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No.D.Tpt/Dy.DT(N)/37/2017/

Dated:- 20 /11/2020.

PRESS NOTE

All Goa Private Bus Owners Association vide communication under No.AGPBOA/11/2020 dated 16/11/2020 through Shri Sudip N. Tamankar, General Secretary has pointed out grievance related to private bus operators and given ultimatum to the Director of Transport to meet all demands failing which it is said that he along with other bus operators will gherao Director of Transport at Junta House on 23/11/2020. Through this press note factual position of the matter is communicated to all the private bus owners. Following is the para wise reply to the grievances :-

Point No.1	“The Goa State Public Transport Insurance Contribution Scheme, 2014” was commenced in the year 2014 and many of the bus owners had submitted their applications for getting benefits of the said scheme. But from 2017 to till date forms of the claiming subsidy amount are pending.	The Government has framed the scheme namely “The Goa State Public Transport Insurance Contribution Scheme, 2014” notified vide Notification No.D.Tpt/EST/2238/2014/3147 dated 12/09/2014. & Vide Notification No.D.Tpt/EST/2238/2018/1689 dated 14/03/2018 and subsequently the scheme was renewed upto Financial year 2017-18, 2018-19, 2019-20. The department has cleared the claims upto 2017. However, during the Audit findings it was stated that the beneficiary under the scheme shall not be entitled for benefits under any other scheme of the Central and State Government. Since the Government had cleared the claims for Insurance for the year 2014-2016, and the Auditor during the scrutiny, through inspection report informed to furnished as to how this office granted Insurance subsidy to 549 beneficiaries under the scheme who had also availed benefits under other schemes namely “The Goa State Fuel Subsidy to Private Stage Carriage Operators Scheme 2014, during the period between 2014- 2018 thereby causing a loss of revenue of Rs.1.73 crores due to irregular allowance of additional subsidy benefits claims. Further the Audit Officer communicated to this department that necessary action to recover the additional subsidy from
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		the concern beneficiary may be intimated immediately. Thus applications of beneficiaries who has availed fuel subsidy scheme do not qualify for second scheme as per existing criteria in Notification hence applications 2017 onwards could not be processed.
Point No.2	“The Goa State Fuel Subsidy to Private Stage Carriage Operators Scheme 2014” was commenced in the year 2014 and like the other schemes, many of the bus owners has submitted their applications for getting benefits of the said scheme but from July, 2018 to till date forms for claiming subsidy amounts are pending. The above scheme is not renewed after 01/04/2019 and should be renewed immediately.	<p>Claims in respect of period from 18/7/2018 onwards on routes where KTCL do not ply are not eligible for subsidy as per amended clause 5(7) of the scheme and therefore could not be processed. However Department proposal to consider relaxation of this clause by competent authority is under process. These claims can be processed only after necessary approval and amendment to the scheme.</p> <p>The fuel subsidy scheme was framed because private bus operators were not able to participate in seasonal pass scheme implemented through KTCL. Now since the seasonal pass system is partially discontinued and the matter is being placed before higher Authority to consider renewal of fuel subsidy scheme after 31/03/2019.</p>
Point No.3	This Association in its representation had requested to appoint President of this Association on the committee appointed for the Scheme called as “Replacement of old Bus by new bus”. At present bus operators are not getting benefits of the above scheme. The scheme is required to be granted immediately to the bus operators.	<p>The Stale Level Committee under the Goa State Subsidy for replacement of old passengers buses scheme, 2001 consists of following members:-</p> <ul style="list-style-type: none"> i)Minister for Transport..... Chairman ii)Secretary Transport Member iii)Joint Secretary Finance.....Member iv) Representative of Bus owners Association..... Member v)Director of Transport....Member Secretary. <p>Vide Notification No.D.Tpt/EST/1452/293/2020/1167 dated 21/05/2020. The Government has appointed Shri Caitano Xavier, resident of Vaddem, Near Mercedes Chapel, Vasco –Da-Gama, Goa as non-official member on the above committee. It is prerogative of the Government to decide appointment of person on committee and your suggestion is noted by the Department.</p> <p>Process of sanction of pending applications under this scheme is taken up on priority.</p>
Point No.4	That the last notification of Fare hike was published on 30 th May, 2019 and from that time the fare of private non-stop express buses from	Fare charged by K.T.C are as per the Notification No. D.Tpt/STA/3275-Bus Fare/2019/2018 dated 24/05/2019. Partial change in fare rates only for Mapusa -Panaji is not possible as the change it will affect fare structure of entire Goa. The grievances is

