

PROCEEDINGS OF THE 293rd VIRTUAL MEETING OF STA, ODISHA HELD ON 14.12.2020 THROUGH VIDEO CONFERCING.

MEMBERS PRESENT:

1. Shri Sanjeeb Panda, I.P.S. Chairman.
Transport Commissioner-Cum-Chairman,
STA, Odisha, Cuttack.
2. Shri Soumit Mitra. Member.
3. Shri Brajabandhu Bhol, OAS(SAG) Member-Secretary.
Secretary, STA, Odisha, Cuttack.
4. Shri Bijay Basant Khalko, OFS(SAG), Member.
F.A.-Cum-Addl. Secretary to Govt.,
C & T (Tr.) Dept., Odisha, Bhubaneswar.

At the outset the Chairman, STA welcomed all the members of the STA to the 293rd virtual meeting of STA.

The proceeding of the 292nd virtual meeting of State Transport Authority held on 15.09.2020 circulated among all the members vide this office memo No.9012/TC dated 19.10.2020 is confirmed as no objections received.

Action taken by the Chairman, STA, Secretary, STA and Deputy Secretary, STA for the period from 20.10.2020 to 13.12.2020 are approved.

1. DECISION ON POLICY MATTERS: -

1.1 Issuance of Permits to Goods carriage, Contract Carriage and Stage carriage through auto approval process.

After due deliberation it was decided that under 5T initiative of Government of Odisha, issue and renewal of Permanent / Temporary Permits / Special Permits and countersignature of permits valid between reciprocating States / issue of authorization for National Permit in respect of Goods Carriage, Stage Carriage and Contract Carriage (excluding permanent and temporary stage carriage permits from intrastate and interstate routes) will be issued on VAHAN portal by RTO-cum-Secretary of respective RTA through auto approval system in the public interest. It was also resolved to delegate powers in favour of RTO-cum-Secretary of respective RTAs to issue above permits. This will improve the ease of getting various permits by Odisha based Goods



Carriage, Stage Carriage and Contract Carriage vehicle owners through paper less, cashless and automated approval system on 24/7 basis round the year.

Order No.9564/TC dated 05.11.2020 issued by Chairman, STA is approved.

1.2. Issue of Registration Certificate to Common Carriers.

Under Carriage by Road Act, 2007 and Carriage by Road Rules, 2011, registration certificate is issued by STA and RTAs for transportation of goods and minerals in goods carriage. In the process of issue of Registration Certificate, it is noticed that the applicant – transporter reportedly involved in cognizable offences and criminal cases are pending against him and some of them found convicted by competent court. In order to prevent criminalization in transport sector in transporting goods and minerals and in the public interest, the matter was placed before STA for decision.

After deliberation it was decided that criminal antecedent report of applicant – transporter will be called for from S.Ps. / DCPs by STA / RTAs and in case it is reported that the applicant- transporter is involved or convicted in cognizable offence, no registration certificate will be issued.

1.3. Submission of Bank Guarantee / Solvency Certificate.

This is the second virtual meeting of STA. Some of the bus owners are not acquainted in submitting Bank Guarantee / Solvency Certificate / Declaration in **Annexure – A and B** at the time of hearing i.e. on 14.12.2020 due to COVID – 19. The STA after due deliberation resolved to allow the applicants to furnish Bank Guarantee / Solvency Certificate / Self Declaration in **Annexure – A and B** by 31.12.2020.

1.4 Cancellation of Permanent Permit-

In 291st meeting of STA held on 19.02.2020 vide item no. 1.11 (c) it was decided that "for interstate routes after issue of permit, the permit holder will be given ninety days time to get the permit countersigned from Reciprocating State. In case the permits not countersigned by STA of Reciprocating State on application made by grantee for some reason or other, the grantee will intimate the STA regarding non-grant of countersignature and further action will be taken by STA. In case the grantee failed to get the permit countersigned or to intimate STA the reason for which it was not

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countersigned within the period stipulated as mentioned above, the file will be put up for cancellation of permit by STA." "

Due to situation arising out of COVID-19 pandemic in the entire country, interstate stage carriage operators faced difficulties in getting the permits countersigned by the reciprocating States within the stipulated period.

Considering difficulties faced by interstate stage carriage operators, in relaxation of decision taken by STA in 291st STA meeting as above, after due deliberation, **"it was decided that stage carriage permits issued by STA on interstate routes which is valid from 01.02.2020 onwards, the permit holder will be given time up to 31.03.2021 to get the permit countersigned from the reciprocating State."**

1.5 Submission of self-declaration.

The STA in its 291st meeting held on 19.02.2020 decided that:-

"1.3 FORMAT FOR SELF-DECLARATION BY APPLICANT FOR GRANT OF STAGE CARRIAGE PERMIT.

(A) As per decision taken earlier by STA, at the time of filing application for grant of permanent stage carriage permit, the owner will have to submit self-declaration regarding tax payment position, pendency of VCR / e-challan and other dues and criminal cases pending or disposed of etc. However, no detailed guideline was evolved by STA in this regard. After due deliberation, it was resolved to formulate self-declaration format which will be submitted by the applicant along with application for every permanent permit failing which such application shall not be considered.

The self-declaration proforma is annexed as **Annexure-A**.

(B) SUBMISSION OF ADDITIONAL SELF-DECLARATION.

In cases where a vehicle was involved in any offence between date of application and date of consideration and VCR / e-challan drawn to that effect under Section 192-A of M.V. Act, 1988, the applicant will furnish additional self-declaration in **Annexure-B** mentioning such offence on the date of consideration.

Above stipulations will be applicable for single and multiple applications.



(C) **SUBMISSION OF SELF-DECLARATION FOR RENEWAL OF STAGE CARRIAGE PERMIT AND COUNTERSIGNATURE.**

At the time of filing of application for renewal of stage carriage permit and countersignature of permit issued by reciprocating State, the applicant will have to submit / up-load self-declaration in **Annexure-C.**"

It is observed that in the format of advertisement published in the website it has been mentioned that "The applicant shall also file self-declaration along with application stating therein that no tax dues and penalty are outstanding against the operator, no VCR pending, no VCR under Section 192-A of M.V. Act was drawn during preceding one year, no Court cases pending against any of his vehicle."

After due deliberation it was resolved that "since the applicant is asked to submit self-declaration in Annexure-A along with the application and Annexure-B on the date of consideration of stage carriage permit, submission of further declaration containing self-same information as per advertisement made in the website is not required. In order to provide more clarity in self-declaration, format given in Annexure-A, B and C are revised and enclosed to this proceeding."

Application for stage carriage permit will be made in prescribed Form – XV of OMV Rules, 1993 can be downloaded from website-odishatransport.gov.in, filled up, complete in all respect and signed by applicant which is annexed herewith as Annexure-D.

2. INTER-STATE ROUTES (SINGLE APPLICATIONS)

ITEM NO.2.1:-BARGARH TO KOLKATA AND BACK

Applicant is represented by Advocate Sri M.B.K. Rao. The applicant has submitted the self-declaration in Annexure – A and B along with Bank Guarantee on 24.11.2020.

Sri Braja Kishore Agarwalla has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD11G-0241.



As per Vahan data no VCR/E-challan drawn against any of the stage carriage owned by the applicant under section 192A of M.V.Act,1988 within one year prior to date of consideration of present application.

There is no objection. It was decided to grant permanent stage carriage permit to Sri Braja Kishore Agarwalla, owner of vehicle OD11G-0241 in the interstate route BARGARH TO KOLKATA AND BACK to perform single trip daily for a period of five years, as Deluxe A.C. Sleeper service subject to verification of original documents submitted by him. The permit is valid subject to grant of countersignature by STA, West Bengal. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be cancelled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.2.2:-BARIPADA TO CHAKULIA AND BACK

The applicant Sri Sudam Kumar Sahu, owner of vehicle OD11N-8914 is absent. The applicant has submitted self-declaration in Annexure-A and B. He has not submitted Solvency Certificate / Bank Guarantee. He should submit the same for consideration of his application.

Financial stability of applicant cannot be adjudged in absence of Solvency Certificate / Bank Guarantee as required under Section 71 (3) (d) (i) of M.V. Act, 1988. There is no objection. The applicant has also applied for grant of permanent permit on the route Midnapur to Baripada and back vide item No.16.

