

Centre for Public Policy Research

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SUGGESTIONS & COMMENTS

on the

Proposed Modification to Kerala Road Transport Service Scheme

Government of Kerala Notification No. B1/13/2016/Tran
dated 14th September, 2020



Centre for Public Policy Research
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Submitted to
The Government of Kerala

Suggestions and Comments on the Proposed Modification to Kerala Road Transport Service Scheme

Refer Notification No. B1/13/2016/Tran, dated 14th September, 2020 by Government of Kerala

(The suggestions and comments are marked in blue against each modification proposed)

The Scheme

Sl. No.		Approved Scheme	Modification Proposed	Suggestions and comments
	(1)	(2)	(3)	
1	Route or routes (with their important intermediate point) or the area in relation to which the scheme is proposed:	Subject to clause 4 and Rule 2(oa) of the Kerala Motor Vehicles Rules, 1989	As mentioned in column 5 of the Annexure	<i>241 O.L.S.S (Ordinary Limited Stop Service) private buses will have to limit their services to 140 kms. The limit will be applicable along 31 partially nationalised routes which were meant to be used by the KSRTC and private operators. This will result in reduction in the number of bus services operating in certain routes thereby limiting the options of public transport to the passengers.</i>

2	Route length (in the case of scheme in relation to route or routes only):	Subject to clause 4 and rule 2(oa) of the Kerala Motor Vehicles Rules, 1989	As mentioned in column 7 of the Annexure	
3	Class of service (Stage carriage/Contract carriage/ Goods carriage, mofussil or city or town services in the case of stage carriage):	All classes of stage carriages	All classes of Stage carriages including city service	
4	Whether the services are to be operated by the State Transport Undertaking to the exclusion of other persons or otherwise:	Yes, partially. The permits granted in the Private Sector as on 14th July, 2009 will be permitted to operate as Ordinary or Ordinary Limited Stop Service. The maximum distance prescribed in the rule 2 (oa) in the Kerala Motor Vehicles Rules, 1989 shall apply to these saved permits provided that further extension for variation shall not be allowed under any circumstance. This Scheme shall not affect the operation	<p>The existing valid regular permits as on 14th July, 2009 in operation with trips and vehicles of the private stage carriage operators will be permitted to operate as Ordinary Services only subject to the conditions mentioned below;</p> <ol style="list-style-type: none"> 1. The route length of such ordinary service shall not exceed 140KM. 2. The ordinary service which is permitted as above shall have stops in all the approved bus stops under Rule 206 of the Kerala 	<p><i>This is a discriminatory clause favouring State Transport Undertaking and it is restricting the private bus operators from providing transport service which is essentially a public good. Limiting the public transport options available will result in the users relying more on private modes of transport. This will eventually lead to other externalities such as traffic congestion, greenhouse gas emissions, more accidents, etc.</i></p> <p><i>Limited Stop status for buses will no longer be available to the public based on this clause. This can lead to an increase in travel time; resulting in passengers preferring for ordinary services less.</i></p>

		<p>of other State Transport Undertakings. (The Hon'ble High Court has quashed the approved scheme in its judgement dated 20th August, 2018 in WP(C) No.11825/2017 and connected cases)</p>	<p>Motor Vehicles Rules in each fare stage.</p> <p>3. Such ordinary service shall not reduce the existing stops.</p> <p>4. If the existing route length exceeds 140 K.Ms, such ordinary service shall be permitted to curtail the route length provided the trips shall not be increased in the notified route.</p> <p>The scheme shall not affect the operation of other State Road Transport Undertakings. Provided that the scheme shall not affect the applicability and restrictions in common portions mentioned in the notifications issued under G.O. (P) No. 5/2017/Tran. dtd 21st February, 2017 and published as S.R.O. No. 93/2017 in the Kerala Gazette Extraordinary</p>	<p><i>Though this clause might be considered as a step for enforcing this modification proposed; it is to ensure that the permits or schedules are non-discriminatory for all the operators.</i></p> <p><i>Curtailing the route length along with reducing the number of trips will be a deliberate attempt to target the private operators, which will reduce their operating efficiency and eventually lead to withdrawal of the services. This will in turn adversely affect the passengers.</i></p> <p><i>Excluding the State Road Transport Undertakings from this modification is a clear indication of the biased approach taken by the State Government.</i></p> <p><i>While excluding the State Road Transport Undertakings from this modification an assessment and evaluation of their present capacities, efficiencies and resources to substitute the reduction in the services (terminated or curtailed) should have been analysed and then come to a conclusion.</i></p>
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			No.315 dated 21st February, 2017 (Muvattupuzha – Ernakulam approved scheme) and in G.O. (P) No.3/2014/Tran. Dated 22nd January, 2014 and published as S.R.O. No 57/2014 in the Kerala Gazette Extraordinary No.257 dated 24th January, 2014 (Ponnani - Chelary approved scheme)	
5	If the operation shall be to the exclusion of other services:--			
	a) Whether such exclusion shall be complete or partial:	Partial	No modification	
	b) If such exclusion shall be partial, the sectors of the route from where other services are to be excluded; and:	The existing and operating permits as on 14th July, 2009 will be permitted to operate as Ordinary or Ordinary Limited Stop Service.	The existing and operating permits as on 14th July, 2009 will be permitted to operate as Ordinary Service subject to clause (4)	
	c) Whether it is proposed to allow other services to pick up or set down passengers between any two places	Yes, existing and operating permits in the Private Sector as on 14th July, 2009 are allowed to	No modification	<i>Following the clause of permitting the private stage carriages to overlap 5km or 5% of the length of their own route whichever is less on the notified route; would be an additional barrier to</i>

