of the opposite parties and filed his show cause reply on 08.12.2023 before the

Secretary, S.T.A. along with Doctor's Certificate explaining the genuine cause of his Bus getting "off-road" and prayed to grant his application dated 10.03.2023 for renewal, of his permanent permit.

4. In the proceedings of the 303rd virtual meeting of STA, Odisha, Cuttack held on 05.11.2024, it has been observed as follows:

*"Where the vehicle/vehicles covered under a permanent stage carriage permit had been declared off road continuously for a period of one year, and total one and half years in different spells during the currency of permit, renewal of such permit and replacement of such vehicle shall not be considered. Besides step will also be taken for cancellation of permit as prescribed under Section 86 of MV. Act. 1988. Before completion of the period of off road as mentioned above, SMS alert will be sent to the permit holder in the Mobile number recorded in the VAHAN Application. In addition to alert through SMS, notice will also be published in the website for information of the permit holder and general public."*

5. In the present case, the petitioner's vehicle was off - road for a period of 17 months which is one month less than prescribed period in the resolution.

6. In such view of the matter, the State Transport Authority is directed to consider the petitioner's renewal application and pass appropriate orders within a period of one month from today."

In view of order passed by Hon'ble High Court, after due deliberation it was resolved to renew permanent permit vide No.PP99/130331/G on the route Balasore to Bolangir and back in respect of vehicle OR01S-7187 in favour of Sri Rajesh Kumar Periwal subject to replacement of existing vehicle by new / higher model vehicle with better facilities in the interest of travelling public as the vehicle OR01S-7187 has completed its 15 years of life.

**2.1 Consideration of application for replacement of vehicle OD10U-2826 by OD10X-2514 vide P.P. No.SCPP/10/03/17 on the route Padwa to Kosagumuda of Kalabati Patra.**

Heard Sri A.K Behera, Advocate for Kalabati Patra.

Permanent stage carriage permit No SC/PP/10/03/17 was granted to Kalabati Patra in the route Padwa to Kosagumuda and back valid from 03.11.2022 to 02.11.2027 in respect of vehicle OD10U-2826. During validity of permanent stage carriage permit the RTO, Koraput has cancelled the registration certificate of vehicle


OD10U-2826 under Section 55 (5) of M.V. Act, 1988 for submission of fake and fabricated documents by Kalabati Patra. Consequent upon cancellation of registration certificate of vehicle OD10U-2826 the permit holder was noticed to file show cause as to why said permanent permit granted to her shall not be cancelled under Section 86 (1) of M.V. Act, 1988. In the meantime the permit holder has filed application for replacement of vehicle OD10U-2826 by OD10X-2514.

The permit holder also filed W.P. (C) No 4851 of 2025 and W.P. (C) No 9078 of 2025 and CONTC No.2733 of 2025 before Hon'ble High Court.

Hon'ble High Court has passed the following order on 19.02.2025 in W.P. (C) No4851 of 2025.

*"Without going into the merits of the case, this court directs the Secretary, State Transport Authority, Odisha/opposite Party No-3 to decide the replacement of bus unit of the petitioner bearing registration No-OD10U-2826 covered under the permanent permit by another vehicle bearing registration no. OD10X-2514 within a period of fifteen days from the date of presentation of a certified copy of this order in accordance with law"*

In view of order passed by Hon'ble High Court, it was resolved to allow replacement of vehicle OD10U-2826 by OD10X-2514 covered under P.P No SC/PP/10/03/17 held by Kalabati Patra on the route Padwa to Kosagumuda and back.

  
26/08/2025

Chairman,  
STA, Odisha, Cuttack

Memo No. 12772 /TC.

Dt. 26/08/2025

Copy to all members of STA / all RTOs/ ARTOs for information.

  
26/8/25

Secretary  
STA, Odisha, Cuttack