

Proceeding of the Meeting of RTA Board, Hooghly held on 16.09.2019 in the office chamber of the Chairman, RTA and District Magistrate, Hooghly in presence of :

1. Shri Y. Ratnakara Rao, I.A.S., Chairman, RTA and District Magistrate, Hooghly.
2. Muzaffar Khan, Member, RTA, Hooghly.
3. Shri Somnath Chakraborty, Secretary, RTA and R.T.O, Hooghly.

Shri Y. Ratnakara Rao, I.A.S., Chairman, RTA and District Magistrate, Hooghly took the chair and presided over the meeting. Shri Somnath Chakraborty, Secretary, RTA and R.T.O, Hooghly placed the Agendas for taking decisions thereof.

**A- Court Case :-**

S.N.	Agenda	Observation	Decision
1	<ol style="list-style-type: none"> <li>1. W.P. No. 11871(W) of 2018 of Nejamuddin vs State</li> <li>2. W.P. No. 11843(W) of 2018 of Sk. Yasin vs State</li> <li>3. W.P. No. 11852(W) of 2018 of Md. Israfil vs State</li> <li>4. W.P. No. 11854(W) of 2018 of Md. Manuwar Alam vs State</li> <li>5. W.P. No. 11857(W) of 2018 of Md. Asraf vs State</li> <li>6. W.P. No. 11865(W) of 2018 of Babulal Das vs State</li> <li>7. W.P. No. 11867(W) of 2018 of Md. Sahid vs State.</li> <li>8. W.P. No. 11868(W) of 2018 of Biswajit Shaw vs State.</li> </ol> <p>with direction of the Hon'ble High Court to re-consider the petition of the petitioner giving an opportunity of hearing in accordance with law.</p>	<p>The petitioners were applied for new Auto Rickshaw route permit in the route no. 155/Auto (Serampore Court to Konnagar Bata via. T.C. Goswami Street). The route in question was under the jurisdiction of KMA and issuance of new permit in KMA was restricted as per notification no. 3438-WT, dated 02.08.2004.</p> <p>Now, as per latest Govt. notification and considering the auto rickshaw policy of Transport Department, W.B., restriction on issuance of Auto Rickshaw permit in KMA is relaxed but considering some significant issues like over congestion, Law &amp; order, scarcity of suitable auto stand, different mode of existing transport services etc. in Chandannagar Police Commissionerate Area, survey of the existing routes are in progress.</p> <p>As per resolution of the RTA Board meeting dated 22.08.2019, notices of hearing has served to the petitioner.</p>	<p>Heard the applicants and will be decided after inspection report. Priority may be given to these applicants.</p>
2	<p>W.P. No. 8622(W) of 2019 of Raosanara Begam vs State has been received from Mr. Keshab Ch. Das , Ld. Advocate, High Court, Calcutta, with direction of the Hon'ble Court to consider the petitioner after granting opportunity of hearing.</p>	<p>The petitioner was applied for new Trekker permit in the route no. 05/TR/ST (Fidder Road to CNS Station) vide application no. PA-131232. As per decision of the RTA Board meeting dated 14.02.2019, application of the petitioner was rejected, as the applicant was absent on call at the time of hearing.</p>	<p>Heard the petitioner and as per statistics, the nos. of existing public transport is more than sufficient in proportion to the passengers pressure &amp; traffic congestion. Traffic problem, lack of business</p>