The STA after due deliberation decided to reject the application filed by Sri Sudam Kumar Sahu, owner of vehicle OD11N-8914 for non-submission of Solvency Certificate / Bank Guarantee and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.3:-BABAR TO CONTAI AND BACK

Applicant Sri Santosh Kumar Sahoo, owner of vehicle OR05AE-8122 is represented by Advocate, Shri H.P. Mohanty. This is single application. He has submitted the Solvency Certificate and self-declaration in Annexure-A and B.

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As per Vahan data no VCR/e-challan drawn under section 192A of M.V.Act,1988 against above stage carriage owned by the applicant within one year prior to date of consideration of present application.

There is no objection. It was decided to grant permanent stage carriage permit to Sri Santosh Kumar Sahoo, owner of vehicle OR05AE-8122 in the interstate route BABAR TO CONTAI AND BACK to perform single trip daily for a period of five years, as Express service subject to verification of original documents submitted by him. The permit is valid subject to grant of countersignature by STA, West Bengal. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be cancelled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.2.4:-PARADEEP TO CONTAI AND BACK

Applicant - Rekharani Mohapatra, owner of vehicle OD05J-8889 is absent. This is a single application. The applicant has submitted self-declaration in Annexure – A and B and Solvency Certificate.

In item No.15, the applicant is represented by Advocate Shri Abhay Kumar Behera. He stated that the applicant has applied for permanent permit on the route Paradeep to Nandigram and Back. Hence, she wants to withdraw the application for route in item No.4 i.e. Paradeep to Contai and back.

It was resolved to reject the application filed by Rekharani Mohapatra, owner of vehicle OD05J-8889 as withdrawn and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.5:-BHUBANESWAR TO NANDAKUMAR AND BACK

Applicant Sri Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 is absent. This is a single application. The applicant has submitted the self-declaration in Annexure-A and B and not submitted Solvency / Bank Guarantee.

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Sri Shibam Shree Atul Gaana has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD01B-3949. The applicant has not submitted Solvency / Bank Guarantee. For such deficiency his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by Sri Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 for non-submission of Solvency Certificate / Bank Guarantee and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.6:-BARGARH TO RAIGARH AND BACK

Applicant Sri Deepak Kumar Sarangi owner of vehicle OD17T-9522 is present. This is a single application. The applicant has submitted the self-declaration in Annexure-A and B without filling up required information in respective column. The applicant is the registered owner of two vehicles OR17B-5521 and OD17T-9522. There is no objection.

The STA after due deliberation decided to reject the application filed by Sri Deepak Kumar Sarangi, owner of vehicle No.OD17T-9522 for suppression of fact and furnishing wrong information and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.7:-BHADRAK TO TATA AND BACK

Applicant Sri Ganesh Chandra Jena, owner of vehicle No.OD01V-2288 is absent. This is a single application. The applicant has submitted the self-declaration in Annexure-A and B and Solvency Certificate. There is no objection. The applicant is the registered owner of stage carriage OD01V-2288, OD11R-8855, OR22C-5709 and OD01G-6465.

Advocate Sri H.P. Mohanty appearing for the applicant Sri Ganesh Chandra Jena in Item.3.23 has filed memo stating to withdraw his application in item-2.7 Bhadrak to Tata).

The STA after due deliberation decided to reject the application filed by Sri Ganesh Chandra Jena, owner of vehicle OD01V-2288 as withdrawn and to notify the



route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.8:-KEONJHAR TO RANCHI MENTAL HOSPITAL AND BACK

Applicant is present. This is a single application. Since the vehicle No.JH01DV-9204 of the applicant carry other state registration mark and as per decision of STA unless the vehicle is assigned with Odisha Registration number, this should not be taken into account for consideration. The applicant has not submitted Bank Guarantee / Solvency Certificate / Self Declaration in Annexure – A and B.

The STA after due deliberation decided to reject the application filed by Sri Rajat Budhia, owner of vehicle No.JH01DV-9204 for above deficiencies and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.9:-MUKHIGUDA TO RAIPUR AND BACK

Applicant Sri Janardan Panda, owner of vehicle OD08G-8155 is absent. This is a single application. The applicant has not submitted the self-declaration in Annexure-A and B and Solvency Certificate / Bank Guarantee. He should produce the same for consideration of his application. There is no objection.

Sri Janardan Panda has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD08G-8155. His merit cannot be adjudged in absence of Solvency Certificate / Bank Guarantee under Section 71 of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by Sri Janardan Panda, owner of vehicle OD08G-8155 for non-submission above documents and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.10:- BOLANI TO CHAIBASA AND BACK

Applicant is present. This is a single application. Since the vehicle JH01CE-9881 of the applicant carry other state registration mark and as per decision of STA unless the vehicle is assigned with Odisha Registration number, this should not be taken into

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account for consideration. The applicant has not submitted Bank Guarantee / Solvency Certificate / Self Declaration in Annexure – A and B.

The STA after due deliberation decided to reject the application filed by Sri Hemendra Kumar Budhia, owner of vehicle No.JH01CE-9881 for above deficiencies and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.11:-MUKHIGUDA TO RAIPUR AND BACK

Applicant Sri Janardan Panda, owner of vehicle OD08G-8655 is absent. This is a single application. The applicant has not submitted the self-declaration in Annexure-A and B and Solvency Certificate / Bank Guarantee. He should produce the same for consideration of his application. There is no objection.

Sri Janardan Panda has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD08G-8655. His merit cannot be adjudged for consideration of application in absence of Solvency Certificate / Bank Guarantee under Section 71 of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by Sri Janardan Panda, owner of vehicle OD08G-8655 for non-submission of above documents and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.12:- BHAWANIPATNA TO RAIPUR AND BACK

Applicant Mrs. Sunita Tandi, owner of vehicle OD26A-9877 is represented by Advocate Sri Ajaya Kumar Mohanty. This is a single application. The applicant has not submitted the self-declaration in Annexure-A and B and Bank Guarantee. She should produce the same for consideration of her application. There is no objection.

Mrs. Sunita Tandi has applied for grant of permanent permit in the aforesaid route in respect of vehicle No.OD26A-9877. The applicant has submitted the self-declaration in Annexure-A and B and Bank Guarantee on 30.12.2020.

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As per Vahan data no VCR/E-challan drawn under section 192A of M.V.Act, 1988 against above stage carriage owned by the applicant within one year prior to date of consideration of present application.

There is no objection. It was decided to grant permanent stage carriage permit to Mrs. Sunita Tandi, owner of vehicle OD26A-9877 in the interstate route BHAWANIPATNA TO RAIPUR AND BACK to perform single trip daily for a period of five years, as A.C. Deluxe Sleeper service subject to verification of original documents submitted by her. The permit is valid subject to grant of countersignature by STA, Chhatisgarh. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be cancelled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall be deemed to be revoked. 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.2.13:- BARPALI TO RAIPUR AND BACK

Applicant Sri Bijay Kumar Mahapatra, owner of vehicle OD14G-0369 is absent. This is a single application. The applicant has not submitted the Solvency Certificate / Bank Guarantee. He should produce the same for consideration of his application. There is no objection.

Sri Bijay Kumar Mahapatra has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD14G-0369. The applicant has not submitted Solvency / Bank Guarantee for which his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

The applicant has applied for grant of permit in the route Bargarh to Raipur instead of agreed and notified route Barpali to Raipur. Hence his application cannot be considered for the applied route Bargarh to Raipur.

The STA after due deliberation decided to reject the application filed by Sri Bijay Kumar Mahapatra, owner of vehicle OD14G-0369 as he has not applied for grant of permit on notified and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.



ITEM NO.2.14:- ROURKELA TO RAIGARH AND BACK

Applicant is represented through her representative. This is a single application. The applicant has submitted the self-declaration in Annexure-A and B and Bank Guarantee. There is no objection.

Rosy Dash has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD23K-0088. The applicant has submitted self-declaration in Annexure-A and B without filling up required information in respective column and suppression of fact. The applicant has submitted Annexure-A and B disclosing one vehicle OD23K-0088 and suppressing the fact that she owns three more vehicles i.e. OD23C-1776, OD23H-1600 and OD23B-1146.

