

Decision of

**REGIONAL TRANSPORT AUTHORITY
MALAPPURAM**

**held on
23/07/2013**

@

***Collectorate Conference Hall
Malappuram***

Presided over by:

- **Sri. K Biju, I.A.S.**
District Collector & Chairman RTA Malappuram

- **Sri. P V Varghese**
**Deputy Transport Commissioner, CZ-I, Thrissur & Member RTA
Malappuram**

**Decision of RTA, Malappuram held at Collectorate Conference Hall on
23/07/2013**

Item No 1:-

Heard. The regular permit **granted** in respect of S/C KL-55-B-7753 subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 2:-

Heard. The regular permit **granted** in respect of S/C KL-10-L-5490 subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 3:-

Heard. The applicant offered S/C KL-10-AL-9566 and regular permit **granted** subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 4:-

Heard. The regular permit **granted** in respect of S/C KL-10-V-1555 subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 5:-

Heard.

1. Perused the judgment in wp© 12948/2013 dt. 23/05/2013 of Hon'ble High Court.
2. The applicant offered S/C KL-13-K-1949 and regular permit **granted** subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 6:-

Heard. Regular Permit **granted** subject to production of a stage carriage complying GO(P)No 67/2011/Tran dtd 30/11/2011 having no valid regular permit within one month from the date of communication of the decision failing which the grant of the regular permit will be treated as revoked and subject to settlement of timings.

Item No 7:-

Heard. The regular permit **granted** in respect of S/C KL-07-AC-1918 subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 8:-

Heard. The proposed route is having route length of 41kms and a distance of 32.5kms, the major portion of the route, is between Palenkara and Karuvarakundu. The proposed route overlaps on a distance of 1.9 kms on the notified route from Chungathara to Muttikkadavu which lies on the remaining minor portions of the proposed route. The distance of overlapping in the proposed route comes under the limit prescribed under clause 5(c) only because of the above mentioned major portion distance between Palenkara and Karuvarakundu. But the applicant has provided only the last trip at 8.10 pm from Palenkara to Karuvarakundu and halting trip from Karuvarakundu at 9.35 pm, between the major portion of the proposed route which made eligible to comply the provision of clause 5(c) of notification no.42/2009/TRAN dated 14/07/2009. Hence this authority directs the applicant to produce a modified time schedule providing trips to Karuvarakundu, the remote ill served area, during the peak hours of morning and evening. The decision on the application is **adjourned** for the compliance of above direction.

Item No 9:-

Heard. The applicant offered S/C KL-06-B-4037 and regular permit **granted** subject to settlement of timings as per the order D3/875/STA/2005 dated 08/11/2011 of STA.

Item No 10:-

Heard. The proposed route is having route length of 37.6kms and a distance of 22.5kms, the major portion of the route, is between Manjeri and Melattur. The proposed route overlaps on a distance of 1 kms on the notified route from Collector's Bungalow to Malappuram which lies on the remaining minor portions of the proposed route. The distance of overlapping in the proposed route comes under the limit prescribed under clause 5(c) only because of the above mentioned major portion distance between Manjeri and Melattur. But the applicant has provided only the last trip at 9.20 pm from Manjeri to Melattur and halting trip from Melattur at 10.20 pm, between the major portion of the proposed route which made eligible to comply the provision of clause 5(c) of notification no.42/2009/TRAN dated 14/07/2009. Hence this authority directs the applicant to produce a modified time schedule providing trips to Melattur, during the peak hours of morning and evening. The decision on the application is **adjourned** for the compliance of above direction.

Item No 11:-

Heard. The proposed route is having route length of 43kms and a distance of 34.8kms, the major portion of the route, is between Konnamanna and Karuvarakundu. The proposed route overlaps on a distance of 1.9 kms on the notified route from Chungathara to Muttikkadavu which lies on the remaining minor portions of the proposed route. The distance of overlapping in the proposed route comes under the limit prescribed under clause 5(c) only because of the above mentioned major portion distance between Konnamanna and Karuvarakundu. But the applicant has provided only the last trip at 8.00 pm from Konnamanna to Karuvarakundu and halting trip from Karuvarakundu at 9.40 pm, between the major portion of the proposed route which made eligible to comply the provision of clause 5(c) of notification no.42/2009/TRAN dated 14/07/2009. Hence this authority directs the applicant to produce a modified time schedule providing trips to Karuvarakundu, the remote ill served area, during the peak hours of morning and evening. The decision on the application is **adjourned** for the compliance of above direction.

Item No 12:-

Granted fresh regular permits on the routes mentioned in the agenda from 12(1) to 12(25) in respect of vehicles mentioned there in subject to the production of time schedule in compliance with order D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 13:-

Heard.

