

ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION

Corporate Office :: Operations (PLG) Department,

Mushirabad, Hyderabad - 500624.

No:P9/259(61)/2009-OPD(P)



Circular No. 26 / 2009-OPD-PLG, Dtd.29-07-2009.

Sub:Hiring of private buses - Authorizing Executive Directors of Zones to permit transfer of ownership of hire buses in favour of persons as nominated by owners - Reg.

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APSRTC is meeting its requirement of fleet for operation of services by engaging buses under Hire Scheme through Public Tender Notification. The buses under this scheme are supplied by the Entrepreneurs who are mostly individuals and some are small firms and travel agencies.

The owners of hire buses are frequently submitting representations to RMs and this Office, requesting to transfer the ownership of their hire buses in favour of the persons nominated by them according to their convenience. The transfer of ownership of hire buses is normally permitted on two grounds as follows.

1. **General transfer of ownership of hire buses:** When owners of hire buses request for transfer of ownership of their hire buses in favour of the persons as nominated by them due to ill health, sharing of property to their kin, change in the line of business, Income Tax/VAT problems, attaining old age etc.
2. **Transfer of ownership of hire buses to spouse/legal heirs of owners in case of death of the registered owner.** Representations from spouse/legal heirs of owners of hire buses to transfer the hire buses in their favour due to the death of registered owner of hire bus.

There is practice now in the Corporation for allowing transfer of ownership of hire buses from the registered owner to the person as nominated by them, every year in the slack season. This office has been notifying facility of transfer of ownership of hire buses during slack season and the cases relating to transfer of ownership of hire buses due to death of registered owner were referred to Corporate Office.

In order to speed up the process of transfer of ownership of hire buses, VC&MD with the concurrence of Financial Advisor, authorized the Executive Directors of Zones to permit transfer of ownership of hire buses, with immediate effect.

Henceforth the Executive Directors of Zones are competent to accord permission to permit transfer of ownership of hire buses for the above said two categories, without the need to refer to the Corporate Office. On receipt of cases from the RMs pertaining to Transfer of ownership of hire buses of said two categories, the Executive Directors of Zones can accord permission for transfer of ownership of hire buses subject to Terms and Conditions annexed to this Circular.

The above instructions will come into force immediately.

Encls: As above.



**EXECUTIVE DIRECTOR
(OPERATIONS & MIS)**

To
All Regional Managers,
All Executive Directors of Zones.
A. P. S. R. T. C.

Copy to : ED(A), ED(E), F.A. & CAO for information.

Copy to : All DVMs/Dy. CTMs / All Depot Managers for infmn.

Copy to : All Dy. CAOs in Zones, Dy.CAO (Test Audit) and
All AOs in Regions for infmn.

TERMS AND CONDITIONS GOVERNING THE TRANSFER OF OWNERSHIP OF HIRED BUSES FROM THE REGISTERED OWNER TO PERSON NOMINATED BY REGISTERED OWNER.

1. General transfer of ownership of hire buses: Transfer of ownership of hire buses will have to be allowed by adopting following procedure :

1. This facility shall be made open only once in year for a period of 45 days during slack season months between August to December every year, as decided by the concerned ED the Zone. The same shall be notified to owners of hire buses in Regions about this facility.
2. The owners of hire buses willing to transfer their hire buses to second party, as nominated by them, will have to submit their application duly signed by both Transferor (i.e. Register owner of hire bus) and Transferee (i.e. Person as nominated by Register owner) to the concerned RMs during the notified period of 45 days.
3. All the hire buses which are under operation and having current agreement are eligible to have transfer of ownership. The transfer of ownership is permitted only once during the tenure of agreement. The hire buses which have not attained one year period from the date of introduction, are not eligible to have transfer of ownership.
4. In case applications of transfer of ownership of hire buses are received from the owners of hire buses who have supplied their buses in revised system of hiring of buses i.e. supplying buses on the basis of owner quoting competitive (lowest) hire rate, it shall be ensured that the transferee (i.e. the person as nominated by registered owner) is willing in writing to operate the transferred hire bus at the same agreed base hire rate at which the existing owner of bus (i.e. Transferor) is operating now, as the base agreed hire rate remains unchanged till the tenure of agreement period except adjusting the rate along with the movement of (increase/decrease) of price of HSD Oil from time to time. A separate undertaking to this effect shall have to be obtained from the transferee without fail and kept as record.
5. After completion of 45 days time allowed for submission of applications and on satisfying above conditions, the office of the RM have to consolidate all the eligible applications and prepare list of eligible applicant containing particulars like Name of the owner(Transferor), hire bus no. Type, Depot, Route, Agreement period, V.U, present hire rate, Name of the person getting ownership transferred(Transferee) etc. and forward the same to concerned Executive Director of Zone seeking for approval for permitting transfer of ownership of hire buses.
6. On receipt of the approval from ED Zone, office of the RM has to inform the concerned owner of hire bus immediately in writing to approach RM's Office for obtaining of "N.O.C. / Letter of Permission". It shall be ensured that the transferor and transferee sign the proforma in Annexure-I in the