The STA after due deliberation decided to reject the application filed by Rosy Dash, owner of vehicle OD23K-0088 for suppression of fact and submitting wrong information in Annexure- A and Band to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.2.15:- PARADEEP TO NANDIGRAM AND BACK

Applicant Rekharani Mohapatra owner of vehicle OD05J-8889 is represented by Advocate Shri Abhay Kumar Behera. He stated that the applicant has applied permit on the route Paradeep to Contai and back in item No.4. She wants to withdraw the application applied in item No.4 i.e. Paradeep to Contai and back if the permit is considered in favour of her vehicle on the route Paradeep to Nandigram and back vide item No.15.

As per VAHAN date e-challan No.OR24236200920012908 dated 20.09.2020 was drawn against vehicle OD05J-8889 of applicant Rekharani Mohapatra under Section 192-A of M.V. Act, 1988 for plying without permit / violating permit condition which was closed on payment of fine.

As per decision taken in 291st STA meeting since the applicant committed offence under section 192-A of M.V. Act, 1988, no permit will be granted to offending vehicle OD05J-8889.



The STA after due deliberation decided to reject the application filed by Rekharani Mohapatra, owner of vehicle OD05J-8889 for reason mentioned above and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

3. INTERSTATE ROUTE (MULTIPLE APPLICATIONS)

ITEM NO.3.1:- MIDNAPUR TO BARIPADA AND BACK.

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Prasanta Kumar Saha, owner of vehicle OD11C-8188.
2. Sri Sudam Kumar Sahu, owner of vehicle OD11N-8914.

Applicant Sri Prasanta Kumar Saha, owner of vehicle OD11C-8188 is represented by Advocate, Shri Abhay Kumar Behera. The Secretary, STA pointed out that the applicant had applied for renewal of his permanent permit which has been granted. But he has not lifted the permanent permit. This case should not be taken into consideration. This may be verified.

On verification of records, it reveals that permanent permit No.10-G of 2015 was issued to Sri Prasanta Kumar Saha, owner of vehicle OD11C-8188 in the interstate route Baripada to Jhargram which was valid from 01.04.2015 to 31.03.2020. The applicant has applied for renewal of said permit on 07.02.2020 which was granted. Instead of lifting the permanent permit so renewed, the applicant has applied for grant of permanent permit in the route Medinapur to Baripada in respect of self-same vehicle OD11C-8188.

The STA after due deliberation decided to reject the applicant of Sri Prasanta Kumar Saha, owner of vehicle OD11C-8188 for the route Midnapur to Baripada as permanent permit No.10G of 2015 has been renewed in his favour in respect of same vehicle OD 11C-8188 in the route Baripada to Jhargram. The applicant is directed to lift the permanent permit so renewed, on deposit of requisite fee within 30 days from the date of communication of order failing which the order of renewal be revoked and the

route be notified in the website inviting applications for grant of permanent permit in the interest of commuting public.

Applicant Sri Sudam Kumar Sahu, owner of vehicle OD11N-8914 is absent. He has applied for grant of permanent permit in the route Baripada to Chakulia and back vide item No.2. The applicant has not submitted Bank Guarantee / Solvency Certificate. His application in Item No.2 has already been rejected.

The applicant has not submitted Solvency Certificate / Bank Guarantee for which his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

For such deficiency, the STA resolved to reject the application filed by Sri Sudam Kumar Sahu, owner of vehicle OD11N-8914 and to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.3.2:- GAYA TO SUNDERGARH AND BACK

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Mrs. Kanchan Gupta, owner of vehicle OD16G-7125.
2. Mohammed Gheyasuddin, owner of vehicle OD16F-9399

Applicant Mrs. Kanchan Gupta, owner of vehicle OD16G-7125 is represented by Advocate, Shri H.P.Mohanty. He stated that the applicant has given Bank Guarantee and self-declaration in Annexure-A and B.

As per VAHAN data no VCR/E-challan drawn under section 192-A of M.V.Act,1988 against above stage carriage owned by the applicant Mrs. Kanchan Gupta within one year prior to date of consideration of present application.

Applicant Mohammed Gheyasuddin, owner of vehicle OD16F-9399 is absent and has not submitted the Solvency Certificate / Bank Guarantee. He has got a valid inter-region permit on the route Bisra to Bhubaneswar which is valid from 05.03.2020 to 04.03.2025 in respect of vehicle OD16F-9399. He has not surrendered the permit held by him before making application for grant of permit in the above route as per condition



stipulated in the advertisement. As per provision contained under Section 70, 71 and 72 of M.V. Act, 1988 one permit can be granted to a vehicle. In such view of the matter, since the applicant is holding a valid permit for same vehicle, his application cannot be considered for grant of permit on this route, which is accordingly rejected.

There is no objection. It was decided to grant permanent stage carriage permit to Mrs. Kanchan Gupta, owner of vehicle OD16G-7125 in the interstate route GAYA TO SUNDERGARH AND BACK to perform single trip daily for a period of five years, as Deluxe service subject to verification of original documents submitted by her. The permit is valid subject to grant of countersignature by STA, Jharkhand and Bihar. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.3.3:- ASKA TO ASANSOL AND BACK

Pursuant to the advertisement published in website on 29.10.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. S. Rina Prusty, owner of vehicle OD07AF-6928.
2. Sri Rajendra Kumar Sahoo, owner of vehicle OD05AS-7165.

Applicant S. Rina Prusty, owner of vehicle OD07AF-6928 is represented by her husband Sri S. Simanchal Prusty. The applicant has submitted Bank Guarantee and self-declaration in Annexure-A and B.

The applicant S. Rina Prusty has submitted Annexure-A and B disclosing that she is the owner of vehicle OD07AD-6116, OR07U-4242, OD07AF-5888, OD07AF-6928 and suppressing the fact that she owns more vehicles i.e. OD07Z-3211, OD32C-3211, OD07Z-3299, OD-32B-2599, 0AG-6928, OD07K-5888, OR07R-8665, OD32C-3299.

As per VAHAN data, there are two VCRs/E-challans no. OR10250200105153715 dated 05.01.2020 against vehicle OD32C-3299 and OR15906201102192035 dated

02.11.2020 against vehicle OD07Z-3299 of applicant drawn U/s. 192 (A) of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by S. Rina Prusty, owner of vehicle OD07AF-6928 for suppression of fact and submitting wrong information in Annexure- A and B.

Shri Amit Sahoo, relative of present applicant Sri Rajendra Kumar Sahoo, owner of vehicle OD05AS-7165 (Volvo) appeared and stated that there are several VCRs pending against the vehicles of opposite party i.e. S. Reena Prusty, owner of vehicle No. OD07AF-6928 and also other vehicles owned by her. Sri Amit Sahoo has also given a list of vehicles of opposite party against which VCRs are pending.

As per VAHAN data there is one E-challan OR10088191220075148 dated 20.12.2019 drawn against vehicle OR05P-7165 of the applicant U/s. 192 (A) of M.V. Act, 1988 for plying without permit and violating permit conditions. In reply to this, the applicant submitted that said VCR was closed without payment of fine as the vehicle was never operated without permit and violating permit conditions.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Rajendra Kumar Sahoo, owner of vehicle OD05AS-7165 secured 85 marks.

The applicant has submitted Bank Guarantee and self-declaration in Annexure-A and B.

It was decided to grant permanent stage carriage permit to Sri Rajendra Kumar Sahoo, owner of vehicle OD05AS-7165 (Volvo) in the interstate route ASKA TO ASANSOL AND BACK to perform single trip daily for a period of five years, as Air-conditioned Deluxe service subject to outcome of M.V. Appeal No. 13 of 2020 pending before Hon'ble STAT, subject to replacement of above vehicle by new vehicle within six months as undertaken and subject to verification of original documents submitted by him. The permit is valid subject to grant of countersignature by STA, West Bengal. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.3.4:- ASKA TO DURGAPUR AND BACK

Pursuant to the advertisement published in website on 23.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Deep Prakash Periwal, owner of vehicle OD01AD-3787.
2. S. Reena Prusty, owner of vehicle OD07AD-6116.

Applicant Sri Deep Prakash Periwal, owner of vehicle OD01AD-3787 is represented by Advocate Sri H.P. Mohanty. He stated that VCRs are pending under section 192-A of M.V. Act against the vehicles of opposite party S. Reena Prusty. It should be examined and verified.