1. The proposed variation overlaps on the notified route portion Ayankalam to Koorada on the notified route Kottayam – Kozhikkode vide notification No. 42/2009/TRAN dated 14/07/2009 on a distance of 2.8 kms. This overlapping is more than 5% of the proposed extension and violates clause 5(c) of the above said notification. The overlapping also violates clause 19 of the above said notification by increasing number of trips through notified route portion.

2. The variation will cause to increase the route length by more than 140 km and there by it will violate Rule 2(oa) of KMVR 1989. As per the notification no GO(P) No

73/2013/Tran dated 16/07/2013 grant of higher class services such as Fast Passenger, Super Fast etc are restricted to STU only. Hence conversion as higher class is also not possible and will become inoperative as LSOS.

For the above reasons the variation application is **rejected**.

Item No 14:-

Heard.

1. It is alleged by the objectors that there is overlapping and increase of trips on the notified route by the proposed variation.
2. The timings are mostly shuffled in the proposed time schedule after variation. Secretary is directed to verify and ascertain the necessity under rule 145(6) of KMVR 1989.

The decision on the application is **adjourned** for the compliance of above matters.

Item No 15:-

Heard. Variation of permit **granted** subject to fixing of running time in accordance with order D3/875/STA/2005 dated 08/11/2011 of STA and settlement of timings.

Item No 16:-

Heard.

1. The existing route is having overlapping on the notified route Kottayam – Kozhikkode. But it is not seen reported about the overlapping on the notified route by the proposed variation and violation of notification if any. Hence Secretary is directed to ascertain the compliance of the proposed variation with the provisions of existing notification No. 42/2009/TRAN dated 14/07/2009.
2. The proposed time schedule is found defective regarding halting place with respect to the variation application.
3. The proposed time schedule is found incorporated with passing times on various intermediate points, but the compliance of guidelines regarding running time with respect to order no D3/875/STA/2005 dated 08/11/2011 of STA is not seen verified and certified by the field officer. Secretary is directed to verify the above matter and direct the applicant to furnish a modified time schedule.

The decision on the application is **adjourned** for the compliance of the above matters.

Item No 17:-

Heard. Variation of permit **granted** subject to fixing of running time in accordance with order D3/875/STA/2005 dated 08/11/2011 of STA and settlement of timings.

Item No 18:-

Heard. Variation of permit **granted** subject to fixing of running time in accordance with order D3/875/STA/2005 dated 08/11/2011 of STA and settlement of timings.

Item No 19:-

Heard.

I (1). This permit is at present not effectively valid due to the absence of a suitable stage carriage.

(2). The proposed variation includes-

- a) increase of number of trips on the notified portion from Kozhikkode to Ramanattukara on the notified route Kottayam – Kozhikkode and violate clause 19 of notification no 42/2009/TRAN dated 14/07/2009.

- b) extension of route overlaps on the notified route portion from Ramanattukara – Kondotty on the notified route Palakkad – Kozhikkode and violates clause 5(c) and 19 of the notification No.42/2009/TRAN dated 14/07/2009.

For the above reasons the application for variation of route is **rejected**.

- II The existing route length is below 140km and it is not necessary to convert the service as Fast Passenger service for the continuation or existence of this service. The route length will exceed only when the variation is granted. In view of the rejection of route variation and for the following reasons the application for conversion of service as Fast Passenger service is **rejected**.
1. a)The KSRTC vehemently objected the conversion of the service as Limited Stop Fast Passenger Service as the major portion of the route overlaps on the notified route and the conversion of the service will adversely affect their similar services on this sector.
 - b) Stops will be reduced, students depending this service on various portions of its route will be deprived of their concessional rate Traveling facility.
 - c) The daily commuters on various portions of this service will have to pay higher rate of fare without availing any additional facilities.
 - d) The variation proposed is not in compliance with the provisions of Section 80(3)(ii) of MV Act regarding the convenience of traveling public.
 2. As per GO(P) No 73/2013/Tran dated 16/07/2013 the issue of Fast Passenger Services in privet sector is restricted and is reserved exclusively for KSRTC.
 3. The Hon'ble High Court in W A No.1447/2011 has held that the Regional Transport Authority shall satisfy that the variation proposed will serve the convenience of the traveling public as per the proviso to Section 80(3) (ii) of MV Act. This authority is not satisfied that the variation proposed will serve the convenience of the traveling public.

Item No 20:-

Heard.