presence of Regional Manager /DVM/Dy. CTM /Personnel Officer of concerned Region to ensure genuinity.

The transferee has to pay an amount of Rs.10,000/- (Rupees Ten Thousands Only) towards Transfer of Ownership fee (Non-Refundable). In case a transferee gets transferred two or more hire buses into his/her favour (in a Region), transfer of ownership fees (non-refundable) payable is Rs.10,000/- for 1st bus and Rs.3,000/- per each subsequent bus/buses. Transfer of ownership fees is payable by way of Demand Draft drawn in favour of CUURENT A/C APSRTC. Failing to pay prescribed fees, "No Objection Certificate / Letter of Permission" shall not be issued.

7. After compliant above conditions, concerned Regional Manager shall hand over (or send by RPAD) a letter "No Objection Certificate / Letter of Permission" to the owner of hire bus permitting him to transfer ownership of hire bus in favour of the person as nominated by the owner of the hire bus. In the letter of permission following conditions shall also be mentioned without fail.
 - a. There shall not be any change in the remaining tenure of present agreement period and the period of agreement for the transferee and it will be co-terminus with original period of agreement.
 - b. Transferee shall affect the transfer of ownership in the R.C.Book of hired bus from the concerned RTO within 30 days of the receipt of "N.O.C. / Letter of Permission" from concerned RM. In case there is delay in effecting ownership transfer of hire bus, a penalty of Rs.300/- per bus per day from the 31st day to 60th day will collected and thereafter this offer stands automatically cancelled. Thereafter no representations will be entertained in this regard.
 - c. The transferee shall enter into a separate hire agreement with Corporation for the remaining tenure of agreement period (on Rs.100/- non-judicial stamp paper, together with a latest passport size photograph. The transferee shall be bound by all terms and conditions of the original agreement.
8. Before issue of NOC letter it shall also be ensured without fail that all claims and liabilities / litigations against existing registered owners are cleared and the existing registered owner shall submit an indemnity bond on Rs.100/- non judicial stamp paper to the effect that they shall discharge all claims and liabilities that may arise.

2. Transfer of ownership of hire buses to spouse/legal heirs of owners in case of death of registered owner:

- a. In case representations are received from spouse/legal heirs of owners of hire buses for allowing transfer of ownership of hire buses in their favour on account of death of registered owner of hire bus, all such cases shall be processed by concerned RM to the Executive Director of the Zone

immediately (so as not to add any more misery to the spouse/legal heir of hire bus owner), seeking for permissions for transfer of ownership of hire bus/buses in favour of spouse/legal heirs of owners of hire buses.

- b. Relevant documents like certificates of death issued by Registrar of Births and Deaths, Family member certificate and Legal heir certificate issued by Tahsildar and other appropriate authorities and other documents submitted by the spouse/legal heirs or claimant in support of the claim be considered.
- c. Normally Transfer of ownership in these cases are allowed to the spouse of the deceased. In case legal heirs (other than spouse) are claiming for Transfer of ownership of hire bus of the deceased; or the spouse of the deceased is requesting for Transfer of ownership of hire bus in the name of Family members of the deceased, the same can be permitted duly verifying the name of the family member of the deceased so proposed by the spouse from the Family members certificates and other relevant documents furnished.
- d. No Fees towards Transfer of Ownership shall be collected.
- e. Release all unpaid/held up hire bills amount immediately in respect of hire bus of the deceased in favour of spouse/ legal heir for whom Transfer of ownership of hire buses is allowed duly ensuring that there is no amount receivable by the Corporation on any other account in respect above hire bus and no litigations are pending.
- f. Wherever it is felt that there is need to obtain legal opinion on any peculiar Claims of Spouse/legal heirs of the deceased, the case may be referred to Standing Council of the Region act as per the opinion of the Council.