The applicant Sri Deep Prakash Periwal has submitted declaration in Annexure-A and B and not submitted Bank Guarantee / Solvency Certificate in absence of which his merit cannot be adjudged under section 71 of MV Act, 1988.

For such deficiency, the STA resolved to reject the application filed by Sri Deep Prakash Periwal, owner of vehicle OD01AD-3787.

Applicant S. Rina Prusty, owner of vehicle OD07AD-6116 is represented by her husband Sri S. Simanchal Prusty. The applicant has submitted Bank Guarantee and self-declaration in Annexure-A and B.

As per VAHAN data, there are two VCRs/E-challans no. OR10250200105153715 dated 05.01.2020 against vehicle OD32C-3299 and OR15906201102192035 dated 02.11.2020 against vehicle OD07Z-3299 of applicant drawn U/s. 192 (A) of M.V. Act, 1988.

The applicant S. Rina Prusty has submitted Annexure-A and B disclosing that she is the owner of vehicle OD07AD-6116, OR07U-4242, OD07AF-5888, OD07AF-6928 and suppressing the fact that she owns more vehicles i.e. OD07Z-3211, OD32C-3211, OD07Z-3299, OD-32B-2599, 0AG-6928, OD07K-5888, OR07R-8665, OD32C-3299.

The STA after due deliberation decided to reject the application filed by S. Rina Prusty, owner of vehicle OD07AF-6928 for suppression of fact and submitting wrong information in Annexure- A and B.

The STA resolved to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.3.5:- BHUBANESWAR TO NANDAKUMAR AND BACK

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Jayadeb Saha, owner of vehicle OD02K-8757
2. Khitish Chandra Pallai, owner of vehicle OD22-7727
3. Manoj Kumar Dwibedi, owner of vehicle OD11B-1398
4. Manoj Kumar Dwibedi, owner of vehicle OD11D-1398

Applicant - Sri Jayadeb Saha, owner of vehicle OD02K-8757 is represented by Advocate Sri H.P. Mohanty. He withdrew the application. His application is rejected as withdrawn.

Applicant - Khitish Chandra Pallai, owner of vehicle OD22-7727 is represented by Advocate Sri H.P.Mohanty. He withdrew the application. His application is rejected as withdrawn.

Applicant - Manoj Kumar Dwibedi, owner of vehicle OD11B-1398 and OD11D-1398 is represented by Advocate Sri H. P. Mohanty. He stated that he has submitted the Bank Guarantee and self-declaration in Annexure-A and B. There is no objection.

On verification of Solvency Certificate furnished by Sri Dwibedi, it is found that said certificate was issued on 28.04.2016 which was valid for one year only from the date of issue. Said Solvency Certificate cannot be accepted being invalid one. He has not submitted self-declaration in Annexure-A and B.

In absence of valid Solvency / Bank Guarantee as required under Section 71 (3) (d) (i) of M.V Act 1988 to adjudge his merit, his application cannot be considered.



For such deficiency, the STA resolved to reject the applications filed by Manoj Kumar Dwibedi, owner of vehicle OD11B-1398 and OD11D-1398.

The STA resolved to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.

ITEM NO.3.6:- BHUBANESWAR TO GARBETA AND BACK

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Dinesh Kumar Periwal, owner of vehicle OD01W-3787
2. Alpana Das, owner of vehicle OD11V-3339
3. Shibam Shree Atul Gaana, owner of vehicle OD01B-3949

The applicant Sri Dinesh Kumar Periwal, owner of vehicle OD01W-3787 is absent. He has submitted self-declaration in Annexure-A and B. The applicant has not submitted the Solvency Certificate / Bank Guarantee for which his merit cannot be adjudged under section 71 of MV Act, 1988.

For such deficiency, the STA resolved to reject the application filed by Sri Dinesh Kumar Periwal, owner of vehicle OD01W-3787.

Applicant Alpana Das, owner of vehicle OD11V-3339 is represented by Advocate Shri H.P. Mohanty. He stated that the applicant has submitted all documents. There is no objection. This should be considered on merit.

The applicant has submitted self-declaration in Annexure-A and B and Solvency Certificate. The applicant is the owner of three vehicles OD11H-3339, OR11L-0339 and OD11V-3339. As per Vahan data no VCR / E-challan was drawn against any of the vehicle of applicant under section 192 A of MV Act, 1988 prior to one year from the date of consideration.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Alpana Das, owner of vehicle OD11V-3339 secured 65 marks.

The applicant Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 is absent.

Sri Shibam Shree Atul Gaana has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD01B-3949. The applicant has not submitted Solvency / Bank Guarantee. For such deficiency his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by Sri Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 for above deficiency.

It was decided to grant permanent stage carriage permit to Alpana Das, owner of vehicle OD11V-3339 in the interstate route BHUBANESWAR TO GARBETA AND BACK to perform single trip daily for a period of five years, as Deluxe AC Sleeper service subject to verification of original documents submitted by her. The permit is valid subject to grant of countersignature by STA, West Bengal. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.3.7:- BERHAMPUR TO TATA RENAMED AS BERHAMPUR TO RANCHI AND BACK.

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015 (Volvo)
2. S. Rina Prusty, owner of vehicle OD07AF-5888.
3. Deep Prakash Periwal, owner of vehicle OD01AA-1717
4. Sabita Sahu, owner of vehicle OD11U-4565
5. Swarup Kumar Mishra, owner of vehicle OD11V-0061

Applicant- Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015 is represented by Advocate Sri M.B.K. Rao. He has submitted the self-declaration in Annexure-A and B and Solvency Certificate. He stated that the vehicle of the applicant is Volvo bus of 2017 model. As per policy decision of STA, 25 more marks may be given to the applicant while considering his application. Further, he stated that the applicant is operating his another two buses on the route Bhubaneswar to Kolkota and

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Cuttack to Jeypore. Since the applied route covers 718 kms, a Volvo bus is required for better convenient of travelling public.

As per Vahan data no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act,1988 prior to one year from the date of consideration of his application.

The applicant Sri Sourabh Ranjan Pradhan in self-declaration Annexure-A & B has not disclosed registration number of all stage carriages owned by him although he is the registered owner of vehicle OD05G-0015, OD05AE-0015, OD05AV-0015, OD05AM-7415.

The STA after due deliberation decided to reject the application filed by Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015 as permanent permit has been granted to the applicant vide item-22 above in respect of same vehicle.

Applicant S. Rina Prusty, owner of vehicle OD07AF-5888 is represented by her husband Sri S. Simanchal Prusty. The applicant has submitted Bank Guarantee and self-declaration in Annexure-A and B.

The applicant S. Rina Prusty has submitted Annexure-A and B disclosing that she is the owner of vehicle OD07AD-6116, OR07U-4242, OD07AF-5888, OD07AF-6928 and suppressing the fact that she owns more vehicles i.e. OD07Z-3211, OD32C-3211, OD07Z-3299, OD-32B-2599, 0AG-6928, OD07K-5888, OR07R-8665, OD32C-3299.

As per VAHAN data, there are two VCRs/E-challans no. OR10250200105153715 dated 05.01.2020 against vehicle OD32C-3299 and OR15906201102192035 dated 02.11.2020 against vehicle OD07Z-3299 of applicant drawn U/s. 192 (A) of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by S. Rina Prusty, owner of vehicle OD07AF-6928 for suppression of fact and submitting wrong information in Annexure- A and B.

Applicant Deep Prakash, Periwal, owner of vehicle OD01AA-1717 is represented by Advocate Shri H.P. Mohanty. He stated that he has submitted all documents.

The applicant has submitted declaration in Annexure-A and B and not submitted Bank Guarantee / Solvency Certificate in absence of which his merit cannot be adjudged under section 71 of MV Act, 1988.

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For such deficiency, the STA resolved to reject the application filed by Sri Deep Prakash Periwal, owner of vehicle OD01AA-1717.

Applicant Sabita Sahu, owner of vehicle OD11U-4565 is absent. She has submitted the self-declaration in Annexure-A and B and Bank Guarantee valid from 05.07.2019 to 04.07.2021. As per Vahan data there is no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act, 1988 one year prior to date of consideration of her application.