Considered the application for conversion of service as Super Fast Service. This permit is renewed up to 23/06/2014 by this authority. Conversion of service as Super Fast service will adversely affect the traveling public and students depending this service. It is also found that -

- I. a)The KSRTC vehemently objected the conversion of the service as Super Fast Service as the major portion of the route overlaps on the notified route and the conversion of the service will adversely affect their similar services on this sector.
 - b) Stops will be reduced. The daily commuters on various portions of this service will have to pay higher rate of fare without availing any additional facilities.
 - c) The variation proposed is not in compliance with the provisions of Section 80(3)(ii) of MV Act regarding the convenience of traveling public.
- II. As per GO(P) No 73/2013/Tran dated 16/07/2013 the issue of Super Fast Services in privet sector is restricted and is reserved exclusively for KSRTC.
- III. The Hon'ble High Court in W A No.1447/2011 has held that the Regional Transport Authority shall satisfy that the variation proposed will serve the convenience of the traveling public as per the proviso to Section 80(3) (ii) of MV Act. This authority is not satisfied that the variation proposed will serve the convenience of the traveling public.

For the above reasons the application for variation of service as Super Fast is **rejected**.

Item No 21:-

Heard.

Considered the application for conversion of service as Super Fast Service. This permit is renewed up to 04/11/2015 by this authority. Conversion of service as Super Fast service will adversely affect the traveling public and students depending this service. It is also found that -

- I. a) The KSRTC vehemently objected the conversion of the service as Super Fast Service as the major portion of the route overlaps on the notified route and the conversion of the service will adversely affect their similar services on this sector.
 - b) Stops will be reduced. The daily commuters on various portions of this service will have to pay higher rate of fare without availing any additional facilities.
 - c) The variation proposed is not in compliance with the provisions of Section 80(3)(ii) of MV Act regarding the convenience of traveling public.
- II. As per clause 18 of GO(P) No 73/2013/Tran dated 16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala is reserved to STU only.
- III. The Hon'ble High Court in W A No.1447/2011 has held that the Regional Transport Authority shall satisfy that the variation proposed will serve the convenience of the traveling public as per the proviso to Section 80(3) (ii) of MV Act. This authority is not satisfied that the variation proposed will serve the convenience of the traveling public.

For the above reasons the application for variation of service as Super Fast is **rejected**.

Item No 22:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode, Thrissur and Ernakulam

Item No 23:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode and Thrissur.

Item No 24:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode, Thrissur and Kannur.

Item No 25:-

Secretary is allowed to seek concurrence from Sister RTA, Thrissur.

Item No 26:-

Secretary is allowed to seek concurrence from Sister RTA, Thrissur.

Item No 27:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode, Thrissur and Ernakulam.

Item No 28:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode and Thrissur.

Item No 29:-

Secretary is allowed to seek concurrence from Sister RTA, Palakkad.

Item No 30:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode, Thrissur and Palakkad.

Item No 31:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode.

Item No 32:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode.

Item No 33:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode.

Item No 34:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode.

Item No 35:-

Secretary is allowed to seek concurrence from Sister RTA, Kozhikkode.

Item No 36:-

Secretary is allowed to seek concurrence from Sister RTA, Palakkad and Thrissur.

Item No 37:-

Heard. This is a Fast Passenger service permit having a route length of 144 kms. As per clause 3 of the notification GO(P) No 73/2013/Tran dated 16/07/2013, the permits issued in private sector on or before the date of the notification shall be allowed to continue till the date of expiry of the respective permits. There after no permits shall be renewed and no permits, regular or temporary shall be issued as afresh. In the above circumstances this permit, which was issued before the date of the above notification, is not renewable. Hence the renewal application is **rejected**.

Item No 38:-

Heard.

1. Perused the judgment of the Hon'ble STAT in MVAA 343/2011 dated 31/05/2013.
2. In obedience to the order of Hon'ble STAT the renewal application is reconsidered in view of the production of six wheeled S/C KL-10-L-127 . Renewal of permit **granted** subject to production of NOC from the financier and clearing of Govt. dues if any and notification no 42/2009/TRAN dated 14/07/2009.

Item No 39:-

Heard. The stage carriage covered by this permit is a four wheeler and is not complying the order no GO(P) No 67/2011 dated 30/11/2011, by which the Govt. have decided not to issue stage carriage permit to vehicles having four wheels. The maximum time allowed by the Hon'ble High Court for replacement of four wheeled stage carriages in compliance with the above mentioned Govt. order lapsed on 31/03/2013. The applicant has not offered any suitable stage carriage for replacement. In this circumstance the application for renewal of permit is **rejected**.

Item No 40:-

Heard. The permit was valid up to 25/06/2013 and was issued prior to 09/05/2006. This authority is convinced that the applicant was prevented from filing application for renewal of permit in time due to good and sufficient reason. Hence the delay occurred in filing application for renewal is condoned.

As per clause 4 of notification no 42/2009/TRAN dated 14/07/2009 the regular permit will be issued after the expiry of permits issued prior to 09/05/2006. In this case the permit was issued prior to 09/05/2006. Hence renewal of regular permit **granted** from the date of

application subject to verification of service after the date of expiry of the permit and notification no 42/2009/TRAN dated 14/07/2009.