		<p>Moreover, the route in question is overlapped with buses of route no. 17, route no. 18, route no. 34 and route no. 145. Even, some other transportation are also partially overlapped such as :</p> <p>a. Trekkers of route from Chinsurah Court to Harit Bus Stand (overlapped Chinsurah Stn. to Harit),</p> <p>b. Tata Magic of route from Chinsurah Station to Pownan (overlapped Chinsurah Station to Alinagar),</p> <p>c. Autos of route from Taldanga to Delhi Road (overlapped Chinsurah Stn. to Delhi Road).</p> <p>Now, as per direction of the Hon'ble Court, the petitioner may be heard.</p>	<p>opportunity, unhealthy competition and violation of law &amp; order are seriously apprehended if new permits are issued at present. Hence, rejected.</p>
3	<p>W.P. No. 11653 (W) of 2018 of Sk Mirajul Islam vs State &amp; W.P. No. 11655(W) of 2018 of Kestha Samanta vs State have been received from Mr. Biswapriya Samanta, Ld. Advocate, High Court, Calcutta with direction of the Hon'ble Court to process the applications of the petitioners for grant of auto rickshaw permits as per law.</p>	<p>The petitioners were applied for new Auto Rickshaw permit in the route no. 483/Auto (Haripal Stn. To Siakhala).</p> <p>It was declared by the petitioners during hearing that the petitioners have no auto rickshaw permit in their name and accordingly offer letters were issued in favour of the petitioners. But, at the time of issuance of permit in respect of the said offer letters, it reveals that the petitioners have an existing auto rickshaw permit in their name. The petitioners represented false statement and suppressed the actual fact during hearing.</p> <p>As per notification nos. 1403(24)-WT/3M-01/2010 Dated 10.04.2017 &amp; 1390-WT/3M-01/2010 dated 10.04.2017 of Transport Department and in accordance with the decision of RTA, Hooghly dated 18.04.2017 Sl. no.42, No new Auto Rickshaw permit could be issued in favour of the petitioner as an auto Rickshaw permit has already been issued in favour of the concerned petitioner.</p> <p>Now, the Hon'ble Court is directed to process the application of the petitioner for grant of auto rickshaw permit as per law.</p>	<p>In continuation of the resolution of the RTA Board, Hooghly dated 18.04.2019 vide sl. no. 42, it is decided to allow 3 (three) nos. of Auto Rickshaw permits for an individual instead of 1 (one) Auto Rickshaw permit and applications will be considered accordingly. Hence, these applications are allowed.</p>
4	<p>W.P. No. 8778 (W) of 2019 of Kalpana Deyashi vs State has been received from Mr. Baidurya Ghosal, Ld. Advocate, High Court, Calcutta,</p>	<p>The petitioner has applied for new Bus permit in the route no. 183/Exp.</p> <p>As per Section 69 of MV Act, 1988, it is proposed to use the vehicle or vehicles in two or more regions plying within the same state, the application shall be made to the RTA of the regions in which the major portion of the proposed route or area lies.</p> <p>In this case, as per report of MVI, distance from Howrah Fire Service to Udaynarayanpur is about 53 km which is under RTA, Howrah and Udaynarayanpur to Tarakeswar is about 22 km which is under RTA, Hooghly. Hence, applicant may be submitted before RTA, Howrah as the major portion of the route is under RTA, Howrah.</p>	<p>The petitioner may apply before RTA, Howrah.</p>

B- Transfer of Permit :-

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5	Sri Pradip Kumar Kanrar has prayed for transfer of ownership & transfer of permit vide no. PCP35718 in respect of vehicle no. WB15C0490 (Trekker) plying in the route no. 33TRCC (Serampore to Chanditala) to Sri Bablu Dhara.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
6	Sri Anjan Nandi has prayed for transfer of ownership & transfer of permit vide no. PCP9109 in respect of vehicle no. WB15B6388 (Trekker) plying in the route no. 33TRCC (Serampore to Chanditala) to Sri Asit Jana.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
7	Rafik Mallick has prayed for transfer of ownership & transfer of permit vide no. PCP-41384 in respect of vehicle no. WB170388 (Tata Magic) plying in the route no. 43/TM/CC (Per Dankuni More to Bhagabatipur) to Sri Binod Shaw.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
8	Smt. Nandita Nandy has prayed for transfer of ownership & transfer of permit vide no. PSP-37737 in respect of vehicle no. WB15B8275 (Trekker) plying in the route no. 27/TR/ST (Jangipara to Serampore) to Sri Sujoy Pakira.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
9	Sri Jagannath Das has prayed for transfer of ownership & transfer of permit vide no. 3097 in respect of vehicle no. WB15A5269 (Bus) plying in the route no. 23 (Chinsurah to Dasghara) to Smt. Debashri Ghosh.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
10	Smt. Aparna Dholey has prayed for transfer of permit vide no. PSP-37687 in respect of vehicle no. WB15C0473 (Bus) plying in the route no. 159 (Tarakeswar to Bandar) to Sri Sujoy Pakira.	The permit holder is applied for transfer of the permit to the name of owner of the vehicles as the vehicle is plying through agreement. Hence, the permit may be regularized. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.



11	Sri Joydeb Chakraborty has prayed for transfer of ownership & transfer of permit vide no. PSP-37586 in respect of vehicle no. WB15B6564 (Trekker) plying in the route no. 60/TR/ST (Serampore to Taltala) to Smt. Arati Das.	The permit holder is applied for transfer of the permit on financial ground. Joint petition has been received from both seller & purchaser. The vehicle will ply in the same route. Hence, the proposal may be allowed.	The case of both transfer of ownership of vehicle & permit only is allowed in the same route subject to maintain all formalities. In case of transfer of permit other than legal hairs, Permit holder will not be allowed to apply for any permit for next two years.
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C- Miscellaneous :-

