

POWERS AND DUTIES OF KSRTC

General duty of Corporation

It shall be the general duty of a Corporation so to exercise its powers as progressively to provide, or secure or promote the provision of an efficient, adequate, economical and properly co-ordinated system of road transport services in the State or part of the State for which it is established and in any extended area:

Provided that nothing in this section shall be construed as imposing on a Corporation, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court or tribunal to which it would not otherwise be subject.

Power of corporation

- (1) Subject to the provisions of this Act, a Corporation shall have power-
 - (a) to operate road transport services in the State and in any extended area;
 - (b) to provide for any ancillary service;
 - (c) to provide for its employees suitable conditions of service³ including fair wages, establishment of provident fund, living accommodation, places for rest and recreation and other amenities.
 - *[(d) to authorise the issue of passes to its employees and other persons either free of cost or at concessional rates and on such conditions as it may deem fit to impose;
 - (e) to authorise the grant of refund in respect of unused tickets and concessional passes].

- (2) Subject to the provisions of this Act, the powers conferred by sub-section (1) shall include power-
 - (a) to manufacture, purchase, maintain and repair rolling stock, vehicles, appliances, plant, equipment or any other thing required for the purpose of any of the activities of the Corporation referred to in sub-section (1);
Explanation: - In this clause the expression “manufacture” does not include the construction of the complete unit of a motor vehicle except for purposes of experiment or research.
 - (b) to acquire and hold such property, both movable and immovable as the Corporation may deem necessary for the purpose of any of the said activities, and to lease, sell or otherwise transfer any property held by it;
 - (c) to prepare schemes for the acquisition of, and to acquire, either by agreement or compulsorily in accordance with the law of acquisition for the time being in force in the State concerned and with such procedure as may be prescribed, whether absolutely or for any period, the whole or any part of any undertaking of any other person to the extent to which the activities thereof consist of the operation of road transport services in that State or in any extended area;

- (d) to purchase by agreement or to take on lease or under any form of tenancy any land and to erect thereon such buildings as may be necessary for the purpose of carrying on its undertaking;
- (e) to authorise the disposal of scrap vehicles, old tyres, used oils, or any other stores of scrap values;
- (f) to enter into and perform all such contracts as may be necessary for the performance of its duties and the exercise of its powers under the Act;
- (g) to purchase vehicles of such type as may be suitable for use in the road transport services operated by the Corporation;
- (h) to purchase or otherwise secure by agreement vehicles, garages, sheds, office buildings, depots, land, workshops, equipment, tools, accessories to and spare parts for the vehicles, or any other article owned or possessed by the owner of any other undertaking for use thereof by the Corporation for the purposes of its undertaking;
- (i) to do anything for the purpose of advancing the skill of persons employed by the Corporation or the efficiency of the equipment of the Corporation or of the manner in which that equipment is operated, including the provision by the Corporation and the assistance by the Corporation to others for the provision of facilities for training, education and research;
- (j) to enter into and carry out agreements with any person carrying on business as a carrier of passengers or goods providing for the carriage of passengers or goods on behalf of the Corporation by that other person at a through fare or freight;
- (k) to provide facilities for the consignment, storage and delivery of goods;
- (l) to enter into contracts for exhibition of posters and advertising boards on and in the vehicles and premises of the Corporation and also for advertisement on tickets and other forms issued by the Corporation to the public;
- (m) with the prior approval of the State Government to do all other things to facilitate the proper carrying on of the business of the Corporation.

(3) Nothing in this section shall be construed as authorising a Corporation, except with the previous approval of the State Government-

- i. to manufacture or maintain anything which is not required directly or indirectly for use for the purpose of the undertaking of the Corporation or to repair, store, or provide any service for, any vehicle which does not belong to the Corporation or is not used directly or indirectly for the purpose of its undertaking;
- ii. to purchase any vehicle for the purpose of sale to another person;
- iii. to sell or supply to any person lubricants, spare parts or equipment for, or accessories to, vehicles;
- iv. to let vehicles on hire for the carriage of passengers or goods except as expressly provided by or under this Act.

- (4) Except as otherwise provided by this Act nothing in the foregoing provisions shall be construed as authorising the Corporation to disregard any law for the time being in force.
- (5) Where a Corporation acquires the whole or any part of an undertaking of any other person, the Corporation shall , in appointing its officers and servants, take into consideration the claims of employees employed in that undertaking.
- (6) The provisions of this section shall not be construed as limiting any power of a Corporation conferred by or under any subsequent provision of this Act.

Extension of the operation of the road transport service of a Corporation to areas within another State

- (1) If a Corporation considers it to be expedient in the public interest to extend the operation of any of its road transport services to any route or area situated within another State, it may, with the permission of the State Government of the other State regarding the proposed extension.
- (2) If the Government of the other State approves the proposed extension, the Corporation shall prepare a scheme for the purpose and forward the same to the other Government for its consent, and after such consent has been received, the Corporation may, with the previous approval of the State Government, sanction the scheme.
- (3) After the scheme has been so sanctioned it shall be competent for the Corporation to extend the operation of its road transport service to such route or area and when the operation of such service is so extended, the Corporation shall operate the service on that route or in that area subject to the provisions of any law in force in the other State within which such route or area is situated.
- (4) The Corporation may, from time to time, alter or extend the scheme sanctioned under sub-section (2) by a supplementary scheme prepared and sanctioned in the manner provided in the foregoing provisions of this section.

Carriage of mails.-

Notwithstanding anything contained in the Motor Vehicles Act, 1939 a Corporation shall, if so required by the Central Government carry mails at such rates and on such terms and conditions as may be specified in this behalf by the Central Government in consultation with the State Government.