

GOVERNMENT OF PUNJAB
DEPARTMENT OF TRANSPORT
(TRANSPORT-II BRANCH)

Notification

The 20th December, 2011

No. S.O. 102/C.A. 59/1988/Ss.99 and 100/2011.—Whereas an approved scheme under the provisions of section 99 read with Section 100 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) was framed and published.—*vide* Government of Punjab, Department of Transport, Notification No. S.O. 41/C.A.59/88/100/90, dated the 9th August, 1990 ;

And Whereas in exercise of the powers conferred by Section 102 of the aforesaid Act, the modifications in the above said Scheme were published as required by sub-section (2) of the said section 102 for inviting objections and suggestions thereon,—*vide* Government of Punjab, Department of Transport, Notification No. S.O. 39/C.A.59/1988/Ss. 99 and 100/2011, dated the 2nd May, 2011 ;

And whereas the objections or suggestions received in response to the proposed modification have been considered by the Government of Punjab ;

And whereas, the Governor of Punjab is of the opinion that it is necessary in public interest to do so ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 102 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following modifications in the aforesaid Scheme dated 9th August, 1990, namely :—

MODIFICATIONS

In the said scheme,—

1. In clause 1,—

(a) Sub-clause (cc) shall be omitted ;

(b) for sub-clause (d), the following sub-clause shall be substituted, namely :—

“(d) “National Highways” means the National Highways as notified by the Central Government from time to time ;”

(c) for sub-clause (f), the following sub-clause shall be substituted, namely :—

“(f) “State Highways” means the State Highways as notified

by the State Government from time to time ;

2. For clauses (2), (3), (4), (5), (6) and (7), the following clauses shall be substituted, namely :—

“(2) All stage carriage permits, which were granted in favour of the State Transport Undertakings and the private operators, on the inter-State routes, shall remain un-affected till the date of their expiry :

Provided that the routes operated by the private operators, which became inter-State routes as a result of re-organization of the State of Punjab in the year 1966, shall remain un-affected :

Provided further that operation of any State Transport Undertaking, other than that of the State of Punjab or any Union Territory, as the case may be, including the private operators of such other State or Union Territory, as the case may be, operating on any route by virtue of the reciprocal agreement or permits granted by such other State or Union Territory, and are countersigned by the State Transport Authority or Regional Transport Authority concerned, shall also remain un-affected.

(3) All future stage carriage permits for operation on inter-State routes as per the reciprocal agreements or mutual understanding between the State and Union Territory concerned, as the case may be, shall exclusively be granted in favour of the State Transport Undertaking :

Provided that a permit, may be granted to a private operator for operation of an Air-conditioned Integral Coach or a Super Integral Coach, as the case may be, from a district head quarter or any important town and the Union Territory, and on the basis of the need so assessed by the State Transport Commissioner, from time to time :

Provided further that the private operators of the Heat Ventilation and Air Conditioned Buses (HVAC) and Air-conditioned Integral Coaches or Super Integral Coaches, as the case may be, may also be allowed to operate on the neighboring inter-State routes (maximum up to a distance of fifteen kilometers) falling in any other State if the terminal falls within that limit, subject to the

conditions agreed to in the reciprocal agreement with the State concerned :

Provided that the private operators may be allowed to operate only up to fifteen kilometers or twenty percent of the total length of the monopoly route, whichever is less :

Provided further that the operation of the Air-conditioned Integral Coaches or Super Integral Coaches, as the case may be, which are not more than eight years old, shall be allowed keeping in view the need so assessed by the State Transport Commissioner from time to time, only on the overlapping portion of such monopoly route or a part thereof :

Provided further that the permits granted by the Regional Transport Authority to the private operators before the coming into force of this amendment, shall remain unaffected.*

- (5) All stage carriage permits for operation of the routes on the National Highway falling within the State other than the routes specified in clauses (2), (3) and (4), shall be granted to the State Transport Undertakings and the private operators in the ratio of 75:25, which shall be determined on the basis of the passenger and road transport need as assessed by the State Transport Commissioner from time to time.
- (6) All future stage carriage permits on the State Highways falling within the State other than the routes specified in clauses (2), (3) and (4), shall be granted to the State Transport Undertakings and the private operators in the ratio of 40:60, which shall be determined on the basis of the passenger and road transport need as assessed by the State Transport Commissioner from time to time.
- (7) All future stage carriage permits on the district and other roads falling within the State other than the routes specified in clauses (2), (3) and (4), shall be granted to the State Transport Undertakings and the private operators in the ratio of 40:60, which shall be determined on the basis of the passenger and road transport need as assessed by the State Transport Commissioner from time to time.”;

3. Clause 7-A shall be omitted ;
4. After clause 7-B, the following clauses shall be added, namely:—
 - “(8) The existing operations of the stage carriage permits of the State Transport Undertakings and the private operators of the State of Punjab, shall remain unaffected.
 - (9) All existing permits may be renewed after their expiry in accordance with the provisions of section 81 of the Motor Vehicles Act, 1988.
 - (10) Any route of a State Transport Undertaking or a private operator, may be curtailed or extended or their number of trips may be increased or decreased, as the case may be, on the basis of the passenger and road transport need as assessed by the State Transport Commissioner from time to time :

Provided that the operation of an existing permit on a route may be extended up to 24 kilometers at a time from the termini which may further be extended up to another 24 kilometers from the next termini of the route and so on, on the basis of the passenger and road transport need as assessed by the State Transport Commissioner from time to time.”

MANDEEP SINGH,

Secretary to Government of Punjab,
Department of Transport.