	on the route covered by the scheme:	operate subject to modified clauses 4 and 5 (b). Permits will also be granted to private stage carriages of other routes permitting them to overlap 5 K.M or 5% of the length of their own routes, whichever is less on the notified routes, for the purpose of intersection.		<i>the already disadvantaged private operators through the above modifications. The consequences of these barriers will ultimately result in the withdrawal of public transport services by the private operators.</i>
6	The maximum and minimum number of vehicles to be operated in relation to each area or route by the State Transport Undertaking:	As per traffic demand	No modification	<i>A robust assessment of traffic demand and performance of the existing operators is to be conducted regularly to determine the number of vehicles permitted in relation to each route. Failing to do this might result in a huge gap between the public transport demand and supply, which would eventually lead to people resorting more on private vehicles.</i>
7	The maximum and minimum number of trips to be provided in relation to each route or area by the State Transport Undertaking in the case of stage carriages:	As per traffic demand	No modification	<i>(Suggestion as mentioned above)</i>

8	Number of vehicles intended to be kept in reserve to maintain the services and to provide for special occasions:	As per rules	No modification	
9	Arrangements proposed for housing and maintenance of vehicles belonging to the State Transport Undertaking:	Garages and workshops are existing. According to demand new facilities shall be set up by the State Transport Undertaking.	No modification	
10	Arrangements proposed for the comfort and convenience of passengers:	Latest type of vehicles with improved amenities as per the Kerala Motor Vehicles Rules will be provided for maximum comfort.	Latest type of buses will be provided to give maximum comfort to the passengers. The buses will be provided with cushioned seats and adequate gangway.	
11	Arrangements proposed for the transport of luggage of passengers:	Luggage of passengers within the permissible payload of Stage Carriage will be transported.	Luggage carriers will be fitted on the top of the stage carriages.	
12	Arrangements proposed for the stand and halts on the route and for the exhibition of time table	Garages and Bus Stands are provided as required.	Waiting shed and shelters will be provided at important places on the route, where	

	by the State Transport Undertaking		copies of the time table will be exhibited.	
13	Type of vehicles proposed to be used by the State Transport Undertaking:	Semi Saloons, single decker	No modification	
14	The maximum and minimum seating capacity of the vehicles to be used:	Varying from 40 to 60 in all.	No modification.	
15	The weight and nature of passenger luggage that could be carried free of charge and the total weight of luggage that may be carried in relation to each passenger:	No luggage shall be charged for articles weighing less than 12 Kgs.	No luggage charges shall normally be charged for articles weighing less than 12 Kgs. Total weight of luggage plus weight of passengers shall not exceed the permissible payload of the stage carriage.	
16	The rate of charge that may be levied for luggage, in excess of free allowance:	As per the schedule published by the Kerala State Road Transport Corporation.	No modification	
17	The rate of fares proposed to be levied on ordinary and special occasions:	Fares will be charged at the rate fixed by the Government from time to time.	No modification	

18	Whether it is proposed to carry goods in addition to passengers, and if so, the nature of goods proposed to be carried:	No.	Yes. As per the schedule published by the Kerala State Road Transport Corporation	
19	Any other information that State Transport Undertaking may desire to be furnished in this connection	The State Transport Undertakings reserve the right to operate additional services or increase the number of trips on each route in the Annexure as per traffic demand.	<p>Regional/State Transport Authorities shall not grant any temporary/regular permits on the route or portions other than those mentioned in Clause 5(c) or vary the conditions of the existing permits.</p> <p>The right to operate any new service and to increase the trips other than those mentioned in clause 5 (c) or its portions will be reserved exclusively for Kerala State Road Transport Corporation.</p>	<p><i>This is a discriminatory clause favouring State Transport Undertaking to provide additional services incase of increased demand. But as mentioned earlier the capacity of the KSRTC is to be assessed before giving them additional permits and restricting the private operators from getting new permits.</i></p> <p><i>In addition to providing public transport services, the private bus operators were providing revenue to the Government and also played a very crucial role in the social and economic development of Kerala. Increasing barriers for them would indirectly have an adverse effect in the aforesaid aspects.</i></p>

SUBMITTED TO

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CENTRE FOR PUBLIC POLICY RESEARCH

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