

**Government of West Bengal
Transport Department
Paribahan Bhaban
12, R. N. Mukherjee Road, Kolkata - 700 001**

No. 2973-WT/TR/3M-10/2013

Date- 02.08.2016

MEMORANDUM

The issue of regularisation of pool cars to contract carriages has been engaging attention of the State Government for quite some time. Now, it has been decided that considering the compelling situation of ensuring road safety for all, especially for the school children and monitoring the status and condition of Pooled Cars engaged in carrying school children to and from their respective educational institutions on regular basis, an "one-time scheme for regularisation of Pool Cars carrying School Children to Contract Carriages: be formulated in the manner as detailed below:

Qualification -

Any vehicle that qualifies with the provisions laid down in this Department order no 764-WT/3M-10/2013 dated 08/03/2013 may be considered eligible provisionally for the scheme. In other words, it is clarified that all existing pool cars that carry school children and are registered on and after 01/01/2006 may be eligible for such regularisation.

The scheme will be operationalised with immediate effect and will remain open till 31/10/2016.

Scope -

An applicant may opt for operation in one, two or three districts or for the entire KMA or for entire West Bengal. All Regional Transport Authorities (RTA) of the State, upon consideration of application and compliance of relevant rules, may issue permits for the purpose of regularisation of existing pool cars to Contract Carriages. Separate enabling notification will be issued in due course for issuing permit by RTAs.

Processing -

Special cell may be created in all offices to fast track these cases and for coordination between various sections of MV office. All concerned will be

directed to prioritise these cases so that the whole operation may be done in a batch mode. In case, if necessary, offices may be kept open for this purpose on the first Saturday of the month till 31/10/2016. Instant operation of Bahan or e-Bahan for collection of taxes on such Saturdays is however not allowed.

Application -

1. To apply before the concerned RTA office, where the vehicle stands registered at present.
2. To apply in prescribed format with fees.
3. To submit copies of RC, IC, TT, PUCC.
4. To furnish signed agreement / contract with school / guardians - proforma annexed herewith for conformity.
5. Contract Carriage permits may be given under the scheme as special case only and such conversion will not to be referred to for any other claim or purpose. Permit as may be applied for, will be subject to strict observation of relevant directives / stipulations for carriage of school children and in particular to the directives of Honourable Supreme Court governing use of such school buses.
6. In case of applicants opting to use the same vehicle for carriage of office staffs, then separate endorsements may be made on existing permits.
7. Existing permit holders may opt for extension / addition of area in the existing permits by payment of difference of fees for the same.

Issue of Offer Letter -

RTAs may authorise the Secretary, RTA to process and allow issueing Offer Letters subject to obtaining post-facto ratification by the RTA.

Conversion of vehicle -

1. On receipt of Offer Letter, application for conversion and remittance of due fees will be presented before Registering Authority.
2. The vehicle should be made ready and produced for inspection.
3. Approval will be given immediately after passing inspection.
4. If applied for, then tax paid against the non-transport vehicle, whether one-time or life-time will be adjusted towards future payments, in terms of provisions of section 21(5) of the West Bengal Additional Tax and One-time

Tax on Motor Vehicles Act, 1989, as transport vehicle from the date of approval of such conversion.

Issue of Permit -

1. To apply for permanent permit along with fees.
2. To submit copies of RC, CF, IC, TT, PUC.
3. Contract Carriage permits may be issued as aforesaid.

Pending Cases -

Registering authority will collect information of all pending cases and examine various phases to avoid bottlenecks, if any.

Scenario 1 - conversion process completed, but permits not issued. Issue permits after fees have been realised.

Scenario 2 - conversion process incomplete due to non-payment of taxes. Tax adjustments may be made, if applied for, and conversions may be completed. In cases where further taxes are required to be realised, the applicant should be asked to pay the assessed tax immediately.

Scenario 3 - offer letter is issued, further process not been followed by applicant. The matter should be disposed, provided that the vehicle is not older than 10 years. In such cases, permits may be issued post-conversion of vehicles with payment of token fine.

Scenario 4 - Offer letter is issued by RTA, Kolkata, but the vehicle is registered elsewhere. The applicant may opt for change of address of vehicle as per rule along with application for conversion of vehicle at Kolkata. In other cases, RTA, Kolkata will forward all such cases to the respective RTAs for consideration.

All concerned are directed to act in accordance with the above.

sd/-

Special Secretary
to the Government of West Bengal

Proforma for Agreement

Whereas, we the undersigned/s who require transportation services for our school going children from our individual residences / area to respective schools as mentioned below, hereinafter referred to as First Party; And Whereas, Sri / Smt / M/s , s/d/w/of of has / have a vehicle fit for carriage of school children and willing to offer transportation services for our school going children, hereinafter referred to as Second Party;

Now, therefore, both the parties collectively and voluntarily opt for an agreement subject to strict observance of the following conditions to be made effective on and from:

1. That, the vehicle shall be a transport vehicle and fit for carriage of school children at all times;
2. That, the service shall be regular and time-bound;
3. That the vehicle shall be clean at all times;
4. That the fares to be charged shall be mutually decided;
5. That the vehicle shall be covered by a contract carriage permit for use as such and shall have all valid documents as necessary.
6. That the vehicles shall comply with the directions of the competent authorities in the Government as well as the directives issued by Courts of Law from time to time.

The parties may, vary the conditions by mutual consent.

Signature of the Second Party

Signatures of the First Party

Witness 1:

Witness 2:

No. 2973/1(135)-WT/TR/3M-10/2013

Date- 02.08.2016

Copy forwarded for information and necessary actions to:

1. District Magistrate & Chairman, RTA (All);
2. Director, PVD, & Chairman, RTA, Kolkata.
3. Secretary, STA, WB.
4. Sub-Divisional Officers (All).
5. Regional Transport Officer (All).
6. Additional Regional Transport Officer (All).
7. PS to HMIC, Transport Department, GoWB.
8. Sr PA to Principal Secretary, Transport Department, GoWB.


Special Secretary

to the Government of West Bengal