



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೨೯, ಮಾರ್ಚ್, ೨೦೨೩(ಚೈತ್ರ, ೦೮, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, WEDNESDAY, 29, MARCH, 2023(CHAITHRA, 08, SHAKAVARSHA, 1945)	ನಂ. ೧೪೩ No. 143
------------------------	---	--------------------

GOVERNMENT OF KARNATAKA

No. TD 69 TDO 2019

Karnataka Government Secretariat,
M.S. Building,
Bengaluru, Dated: 29-03-2023.

NOTIFICATION

WHEREAS, the Government of Karnataka has considered that the existing approved schemes in relation to the Area & Routes in Karnataka State have to be merged into one scheme called New Comprehensive Area Scheme for the entire State of Karnataka and accordingly, following the Section 99 & 100 of the Motor Vehicles Act, having considered it necessary in the public interest by publishing the Draft Notification and inviting the objections / suggestions and after hearing on 23.11.2018, the Hearing Authority submitted its opinion to the State Government and the State Government by exercising power under Section 100(2) of the Motor Vehicles Act, 1988 has formulated New Comprehensive Area Scheme by publishing the same as per the Notification in No.SARIE 174 SAEPA 2015, Bengaluru dated: 07.03.2019.

AND WHEREAS, as per the Comprehensive Area Scheme dated: 07.03.2019 has exempted the existing private stage carriage services operating as on 18.12.2014 and also applications pending renewal to operate their services and the services operating as on 24.03.2018 on non-scheme routes to operate notwithstanding anything contained in any of the approved schemes.

AND WHEREAS, the Comprehensive Area Scheme dated: 07.03.2019 has also exempted the existing permits in operation as per the Notification No.SARIE 27 SAENYA 2017 dated: 28.09.2017 issued by the Government of Karnataka.

AND WHEREAS, after the implementation of comprehensive area scheme there are representation from the travelling public and elected representatives and taking note of the interest of the travelling public the operation of STU services, increase of population, road congestion, requirement of New services / trips to the needy places, the State Government is of the opinion, the

(೧)

existing saved permits of private operators are allowed to obtain variation of conditions of their existing permits within the limits of 24 kms as provided under Section 80(3) and also direction under section 72 (2)(xxii) of the Motor Vehicles Act, 1988

AND WHEREAS, the State Government is of the view by looking into the present situation and circumstances and being of the opinion in the interest of traveling public has decided to modify the Comprehensive Area Scheme dated: 07.03.2019 in No. SARIE 174 SAEPA 2015 by exercising power under Section 102 of the Motor Vehicles Act.

AND WHEREAS, after the Notification dated: 07.03.2019 in No. SARIE 174 SAEPA 2015, the State Government had issued a Draft Notification dated: 08.03.2019 in No. SARIE 257 SAEPA 2017 to withdraw the Notification dated: 13.05.2011 in No.SARIE 94 SAEPA 2010 and also to modify the Comprehensive Area Notification dated: 07.03.2019 in No. SARIE 174 SAEPA 2015 restricting the exemption given to the existing private city stage carriage services operating in the Corridor of Hubli – Dharwad (20 Kms) is extended only up to the expiry of present periods of permits and these permits shall not be renewed for any further period after expiry. This notification was issued with a view to encourage BRTS Project between Hubli and Dharwad which is a dedicated corridor project exclusively to be operated by BRTS.

AND WHEREAS, the State Government has considered the Draft Notification after inviting the objections as per Section 102 (1) of the Motor Vehicles Act and having considered it in the public interest on 27.01.2020 & 17.02.2020 through the Hearing Authority and having considered the report submitted by the Hearing Authority and is of the opinion that the saved 41 permits in the city route operating between Hubli and Dharwad (20 Kms) issued by the RTA, Dharwad have allowed to be operated on 3 routes namely 15 permits on the route between Hubli – Bagalkot – Vijayapura, 11 permits to be operated between Hubli – Gadag and 15 permits to be operated between Belagavi – Athani – Vijayapura. Accordingly by considering the contents of the report, notification No: TD 69 TDO 2019, Dated:20.07.2021 was issued.

AND WHEREAS, the NWKRTC had opposed the operation of 3 routes by the 41 private stage carriage permits and accordingly, the subject was discussed on 24.08.2022 by the Hon'ble Transport Minister in the presence of the Officers of the Transport Department, NWKRTC and the representatives of the 41 private stage carriage operators and there was a decision in the Meeting, instead of 3 routes to allow the 41 private stage carriage permits to be operated in one route namely Belagavi –Athani – Vijayapura (vice-versa). However, this decision has not been implemented.

NOW THEREFORE, it is necessary for the State Government in the interest of the traveling public to amend the Comprehensive Area Notification dated: 07.03.2019 in No. SARIE 174 SAEPA 2015 and the Notification dated: 20.07.2021 in No.TD 69 TDO 2019 by exercising power under Section 102 (1) of the Motor Vehicles Act the clause (v) and (vi) are insert in clause 'd' to the Notification dated: 07.03.2019 and accordingly draft was published vide Notification No. TD 69 TDO 2019 dated:08-02-2023 for the information of State Transport undertaking and any other persons who are likely to be affected by the proposed notification, inviting objections / suggestions for the proposed modification within 30 days from the date of publication in the Official Gazette.

AND WHEREAS, the Hon'ble Minister for Transport and Schedule Tribe Welfare Department, Government of Karnataka as Hearing Authority heard all the objections / suggestions on 24-03-2023 and submitted opinion / report to the State Government the same has been perused and considered by the State Government.

NOW THEREFORE, it is necessary for the State Government in the interest of the traveling public to amend the Comprehensive Area Notification dated: 07.03.2019 in No. SARIE 174 SAEPA 2015 and the Notification dated: 20.07.2021 in No.TD 69 TDO 2019 by exercising power under Section 102 (1) of the Motor Vehicles Act adding in clause 'd' to the Notification dated: 07.03.2019 with immediate effect as follows:-

“(v) the existing saved permits of private operators as per clause (ii), (iii) & (iv) have got right to be varied to the extent of 24 kms as provided under Section 80(3) and also by exercising power under Section 72(2)(xxii) of the Motor Vehicles Act on any of the Comprehensive Area Scheme routes only.

(vi) the existing 41 permits allowed to be operated as per the Notification dated: 20.07.2021 in No.TD 69 TDO 2019 on 3 routes have limited to one route namely Belagavi –Athani – Vijayapura 3 single trips vice versa with timings assigned by the secretary, State Transport Authority by obtaining necessary endorsements as provided in the Notification dated: 20.07.2021 in No.TD 69 TDO 2019.

This notification is issued subject to the outcome of W.P.No.44447/2011(MV), W.P.No.14637/2021(MV) and other connected writ petitions pending before the Hon'ble High court of Karnataka.

By order and in the name of the Governor of
Karnataka,

(PUSHPA V.S)
Under Secretary to Government,
Transport Department.