The applicant Sabita Sahoo in self-declaration has not disclosed registration number of all stage carriages owned by her although she is the registered owner of vehicle OD11M-2685, OD11U-4565, OR01B-1253 and OD11B-6465.

The STA after due deliberation decided to reject the application filed by Sabita Sahu, owner of vehicle OD11U-4565 for suppression of fact and submitting wrong information in Annexure- A and B.

Applicant - Swarup Kumar Mishra, owner of vehicle OD11V-0061 is present. He has submitted all documents. He stated that another vehicle is plying on the route Berhampur to Ranchi for which he has gained experience to operate his service on the above route.

The applicant has submitted self-declaration in Annexure-A and B and Bank Guarantee.

As per Vahan data no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act, 1988 one year prior to date of consideration of his application.

The applicant Swarup Kumar Mishra in self-declaration has not disclosed registration number of all stage carriages owned by him although he is the registered owner of vehicle OD11-2461, OD11D-0161, OR05AT-2461, OD11V-0061.

The STA after due deliberation decided to reject the application filed by Sri Swarup Kumar Mishra, owner of vehicle OD11V-0061 for suppression of fact and submitting wrong information in Annexure- A and B.

The STA resolved to notify the route in the website inviting applications for grant of permanent permit in the interest of commuting public.



ITEM NO.3.8:- JODA TO KOLKATA AND BACK

Pursuant to the advertisement published in website on 29.10.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Ganesh Chandra Jena, owner of vehicle OD01V-2288
2. Sri Arup Kumar Das, owner of vehicle OD11M-7200
3. Sri Damodar Nayak, owner of vehicle OD01AD-2727
4. Shibam Shree Atul Gaana, owner of vehicle OD01B-3949

Applicant Sri Ganesh Chandra Jena, owner of vehicle OD01V-2288 is represented by Advocate Shri H.P. Mohanty. He has also filed memo stating to withdraw his application as at sl.7. The applicant has submitted the self-declaration in Annexure-A and B and Solvency Certificate.

As per Vahan data no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act, 1988 one year prior to date of consideration of his application.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Ganesh Chandra Jena, owner of vehicle OD01V-2288 secured 30 marks.

Applicant Sri Arup Kumar Das, owner of vehicle OD11M-7200 is represented by Advocate Sri H.P. Mohanty. He stated that the applicant has submitted all the documents. He has got a valid permit from Musabani to Puri which is valid up to 2023. This should be verified.

On verification of records it is found that permanent permit No.24-G/2018 has been granted by this authority in favour of Sri Arup Kumar Das, owner of vehicle OD11M-7200 in the interstate route Musabani to Puri valid from 13.07.2018 to 12.07.2023. Since the applicant is holding a permanent permit for selfsame vehicle, the present application is rejected.

Applicant Sri Damodar Nayak, owner of vehicle OD01AD-2727 is represented by Advocate Sri S.S. Mishra. He stated that the applicant has submitted all documents.

Shri H.P. Mohanty, Advocate appearing for opposite party i.e. applicant No.1 and 2 stated that the vehicle of the applicant is plying from Balasore to Bhubaneswar without permit. VCRs are pending at RTO, Balasore. It may be verified from toll gate.

Sri S.S. Mishra, Advocate appearing for present applicant Sri Damodar Nayak stated that the vehicle is plying under special permit. The vehicle of the applicant is a latest model and should get highest mark than other applicants as per the resolution of STA.

On verification of VAHAN application it is found that E-challan No.OR24236201211123933 dated 11.12.2020 was drawn against vehicle OD01AD-2727 under Section 192-A of M.V. Act, 1988 one year prior to consideration of his application.

Since the applicant operated his vehicle OD01AD-2727 punishable under section 192A of M.V.Act,1988 within one year prior to date of consideration of his application, as per decision taken in 291st STA meeting, it was resolved to reject the application of Sri Damodar Nayak, owner of vehicle OD01AD-2727.

The applicant Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 is absent.

Sri Shibam Shree Atul Gaana has applied for grant of permanent permit in the aforesaid route in respect of vehicle OD01B-3949. The applicant has not submitted Solvency / Bank Guarantee. For such deficiency his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

The STA after due deliberation decided to reject the application filed by Sri Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 for above deficiency.

It was decided to grant permanent stage carriage permit to Sri Ganesh Chandra Jena owner of vehicle OD01V-2288 in the interstate route JODA TO KOLKATA AND BACK to perform single trip daily for a period of five years as Express Service subject to verification of original documents submitted by him. The permit is valid subject to grant of countersignature by STA, West Bengal. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.3.9:- PURI TO KOLKATA AND BACK

Pursuant to the advertisement published in website on 29.10.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Manasi Priyadarshini Rout, owner of vehicle OD01AH-3727
2. Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015
3. Sri Damodar Nayak, owner of vehicle OD01AD-2727
4. Shibam Shree Atul Gana, owner of vehicle OD01B-3949
5. Sri Kashinath Mahala, owner of vehicle OD05AX-9195

Applicant Manasi Priyadarshini Rout, owner of vehicle OD01AH-3727 is represented by Advocate Shri H.P.Mohanty. The applicant has submitted the self-declaration which is to be submitted. Shri H.P. Mohanty, Advocate for applicant stated that this is a new vehicle.

The applicant-Manasi Priyadarshini Rout, owner of vehicle OD01AH-3727 has submitted Bank Guarantee and self-declaration in Annexure- A and B.

As per Vahan data there is no VCR / E-challan drawn against above vehicle of the applicant under section 192 A of MV Act,1988 one year prior to date of consideration of her application.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Manasi Priyadarshini Rout, owner of vehicle OD01AH-3727 secured 65 marks.

Applicant Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015 is represented by Advocate Shri M.B.K. Rao. He stated that the applicant has also applied in item No.22 i.e. on the route Berhampur to Tata renamed as Berhampur to Ranchi and back. Applicant has stated that preference for consideration of permit may be given to item No.22. This will be second option.

The applicant Sri Sourabh Ranjan Pradhan in self-declaration Annexure-A & B has not disclosed registration number of all stage carriages owned by him although he

is the registered owner of vehicle OD05G-0015, OD05AE-0015, OD05AV-0015, OD05AM-7415.

The STA after due deliberation decided to reject the application filed by Sri Sourabh Ranjan Pradhan, owner of vehicle OD05AE-0015 as permanent permit has been granted to the applicant vide item-22 above in respect of same vehicle.

Applicant Sri Damodar Nayak, owner of vehicle OD01AD-2727 is absent. He has submitted the Solvency / Bank Guarantee and self-declaration in Annexure-A and Balongwith self-declaration in terms of notification published in the web site.

Shri H.P. Mohanty, Advocate appearing for opposite party i.e. applicant No.1 and 2 stated that the vehicle of the applicant is plying from Balasore to Bhubaneswar. VCRs are pending at RTO, Balasore. It may be verified from toll gate.

Sri S.S.Mishra, Advocate appearing for present applicant Sri Damodar Nayak stated that the vehicle is plying under special permit. The vehicle of the applicant is a latest model and should get highest mark than other applicants as per the resolution of STA.

On verification of VAHAN application it is found that E-challan No.OR24236201211123933 dated 11.12.2020 was drawn against vehicle OD01AD-2727 under Section 192-A of M.V. Act, 1988.

Since the applicant operated his vehicle OD01AD-2727 punishable under section 192A of M.V.Act, 1988 within one year prior to date of consideration of his application, as per decision taken in 291st STA meeting, it was resolved to reject the application of Sri Damodar Nayak, owner of vehicle OD01AD-2727.

The applicant Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 is absent.

Sri Shibam Shree Atul Gaana has applied for grant of permanent permit in the aforesaid route in respect of vehicle No.OD01B-3949. The applicant has not submitted Solvency / Bank Guarantee. For such deficiency his merit cannot be adjudged for consideration of application under Section 71 of M.V. Act, 1988.

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The STA after due deliberation decided to reject the application filed by Sri Shibam Shree Atul Gaana, owner of vehicle OD01B-3949 for above deficiency.

Applicant Sri Kashinath Mahala, owner of vehicle OD05AX-9195 is represented by Advocate Shri M.B.K. Rao. He stated that applicant has applied in item No.25. He will prefer Bhubaneswar to Durg route mentioned in item No.25. This will be his 2nd choice.