	<p>Mapusa to Panaji has become Rs.20/-. However, the KTC shuttle service buses are charging Rs.17/- for Mapusa to Panaji travel. Due to difference of Rs.3/- in fares passengers are attracted towards the KTC shuttle service buses and the private buses are suffering heavy loss. KTC and private buses fare should be equalized.</p>	<p>noted for consideration during next fare revision.</p>
Point No.5	<p>The Association had requested for fixing GPS enable big display watches on every bus stand, but unfortunately from last 3 years the demand is not fulfilled by your Department due to which day by day fights on the bus stand increasing and law and order situation arises every day.</p>	<p>Kadamba Transport Corporation Limited is a separate entity constituted under Companies Act headed by Chairman and Board of Directors. Bus Stand infrastructure of all bus stands in Goa is with KTCL for operation and maintenance purpose. Your request for GPS Clocks is forwarded to KTCL for needful action.</p>
Point No.6	<p>The process of fitment of GPS (vehicle tracking system) to the stage carriage buses has been initiated by the Transport Department. This Association requests that the said process should be expedited.</p>	<p>Department has floated tender for empanelment of vendor to provide Vehicle Locating and Tracking Device (VLTD) and the matter is placed for Government approval to appoint vendor.</p>
Point No7	<p>This Association had in warded objections for payment of fees towards advertisement on private buses and also had requested to increase the space, but unfortunately till today this has not been placed before STA for approval. This</p>	<p>STA has issued guidelines on display if advertisement by fixing the size and fee on different type of vehicles. You request to increase space on external body of buses for advertisement cannot be considered from safety point of view.</p>

	Association once again requests to place this issue before forthcoming STA meeting.	
Point No.8	This Association had also in warded objection for the Transport Guidelines issued by STA to various RTAs but unfortunately till today this has not been placed before STA for Approval. This Association therefore once again requests to place this issue before forthcoming STA meeting.	In order to bring uniformity in decision making and criteria to be adopted by various R.T.A's Policy Guidelines were formulated by State Transport Authority. The guidelines are approved by the State Government; hence it is not possible to withdraw the guidelines. However if you have any specific issue you may address it through concern Asstt. Director of Transport, & Member Secretary, RTA for necessary action in the matter.
Point No.9	That during Covid-19 pandemic, the Government of India had announced lockdown from 22/03/2020 and the same has been extended from time to time in various parts of the country and in Goa also. The Government of Goa forcibly stopped the operation of private buses in pandemic period and opportunity was given to KTCL buses to ply all over Goa providing service to the daily commuters. From 04/05/2020 the Transport Minister, Government of Goa in presence of Director of Transport held meeting with the private bus operators and permitted to start operation from 05/05/2020 in the State of Goa maintaining social distancing. When the private buses started to ply, it is observed that the Kadamba buses which were started during the pandemic period for giving service to the Government servants to attend to their offices, have not changed their timings and are plying as	Matter was discussed and confirmed with the officials of Kadamba Transport Corporation and they informed that KTCL is plying buses presently as per timing and routes issued by respective R.T.A's prior to Covid 19 Pandemic period. If you have any specific information of route violation by KTCL, you are requested to communicate to Member Secretary of concerned RTA.