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(TO BE SIGNED BY TRANSFEREE AND TRANSFEROR
IN THE PRESENCE OF REGIONAL MANAGER / Dy.CTM / DVM / P.O.
CONCERNED AND TO BE SUBMITTED BY TRANSFEREE
ON Rs.100/- NON-JUDICIAL STAMP PAPER
TOGETHER WITH PASSPORT SIZE PHOTOGRAPH)

To
The Regional Manager,
A. P. S. R. T. C.,
_____ Region.

Sir,

Sub: HIRING - Hiring of private buses - Representations received
from owners of hired buses requesting to transfer of their
ownership of their buses into the persons nominated by them -
Reg.

PART - I

(To be filled in by Transferor i.e. present registered hire bus owner)

I, _____, S/o / W/o / D/o _____, age _____,
R/o _____ am the registered owner of hired bus bearing registration
No. _____ type (Express / Ordinary / Mini/City etc.) Model _____
which is under operation in Hire Scheme with APSRTC on the route
_____ from _____ Depot. I am willing to transfer the ownership of
above hired bus in favour of Sri/Smt _____ S/o.
_____ R/o _____ who will continue to operate the above bus
under Hire Scheme to APSRTC for the remaining tenure of agreement and for the
applicable hire rate. The consent given above is irrevocable.

Further, I hereby agree to indemnify the Corporation in case any loss
sustained by Corporation due to all claims that may arise due to statutory
violations under any Statutory Acts out of the operations, like claim due to
accidents payable under the provisions of M.V.Act 1988 / Rules & Rules and
Provisions of any Statutory Acts; and I hold responsibility to pay compensation
that may be awarded by any Authority under the statute.

Therefore NOC / Letter of permission may be granted.

Place :

SIGNATURE OF TRANSFEROR

(To be signed only in presence

Date :

Of Regional Manager / Dy.CTM /
DVM / P.O. of concerned Region)

Name & Address :

(P.T.O.)

PART - II (Affix Passport size Photo of Transferee)

(To be filled in by Transferee i.e. person as nominated by registered owner)

I _____ S/o / W/o / D/o _____ age _____ R/o _____ have agreed to get the hired bus bearing registration No. _____ of _____ (Type) of _____ model owned by Smt / Sri _____ presently operating on route _____ and whose period of agreement is upto _____ transferred into my name for the remaining tenure of agreement period and at the hire rates as applicable, on the above route.

I here by undertake that -

- (a) I will abide by the terms and conditions of the hire agreement with APSRTC and also conditions stipulated for transfer of bus. I understand that there will not be any change in the remaining tenure of present agreement period and the period of agreement for the transferee will be co-terminus with original period of agreement of above hire bus.
- (b) I will not seek further transfer of ownership during present agreement period.
- (c) I shall enter into a separate agreement on Rs.100/- non-judicial stamp paper (together with a passport size photograph) with Corporation for the balance tenure of existing agreement period.
- (d) I shall not seek for any change of existing route, deviation, extension or curtailment of existing route / change of base and extension / renewal of agreement period.
- (e) I shall get the transfer of ownership in the R.C. Book of above hired bus within 30 days from the date of issue of "NOC" failing which I understand that permission stands cancelled.

I am herewith enclosing a demand draft of Rs.10,000/- (Rupees Ten Thousands Only) vide D.D. No. _____, Dt. _____ of _____ Bank of _____ Branch drawn in favour of CURRENT A/C, APSRTC _____ towards prescribed fee (Non-refundable) for according "N.O.C./ Letter of Permission" and permission for transfer of ownership of above hired bus.

Hence, I request you to allow transfer of ownership of above hired bus and issue "NOC" to enable me get the ownership transferred in my name in the R.C. of above vehicle from the RTO concerned.

Place :

SIGNATURE OF TRANSFEREE

Date :

(To be signed only in presence of
Regional Manager / Dy.CTM / DVM /
P.O. of concerned Region)

WITNESS :

(To be obtained from two
Other owners of existing
Hire buses)

1) Signature:

Name , Address & Phone No.

2) Signature:

Name , Address & Phone No.