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12	The Proadhan, Thakuranichak G.P has proposed for creation of by route from Tarakeswar to Thakuranichak in the route no. 16/20.	U/S 80(3)(i) of M.V. Act, 1988, "Termini can not be altered in case of diversion of route". Hence proposal may not be allowed. Accordingly, a new mini bus route may be formulated for the proposed route.	Creation of by route of route no. 16/20 is not allowed. New Mini Bus route from Tarakeswar to Thakuranichak only is allowed.
13	Sri Ramprasad Hens has prayed for extension of validity of offer letter of Bus in respect of application no. PA-131581 for the route no. 220 (Arambagh to Badanganj).	The validity of offer letter which was issued from this office has already crossed its validity of six months. The petitioner stated he is already purchased the bus and construction of body is in progress. Hence, offer letter may be extended for further 30 days only subject to realization of required fees/fines as the applicant already purchased the vehicle.	In terms of Rule 141 of WBMVR, 1989, validity of offer letter should be allowed upto six months. The extension beyond six months but not beyond 12 months from the date of original issue is allowed subject to realization of requisite application fees and fines (Rs.500.00/per month). Any extension of offer letter should not be extended beyond 12 months from the date of original issue.
14	Sri Harisadhan Ghosh has prayed for extension of validity of offer letter of Bus in respect of application no. PA-131217 for the route no. 11 (Gurap to Kalna).	The validity of offer letter which was issued from this office has already crossed its validity of six months. As per system, the offer letter could not be validated. The petitioner stated he is already purchased the bus and construction of body is in progress. Hence, offer letter may be extended for further 30 days only subject to realization of required fees/fines as the applicant already purchased the vehicle.	In terms of Rule 141 of WBMVR, 1989, validity of offer letter should be allowed upto six months. The extension beyond six months but not beyond 12 months from the date of original issue is allowed subject to realization of requisite application fees and fines (Rs.500.00/per month). Any extension of offer letter should not be extended beyond 12 months from the date of original issue.
15	Permit operators of Mini Bus route no. 225 (Bhagabatipur to Uttarpara) have prayed for extension of the route upto Mahisbathan from Dakshineswar.	The actual route is Bhagabatipur to Uattarpara and was extended earlier upto Dakshineswar from Uttarpara (5 km) and 2 <sup>nd</sup> time proposed extension portion from Dakshineswar to Mahisbathan (24 km). So, the total extension is (5+24)=29 km from terminus which is contrary under Sec 80(3)(ii) of M.V. Act, 1988. Hence, the prayer may be may not be considered.	Not allowed.

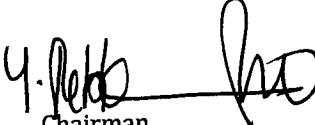
16	Some Auto Rickshaw permit operators of different routes in Rural area are prayed for change of route in different routes under Chandannagar Police Commissionerate Area.	As per Sub-Section (3) of Section 80 of M.V. Act, 1988, other than variation, extension or curtailment is not allowed where the holder holds a permit. Hence, applicants having permit of Rural routes/another routes are not allowed to ply their vehicles in different routes not mentioned in the permit.	Not allowed.
17	It has been observed that applicants who received offer letters from RTA, Hooghly, applies regularly for extension of validity of offer letters more than six months due to various reasons.	As per Rule 141 of WBMVR, 1989, offer letter shall not exceed one month from the date on which the offer letter is issued. Provided that the Transport Authority granting the permit may for reasons to be recorded in writing extend the validity of offer letter upto six months from the date of issue of the same in exceptional cases.	In terms of Rule 141 of WBMVR, 1989, validity of offer letters should be allowed upto six months. The extension beyond six months but not beyond 12 months from the date of issue should be decided by the RTA subject to realization of requisite application fees and fines (Rs.500.00/per month) and valid reason be projected by the applicant. Any extension of offer letter should not be extended beyond 12 months from the date of original issue.
18	Secretary of Champdanga Dakshineswar Bus Association (route no. 26) has prayed for extension of route no. 26A (Serampore Court to Ahusbali) upto Seakhala.	The proposed extension portion of the route 26A (Serampore Court to Ahusbali) upto Seakhala, as per prayer of Secretary, Route no. 26, is about 1.5 k.m. and may be allowed subject to positive survey report from the end of MVI.	Allowed

#### D- Auto Rickshaw Policy under Chandannagar Police Commissionerate Area :-

**Agenda :** As per resolution of the RTA Board meeting, dated 22.08.2019, MVIs were directed to place survey report in next RTA Board meeting.

Presently survey of existing routes by MVIs is in progress. Survey of more than 100 routes have already been done.

**Decision :** Survey report of the existing routes under Chandannagar Police Commissionerate Area should be submitted by 22.10.2019 and will be discussed in the next RTA Board meeting.

  
Chairman

Regional Transport Authority  
&  
District Magistrate  
Hooghly