As per Vahan data there is no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act,1988 one year prior to date of consideration of his application.

The applicant Sri Kashinath Mahala, owner of vehicle OD05AX-9195 has submitted Annexure-A and B disclosing that he is the owner of vehicle OD02AS-9192, OD05Z-9192, OR05AK-9192, OR05AS-9195, OR05AS-9192, OD05R-9192 and OD05AC-9192 and suppressing the fact that he owns two more vehicles i.e. OR05L-7835 and OR11A-2269.

The STA after due deliberation decided to reject the application filed by Sri Kashinath Mahala, owner of vehicle OD05AX-9195 for suppression of fact and submitting wrong information in Annexure- A and B.

Objector Rajendra Kumar Sahoo has filed petition stating that one VCR under Section 192-A of M.V. Act, 1988 was drawn and pending against the vehicle OR-05AS-9192 on 26.12.2018 of Kasinath Mahala. This cannot be taken in account as the VCR was drawn against the applicant exceeding one year from the date of consideration of his application.

Sri Prakash Chandra Sahoo is represented by Advocate Shri R.P.Kar. He stated that the above route was earlier granted to the vehicle of Sri Prakash Chandra Sahu. It was cancelled by STA, Odisha. Being aggrieved, Shri Prakash Chandra Sahoo had gone to Hon'ble High Court of Odisha. For this the Advocate appearing for Shri Prakash Chandra Sahoo requested this authority to defer this case.

This should be examined before consideration of grant of PP on the route.

As per decision taken in 292nd STA meeting held on 15.09.2020 vide item No.2.4, permanent permit No.30-R-2016 issued to Susama Sahoo, owner of vehicle

No.OR05AJ-0629 in the route Puri to Kolkata has been cancelled for violating permit conditions as the vehicle was kept off road for more than one year and application for replacement of vehicle No.OR05AJ-0629 by OD05AW-0629 has also been rejected. Accordingly, Smt. Sahoo was intimated vide this office letter No.9288/TC dated 29.10.2020.

Being aggrieved the permit holder Smt. Sahoo has filed W.P.(C) No.29788 of 2020 before Hon'ble High Court, Orissa. The Hon'ble High Court on 09.11.2020 has passed the following order.

"As the impugned order is appealable Under Section 89 of the Orissa Motor Vehicle Act and the question of maintainability of the proceeding for taxation and passing of the impugned order can be questioned there, I am not inclined to entertain this writ petition on the sole ground that, maintainability is in question.

The petitioner, if so advised, may file an appeal before the competent authority within three weeks from today. If there is any delay in filing the appeal, the same shall be condoned taking a liberal view of the matter, as the matter was pending before this Court.

It is made clear that, no coercive action shall be taken against the petitioner, till disposal of the appeal.

The writ petition is disposed of accordingly".

Advocate appearing for Susama Sahoo, owner of vehicle No.OR05AJ-0629 stated that he^s has filed a writ petition before the Hon'ble High Court, wherein the Hon'ble Court has passed an order that no coercive action should be taken against the route No.24.

It was decided to grant permanent stage carriage permit to Manasi Priyadarsini Rout of vehicle OD01AH3727 in the interest of travelling public in the interstate route PURI TO KOLKATA AND BACK to perform single trip daily for a period of five years, as AC Deluxe Sleeper Service subject to verification of original documents submitted by her. The permit is valid subject to grant of countersignature by STA, West Bengal subject to outcome of MV Appeal No.11 of 2020 pending before Hon'ble STAT. The permit holder will get the permit countersigned within 90 days failing which the permit is



liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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. All other applications are rejected.

ITEM NO.3.10:-BHUBANESWAR TO DURG AND BACK

Pursuant to the advertisement published in website on 06.11.2020, following applications are received for grant of permanent permit in the aforesaid route.

1. Sri Ameet Sahoo, owner of vehicle OR05AS-7165
2. Sri Rajendra Kumar Sahoo, owner of vehicle OR05AL-7165
3. Sri Sujit Kumar Mohanty, owner of vehicle OD02BH-5257
4. Sri SusimKanti Mohanty, owner of vehicle OD02BG-0557
5. Sri SusimKanti Mohanty, owner of vehicle OD02BG-0757
6. Sri Sujit Kumar Mohanty, owner of vehicle OD02BH-5157
7. Sri Kashinath Mahala, owner of vehicle OD05AX-9195

The applicant-Sri Ameet Sahoo, owner of vehicle OR05AS-7165 is present and has submitted the Bank Guarantee and self-declaration in Annexure-A and B.

As per Vahan data there is no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act,1988 one year prior to date of consideration of his application.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Ameet Sahoo, owner of vehicle OR05AS-7165 secured 30 marks.

Sri Ameet Sahoo, on behalf of the applicant Sri Rajendra Kumar Sahoo, owner of vehicle OR05AL-7165 is present. Applicant has submitted all documents. He stated that there are VCR in respect of vehicles of Shri Kashinath Mahala and Sri Susim Kanti Mohanty pending. It may be checked whether any VCR is pending. He stated that he has given a written objection.

The applicant Sri Rajendra Kumar Sahoo has submitted Bank Guarantee and self-declaration in Annexure-A and B.



As per Vahan data there is no VCR / E-challan drawn against any of the vehicle of the applicant under section 192 A of MV Act,1988 one year prior to date of consideration of his application.

Based on the evaluation criteria, in terms of model of vehicle, type of facilities in bus, Sri Rajendra Kumar Sahoo, owner of vehicle OR05AL-7165 secured 35 marks.

Applicant Sri Sujit Kumar Mohanty, owner of vehicle OD02BH-5257 is represented by Advocate Shri D.B.Das. He withdrew the application. Objector Rajendra Kumar Sahoo has filed petition stating that one VCR under Section 192-A of M.V. Act, 1988 is pending against the vehicle OD02T-7857 of Sujit Kumar Mohanty.

The application of Sujit Kumar Mohanty is rejected as withdrawn.

Applicant Susim Kanti Mohanty, owner of vehicle OD02BG-0557 and OD02BG-0757 is represented by Advocate Sri H.P.Mohanty. He stated that the present applicant has got two new vehicles (Volvo Bus). As there are two routes, the case of applicant may be considered. This should be considered on merit.

The applicant has submitted self-declaration in Annexure-A and B and submitted Solvency Certificate.

Objector Rajendra Kumar Sahoo has filed petition stating that two VCRs under Section 192-A of M.V. Act, 1988 are drawn and pending against the vehicle OD02J-5657 and OD02J-5756 of Susim Kanti Mohanty.

On verification of VAHAN application it is found that 03 E-challans no. OR10376201025192155 dated 25.10.2020 drawn against vehicle OD02AD-8957, E-challan OR15906201103212257 dated 03.11.2020 drawn against vehicle OD02AD-8757 and E-challan No.OR40179200320141358 dated 20.03.2020 against vehicle OD02E-5657 under Section 192-A of M.V. Act, 1988.

The applicant Susim Kanti Mohanty has submitted Annexure-A and B disclosing that he is the owner of vehicle OD02BG-0757, OD02X-7657, OD02X-7557, OD02BA-5657, OD02BG-0557 and suppressing the fact that he owns more vehicles i.e. OD02AD-8957, OR02AT-8757, OD02AG-7757, OD02AD-8757, OR02BS-7557, OR02C-7757,

OD02AP-5675, OD02AG-7657, OR02BM-0557, OD02J-5756, OR02BW-7757, OD02AP-5657, OD02E-5657, OR02BM-0757, OD02J-5657.

The STA after due deliberation decided to reject the applications filed by Susim Kanti Mohanty, owner of vehicle OD02BG-0557 and OD02BG-0757 for suppression of fact and submitting wrong information in Annexure- A and B.

Applicant Sri Sujit Kumar Mohanty, owner of vehicle OD02BH-5157 is represented by Advocate Shri D.B.Das. He withdrew the application. Objector Rajendra Kumar Sahoo has filed petition stating that one VCR under Section 192-A of M.V. Act, 1988 is pending against the vehicle OD02T-7857 of Sujit Kumar Mohanty.

The application of Sujit Kumar Mohanty is rejected as withdrawn.