	<p>per timing schedule fixed by KTCL. Due to this KTC buses started clashing with the timings of the private buses and at the end of the day private bus operators are suffering very badly due to non-availability of passengers.</p>	
Point No.10	<p>The undersigned on various occasions requested the Director of Transport to conduct meeting with KTCL, officials as when the undersigned contacted the KTCL officials they are refusing to abide by their timings schedules and are advising to contact Director of Transport with our grievances. Many private bus operators have kept their buses off the road because of harassment by the KTCL buses and now they intend to start their buses but the issue of KTCL, buses has not been resolved. As such these operators have informed this Association to take up the matter before the appropriate forum. So in this regard the undersigned requested the Director of Transport to conduct urgent co-ordination committee meeting to resolve the above said issue and to direct the KTCL to follow their routine schedule/timings as was followed prior to Pandemic i.e prior to March 2020. The Director of Transport purposely has neglected to take up the issue and resolve the same.</p>	<p>This point will be replied separately.</p>

Department has issued Sanction Orders of Fuel Subsidy to 576 applicants amounting to Rs 12.15 Crore and bills are submitted to Directorate of Accounts for crediting amount to the respective bank account of operator. The funds disbursement through Directorate of Accounts has started with more than Rs. 4 crore already received by the beneficiary.

It is noticed that All Goa Private Bus Owners Association, Thivim, Coprem, Bardez Goa is registered under reference No. 25/Goa/2010 under the Societies Registration Act 1860 with Inspector General of Societies, District Registrar, North Goa with 18 (eighteen) members. The status of renewal of registration of Association is not known.

In the above referred communication Shri Tamhankar has informed that that if Director of Transport deliberately fails to respond this Ultimatum, then all members of Association and affected bus operators will be compelled to gherao the Director of Transport on 23/11/2020 and if the Director of Transport remain absent in his office, then all the members of this Association will march towards the official residence of Chief Minister in Althino and if Chief Minister avoids to listen to the grievances then the members of this Association will stage dharna in front of Chief Ministers residence at Althino in order to protest the inaction and failure of the Director of Transport to solve the long pending issues of the Association.

Through this press note the Bus operators are informed that the all grievances of bus operators mentioned in the letter are attended by Department and some requests are legally not possible and some need time. Detailed factual reply to your grievances is given above and there is nothing which is ignored or not taken up by this Department

Directorate of Transport is a Regulatory Authority and implement The Motor Vehicles Act 1988 and related rules. Power to control Stage Carriage Buses through issuance of route permit is vested with Regional Transport Authority (RTA) constituted under Section 68 of the Act. Asst. Directors of respective jurisdiction at sub office is a Member Secretary of RTA. There is a non official member representation appointed by Govt. in every RTA. Regional Transport Authority is a Quasi Judicial Body and take its own decisions. In case the operator is aggrieved with the decision or order of RTA, an appeal lie with District and Sessions Judge, Sough Goa, Margao. Director of Transport is a Disciplinary and Administrative Authority and just by virtue of having administratively higher position cannot interfere in the matter of RTA decisions.

Further all the operators are informed that Junta House is a busy public place with nearly 25 public offices. Three major Department ie Transport, Panchayat and Civil Supply have Headquarters in Junta House. Also courts of Consumer Dispute Redressal State Commission and Additional Director and Dy Director Panchayat take regular hearings. Hence protest of any kind at the entrance of Junta House building or inside office will disrupt functioning of public services and inconvenience citizens and prevent Government Servants from discharging their work. Moreover Occupation of public way for protest is

illegal and punishable under the law. In Judgment dated 7/10/2020 in Civil Appeal No. 3282 of 2020 in the Supreme Court of India case of Amit Sahni V/s Commissioner of Police & Ors. at para 19 it is held that “ we have no hesitation to conclude that such kind of occupation of public ways, whether at the site in question or anywhere else for protests is no acceptable and the administration ought to take action to keep the areas clear of encroachments and obstructions. “

Private bus operators provide valuable transport service to the passengers and the financially dependent families of these hard working entrepreneurs, constitute important component of social strata of Goa. Department of Transport is receptive to all grievance of every operator. Whether the grievance is received through any association of bus owners or from any single operator, all issues are attended by Department with equal seriousness in the interest of providing better public transport system for Goa

In case of any clarification or difficulty by any operator please feel free to approach your Permit Issuing Authority appointed under the Law i.e. Member Secretary RTA / Asst Director Transport in concerned sub-offices located at Pernem, Bicholim, Mapusa, Enf (N) Panjim, Ponda, Dharbandora, Vasco da Gama, Quepem, Enf (S) Margao, and Canacona. or Asstt. Director of Transport (H.Q), Panaji

(Rajan Satardekar)
Director of Transport