

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**WP(C) No. 428 of 2024 with
MC(WP(C) No. 373 of 2024**

Imphal Jiribam Medium Vehicle Owners Transport Association
& Anr.

.....Petitioner/s

- Versus -

State of Manipur & 4 Ors.

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

18.02.2025

[1] Heard Mr. M. Rendy, learned counsel for the petitioners and Mrs. Ch. Sundari, learned G.A. for the State respondent.

[2] The petitioners, Imphal Jiribam Medium Vehicle Owners Transport Association and its Secretary, approached this Court inter-alia praying for a direction to the respondents to implement the office memorandum dated 07.11.2022 issued by the Director of Transport, Manipur.

[3] During the course of hearing, Mr. M. Rendy, learned counsel for the petitioners, submits that writ petition may be disposed of with respect to prayer No. (iii) of the writ petition.

[4] It may be noted that by O.M. dated 07.11.2022, it is stipulated that unauthorized ticket counters are not permitted for any

route without permission from the transport department. The said O.M. is reproduced below:

“Office Memorandum
Imphal, the 7th November, 2022

No. M-TPT/97/2022-DoTPT-DT: It has been brought to the notice of the undersigned that a good number of unauthorized Ticket Counter for passenger service vehicles (Winger/Bus/Cruiser/Tata Sumo/Buses-inter district as well as inter state etc.) are opened without formal authority from the Transport Department which is in total violation of M.V. Act/Rules.

2. Under Section 93(i) of the M.V. Act, 1988, no person is allowed to engage himself as an agent or a canvasser, in the sale of tickets for travel by public service vehicles or in otherwise soliciting customers for such vehicles, or unless he has obtained a license from such authority and subject to such conditions as may be prescribed by the State Government.

3. At the same time, the irregularities committed by these unauthorized Ticket Counter amount to public nuisance and also become a serious concern on the part of the law Enforcing Agencies. Such offences will be booked/penalized under Section 193(1) of Motor Vehicles Act, 1988 and punishable with fine of Rs. 1000/- and any second offence or subsequent offence with Rs. 2000/- or imprisonment of 6 months or both.

4. In view of the above circumstances, all the concerned ticket counter operators/stake holders for passenger service vehicles opened without formal authority from the Transport Department shall stop such irregularities unless they obtained formal approval from the competent authority and should apply for License to Transport Department without fail else necessary action will be taken against the unauthorized agencies/persons running the unauthorized Ticket Counters as per the provisions of MV Acts & Rules.

(Dr. Nivedita Lairenlakpam)
Director of Transport, Manipur.”

[5] Mrs. Ch. Sundari, learned G.A., draws the attention of this Court to the contents of para 4 of the counter affidavit that due to shortage of man power/enforcement team of Transport Department, the Office Memorandum dated 07.11.2022 was not carried out effectively. However, after the recent recruitment of 162 staff of Transport

Department, the implementation of all the order is underway. The licence for sale of tickets to travel by public service vehicle issued to Imphal Jiribam Medium Vehicle Transport Association, Imphal was for the period of 5 (five) years from 06.12.2021 to 05.12.2026 which has to be renewed annually. The validity of the licence was from 06.12.2021 to 05.12.2022 and has not been renewed further.

[6] This Court perused the materials on record and considered the limited prayer made by Mr. M. Rendy, learned counsel for the petitioner with respect to implementation of the O.M. dated 07.11.2022 and admission by the State respondent about the inability to implement the O.M. due to shortage of staff.

[7] From the counter affidavit, it is seen that recently 162 staff of the Transport Department have been recruited and this will help in effective implementation of the O.M. dated 07.11.2022. Accordingly, writ petition is disposed of on the undertaking of the learned G.A. that the O.M. will be implemented. The prayer No. (ii) has become infructuous in terms of the contents of para No. 4 of the counter affidavit of the respondent.

[8] With this observation, writ petition is disposed of. Misc. application is also disposed of accordingly.

JUDGE

Kh. Joshua Maring

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