Applicant Sri Kashinath Mahala, owner of vehicle OD05AX-9195 is represented by Advocate Shri M.B.K. Rao. He stated that applicant has applied in item No.25. He will prefer Bhubaneswar to Durg route mentioned in item No.25. This will be his 2nd choice. He has submitted self-declaration in Annexure-A & B and Bank Guarantee.

The applicant Sri Kashinath Mahala, owner of vehicle OD05AX-9195 has submitted Annexure-A and B disclosing that he is the owner of vehicle OD02AS-9192, OD05Z-9192, OR05AK-9192, OR05AS-9195, OR05AS-9192, OD05R-9192 and OD05AC-9192 and suppressing the fact that he owns two more vehicles i.e. OR05L-7835 and OR11A-2269.

The STA after due deliberation decided to reject the application filed by Sri Kashinath Mahala, owner of vehicle OD05AX-9195 for suppression of fact and submitting wrong information in Annexure- A and B.

Objector Rajendra Kumar Sahoo has filed petition stating that one VCR under Section 192-A of M.V. Act, 1988 was drawn and pending against the vehicle OR-05AS-9192. Sri R.K.Sahoo submitted that he has filed a written objection. This should be considered on merit.

It was decided to grant permanent stage carriage permit to Sri Ameet Sahoo, owner of vehicle OR05AS-7165 and to Sri Rajendra Kumar Sahoo, owner of vehicle OR05AL-7165 in the interstate route Bhubaneswar to Durg to perform single trip daily



by each vehicle for a period of five years, as A.C. Deluxe sleeper service subject to verification of original documents submitted by grantees. Grantees Sri Ameet Sahoo will replace vehicle OR05AS-7165 and Sri Rajendra Kumar Sahoo will replace vehicle OR05AL-7165, by new Deluxe A.C Sleeper Stage Carriage within six months as undertaken. The permit is valid subject to grant of countersignature by STA, Chhatisgarh. The permit holder will get the permit countersigned within 90 days failing which the permit is liable to be canceled. The grantee shall lift the permit within a period of thirty days from the date of communication failing which the grant order shall deem to be revoked. 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.

INTERSTATE ROUTES (CASE MATTER)

ITEM NO.4:- Cancellation of Countersignature of permanent permit No.02-G/2016 & 12-G/2016 issued to vehicle no.WB45-0892 in the Interstate route Kolkata to Puri and another route Kolkata to Gopalpur and back.

Advocate Sri H.P.Mohanty appeared for Shymalal Pandit states that the STA, West Bengal has transferred P.P. No.19/2016 in respect of vehicle WB45-0892 from the name of Sri Nitai Kumar Barik to the name of Shymalal Pandit. The transferee has applied to STA, Odisha for countersignature which may be countersigned.

Sri Nitai Kumar Barik, owner of vehicle no.WB45-0892 has obtained permanent permit no.30/2015 (I/S) issued by STA, West Bengal in the Interstate route Kolkata to Puri which was countersigned by STA, Odisha till 17.11.2020 vide C/S P.P no.02-G/2016. The permit holder replaced the vehicle WB45-0892 by WB76A-2040 temporarily for three months from 24.05.2016 and thereafter for two months w.e.f. 24.08.2016.

Another permanent permit no.19/2016 was issued by STA, West Bengal in favour of Sri Nitai Kumar Barik in respect of selfsame vehicle WB45-0892 in the interstate route Kolkata to Gopalpur and back valid till 07.06.2021 which was countersigned by this authority vide C/S P.P no.12-G/2016.



In the meantime, the permit holder has applied for countersignature of replacement of vehicle WB45-0892 by WB76A-6339 w.e.f. 25.09.2019 as recommended by STA, West Bengal. The permit holder filed W.P. No.4224(W) of 2020 before Hon'ble High Court, Calcutta impleading STA, Odisha and prayed to direct STA, Odisha to countersign replacement of vehicle WB76A-6339 in place of WB45-0892.

From records it reveals that Nitai Kumar Barik had obtained two permanent permits in respect of one vehicle in different routes from STA, West Bengal and get those permits countersigned from STA Odisha, by misrepresentation which is not permissible under section 70, 71, 72 and 88 of M.V.Act, 1988. Notice was issued to Sri Nitai Kumar Barik to submit his reply as to why above two countersignature permanent permits shall not be cancelled vide this office letter no.7453/TC, dated 26.08.2020.

In the meanwhile, permanent permit no.19/2016 has been transferred from the name of Sri Nitai Kumar Barik to Sri Shyamlal Pandit w.e.f.17.12.2019 by STA West Bengal and recommended to this authority for its countersignature. The applicant has filed an application for countersignature on transfer of permanent permit before this authority which is still pending.

The STA West Bengal in response to this office letter no.872/TC dated 17.01.2020 intimated vide their letter no.TPT-20012(14)/33/2019 dated 05.10.2020 that initially permit no.30/2015 was issued vehicle WB45-0892 in favour of Sri Nitai Kumar Barik for the route Kolkata to Puri which remains valid up to 17.11.2020. Later vehicle no WB45/0892 was released from permit no.30/2015 on 24.05.2016 and subsequently permit no.19/2016 was issued on 09.06.2016 with same vehicle. The permit no.19/2016 has been transferred in favour of Shyamlal Pandit w.e.f.17.12.2019 with the same vehicle.

From records, it is evident that Sri Nitai Kumar Barik has obtained two permanent permits from STA, WB vide no.30/2015 & No.19/2016 in respect of one vehicle WB45-0892 in the interstate route Kolkata Central Bus Terminus to Puri and Kolkata KCBT to Gopalpur which are countersigned by this authority. Sri Nitai Kumar Barik has got above permits countersigned by suppression of fact and misrepresentation which amounts to misconduct on the part of Sri Barik as stage carriage operator. His past conduct is not satisfactory.

Q

In view of discussion made above, after deliberation, the STA resolved revoke C/S No.02-G/16 (Kolkata to Puri) and No12-G/2016 (Kolkata to Gopalpur) issued by this authority in favour of Sri Nitai Kumar Barik under section 86(1) of M.V.Act,1988. Consequent upon cancellation of C.S No.12-G/2016 issued to Sri Nitai Kumar Barik, application for countersignature of transfer of said permanent permit No.19/2016 (Kolkata to Gopalpur) issued by STA, WB in favour of Sri Nitai Kumar Barik and subsequently transferred to the name of Sri Shymlal Pandit is not considered and rejected.

INTER-REGION ROUTES (CASE MATTER)

ITEM No.5:- Grant of Temporary Permit in the route Puri Municipality Bus Stand to Bhubaneswar (Baramunda) via. Kalpana, Rasulgarh and back.

Sri Arup Kumar Prusty, owner of vehicle no.OD13F-0504 had applied for grant of Temporary Permit in respect of the above mentioned vehicle to operate on the route Puri Municipality Bus Stand to Bhubaneswar (Baramunda) via. Kalpana, Rasulgarh and back vide Slot No.54-B, 228-B from Puri and Slot No.124-B, 278-B from Bhubaneswar. The said application was placed in the Permit Committee meeting held on dt.17.03.2020 vide Sl. No.388 and has been rejected.

The matter was placed in the 292nd Virtual STA meeting held on 15.09.2020 and following decision was taken.

"Admittedly there was no stay order granted y Hon'ble STAT in M.V. Appeal NO.01/2020 filed by Arup Kumar Prusty beyond 13.01.2020. The vacant time slots are published in the website on 14.02.2020 inviting applications for grant of temporary permit in the route Puri to Bhubaneswar and back. Pursuant to notification of vacant slots, two applications are received from Manjulata Rout and A.K. Parida which are to be considered along with the application of Sri A.K. Prusty on merit.

Amongst the above applicants the vehicle offered by Sri Ashok Kumar Parida is a higher model than that of Sri Arup Kumar Prusty

Considering relative merits of both the applicants the STA resolved to grant temporary permit 119 days in favor of Ashok Kumar Parida, owner of vehicle No.OD02BH-7084 in the route Bhubaneswar to Puri and back against vacant slot

No.54(B), slot No.124(B), slot NO.228(B) and slot No.278(B) of rationalized timing in the interest of travelling public. The application filed by Arup Kumar Prusty was rejected"

Being aggrieved, Sri Arup Kumar Prusty, owner of vehicle no.OD13F-0504 has filed M.V Appeal No.07 of 2020 wherein it has been ordered on 16.11.2020 that:

"The order of rejection dtd.11.05.2020 under Annexure-4 passed by Respondent No.2 by refuting the prayer of the appellant to grant Temporary Permit with respect to his stage carriage bearing Regd. No.OD13F-0504 is hereby quashed.

The Respondent Nos. 2 & 3 are directed to consider the prayer of the appellant afresh in the light of the observation made in the Judgment within fifteen days from the date of receipt of this Judgment by placing the matter before permit Committee of STA, Odisha.

While reconsidering the application of the appellant, Respondents may allow the time slot as prayed by the appellant in his application dtd.12.12.2019 provided such time slot is vacant on the date of receipt of the Judgment. .

In case such time slot is not vacant, then the appellant be allowed fifteen days time to make another application with a different time slot of his choice and such time slot be considered by the Respondents within 10days from the date of such application of the appellant without causing prejudice to other operators by following the requirements of law."

After due deliberation, it is resolved to grant one temporary permit for 119 days to Arup Kumar Prusty, in respect of vehicle OD13F-0504 as Ordinary Service in the route Bhubaneswar to Puri and back. The grantee is allotted slot No.2 from Bhubaneswar and slot No.300 from Puri which are vacant slots. He shall apply for grant of permanent permit before expiry of temporary permit failing which the route will be notified in the website.

ITEM NO.6:- Cancellation of All Odisha Contract Carriage Permit.

Advocate Sri M.B.K. Rao has appeared for the permit holder. The matter was placed in the 291st STA meeting held on 19.02.2020 and following decision taken.

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"After due deliberation it was resolved to defer the matter to next STA meeting for decision".

It was resolved to defer the matter to next meeting.

Memo No. 1149 /TC.

Copy to all members of STA for information.



Chairman

27-1-2021

STA, Odisha, Cuttack.

Dt. 28/01/21



Secretary,

27-1-2021

STA, Odisha, Cuttack.

ANNEXURE-B

(Addl.-declaration to be made by the applicant as per decision taken by STA in 291st meeting held on 19.02.2020 and 293rd meeting held on 14.12.2020 which shall be invariably accompanied / uploaded on the date of consideration for grant of permanent stage carriage permit made online / off-line)

PROFORMA

1. Name of the applicant in full. :-
2. Registration number of vehicle for which application is made. :-
3. Name of route (s) applied for. :-
4. Registration number of all stage carriages owned by the applicant. :-
5. Registration number of all contract carriages owned by the applicant. :-
6. Whether VCR / e-challan drawn under Section 192-A of M.V. Act, 1988 in respect of vehicle for which application is made for (1) without permit, (2) making unauthorized trips, (3) as stage carriage under special permit / contract carriage permit within one year prior to the date of application. Please mention all the VCRs / e-challans even if closed. :-
7. Whether VCR / e-challan under Section 192-A of M.V. Act, 1988 was drawn against any of his / her vehicle within one year prior to the date of consideration for plying (1) without permit, (2) making unauthorized trips, (3) as stage carriage under special permit / contract carriage permit and its present status.(furnish details) :-
8. Period upto which tax has been paid in respect Of applied vehicle. (Please specify arrear tax / penalty, if any outstanding) :-
9. Whether up to date tax has been paid in respect of all vehicles. :-

Declaration

The above information are true and correct in all respect. In case it is found that there is suppression of information, incomplete information and making false or incorrect information furnished by me, I shall be held responsible for the same and my application for grant of permit shall be rejected.

Place :-

Date :-

Full signature of the applicant.

- Note:-**
1. Above declaration to be filled up and signed by the applicant and format can be downloaded.
 2. Where a vehicle was involved in any offence between date of application and date of consideration and e-challan drawn to that effect under Section 192-A of M.V. Act, 1988, the applicant will furnish additional self-declaration mentioning such offence on the date of consideration.

ANNEXURE-C

(Declaration to be made by the applicant as per decision taken by STA in 291st meeting held on 19.02.2020 and 293rd meeting held on 14.12.2020 which shall be invariably accompanied / uploaded along with application for renewal of permanent stage carriage permit made online / off-line)

PROFORMA

1. Name of the applicant in full. :-
2. Registration number of vehicle for which application is made. :-
3. Name of route (s) applied for. :-
4. Whether VCR(s) / e-challan has been drawn under Section 192-A of M.V. Act, 1988 in respect of vehicle for which application is made for (1) without permit, (2) making unauthorized trips, (3) as stage carriage under special permit / contract carriage permit within one year prior to the date of application. Please mention all the VCRs / e-challans even if closed. :-
5. Whether the vehicle(s) covered under permanent permit had been declared off road for a period of one year in different spells during currency of permit.(furnish details) :-
6. Whether the permanent permit was countersigned by reciprocating state ? If yes, furnish self-attested copy of countersignature (for interstate route only). :-
7. Whether the vehicle was plying regularly in the given route. If no, furnish reasons. :-
8. Whether tax has been paid for the entire period of validity of permit excluding off road period. :-

Declaration

The above information are true and correct in all respect. In case it is found that there is suppression of information, incomplete information and making false or incorrect information furnished by me, I shall be held responsible for the same and my application for renewal of permit shall be rejected.

Place :-

Date :-

Full signature of the applicant.

- Note:-**
1. Application received without above declaration shall not be considered.
 2. Above declaration to be filled up and signed by the applicant and format can be downloaded.

FORM-XV**Application for a permit in respect of a Stage Carriage (Permanent Permit)**
See Rule-45(1)

To

The State Transport Authority
Odisha, Cuttack

In accordance with the provisions of Sections-70 & 80 of the Motor Vehicle Act, 1988, I/We the undersigned hereby apply for a permit under section 55 in respect of a Stage Carriage as here in under set out.

- 1- Name of the Owner/Applicant:
- 2- Name of Father (in case of an Individual):-
- 3- Address:-
.....
.....
4. The route or the area for which the permit is desired:-
.....
5. The type of vehicle:-.....
(Here state whether single or double deck, fixed roof or hood only, glass window or side curtain)
6. Approximate seating capacity not less than
and not more than seats
7. A time table is appended will be arranged with other operators on the route. No time table is proposed but I undertake to run the following minimum service.....
8. The standard rate of fare which it is proposed to charge is
paise per passenger per Kms.
9. Particulars of any stage carriage or contract carriage permit valid in the stage and held by the applicant in respect of:-
(a) this vehicle.....
(b) any other vehicle.....
10. Particulars of any permit held by the applicant in respect of the use of any transport vehicle in India during the last 40 years which has been the subject of an order of suspension or cancellation.....
11. (i) I/We desire to use the vehicle for the carriage of goods and I/We apply for a goods carriage permit in addition to a stage carriage permit in respect of the route no routes or area above specified.
(ii) I/We intend to carry goods of the following description
12. I/We desire to use the vehicle as a contract carriage with the area specified below.....
13. I/We enclose Cash Receipt/Bank Draft/Bankers Cheque for Rs.....
being the prescribed fee.

- 14. I/We are in possession of the vehicle, the certificate or registration of which is enclosed.
I/We have not yet obtained possession of the vehicle, and I/We have not yet obtained possession of the vehicle and I/We understand that the permit will not be issued until I/We have done so and have produced the certificate of registration.
- 15. I/We intend to drive the vehicle.
- 16. I/We desire a permit valid for.....
- 17. Whether Motor vehicle tax and passenger tax have been paid in full, if so tax clearance certificate (s) obtained from the Taxing Authority may be enclosed.
- 18. I/We declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

Date-

Signature or thumb impression of Applicant

(Strike out inapplicable entries or alternative throughout)

Received the application of Sri/Smt..... for grant of stage carriage permit in respect of vehicle No..... The applicant has produced/is required to produce the following documents for verification, namely:-

- (i) Valid Registration Certificate.
- (j) Valid Fitness Certificate.
- (ii) Valid Insurance.
- (iii) Tax Clearance Certificate.
- (iv) Cash receipt/Bank Draft/Cheque showing credit of towards the fees of application for grant of permit.

He is required to produce this receipt for collecting the permit.

Signature of the Officer with seal