Item No 41:-

Heard. The permit was valid up to 15/11/2012 and was issued prior to 09/05/2006. This authority is convinced that the applicant was prevented from filing application for renewal of permit in time due to good and sufficient reason. Hence the delay occurred in filing application for renewal is condoned.

As per clause 4 of notification no 42/2009/TRAN dated 14/07/2009 the regular permit will be issued after the expiry of permits issued prior to 09/05/2006. In this case the permit was issued prior to 09/05/2006. Hence renewal of regular permit **granted** from the date of application subject to verification of service after the date of expiry of the permit and notification no 42/2009/TRAN dated 14/07/2009..

Item No 42:-

Heard. The permit was valid up to 19/02/2013 and was issued prior to 09/05/2006. This authority is convinced that the applicant was prevented from filing application for renewal of permit in time due to good and sufficient reason. Hence the delay occurred in filing application for renewal is condoned.

As per clause 4 of notification no 42/2009/TRAN dated 14/07/2009 the regular permit will be issued after the expiry of permits issued prior to 09/05/2006. In this case the permit was issued prior to 09/05/2006. Hence renewal of regular permit **granted** from the date of application subject to notification no 42/2009/TRAN dated 14/07/2009 and verification of service after the date of expiry of the permit.

Item No 43(1 to 3 & 5 to 12):-

Heard. The route covered by this permit is overlapping on the notified route Ponnani – Chelari vide draft notification no 8154/B1/2012/Trans dated 24/01/2013. As per clause 4 of the above notification “ *the permits issued in the private sector on or before the date of draft notification will be allowed to continue till the date of expiry of the respective permits. Thereafter no regular permits will be granted to them.*” In this circumstance this permit is not renewable and hence **rejected**. Secretary is free to **issue Temporary Permit under section 99(2)** of MV Act for a period of not exceeding one year or till the date of finalization of draft notification no 8154/B1/12/Tran dated 24/01/2013, whichever is earlier.

Item No 43(4):-

Heard.

1. Perused the judgment of the Hon’ble High Court in wp© 12858/2013 dated 23/05/2013.
2. In obedience to the judgment of Hon’ble High Court the application for renewal of of permit on the route Tirur – Chaliyam in respect of S/C KL-10-R-6398 considered. This route is overlapping on the notified route Ponnani – Chelari vide draft notification no 8154/B1/2012/Trans dated 24/01/2013. As per clause 4 of the above notification “ *the permits issued in the private sector on or before the date of draft notification will be allowed to continue till the date of expiry of the respective permits. Thereafter no regular permits will be granted to them.*” In this circumstance this permit is not renewable and hence **rejected**. Secretary is free to **issue Temporary Permit under section 99(2)** of MV Act for a period of not exceeding one year or till the date of finalization of draft notification no 8154/B1/12/Tran dated 24/01/2013, whichever is earlier.

Item No 70:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 71:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 72:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 73:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 74:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 75:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 76:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 77:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 78:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 79:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 80:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 81:-

Heard both the applicants and transfer of permit allowed subject to clearance of Govt. dues if any.

Item No 82:-

Heard. Transfer of permit in favor of Smt. Shahina, W/o Ismail(late) Thavanikottil House, Iruvetti PO, Malappuram is allowed subject to clearance of Govt. dues if any.

Item No 83:-

1. Perused the judgment dated 14/09/2012 of Hon'ble STAT in MVARP No 114/2008.
2. Secretary is directed to make one more attempt to comply the decision taken by this RTA in item no 150 held on 05/03/2013 and furnish a report in the next RTA.

Item No 84:-

Heard. Granted

Item No 85:-

Applicant absent, adjourned.

Item No 86:-

Permission granted to construct Bus Waiting Shed.

Item No 87:-

Heard. As per the latest Fare revision notification G.O. (P) No 65/2012/Tran dated 09/11/2012, the fares were revised retaining the existing fare stages as such. There for, at present this authority is not inclined to revise the existing fare stages and decided to maintain status quo.

Item No 88:-

Heard. As per the latest Fare revision notification G.O. (P) No 65/2012/Tran dated 09/11/2012, the fares were revised retaining the existing fare stages as such. There for, at

present this authority is not inclined to revise the existing fare stages and decided to maintain status quo.

Item No 89:-

Heard.

1. Perused the judgment of the Hon'ble High Court in wp© 17852/2006 dated 05/04/2013.
2. Secretary is directed to convene a meeting of the concerned parties to seek the feasibility of interference by the RTA in the present stage. Hence adjourned.

Item No 90:-

Heard. Secretary is directed to enquire about the veracity of the reasons furnished for delay in filing renewal application for last five years and also verify the service of the vehicle after the expiry of the permit.

Item No 91:-

Heard. The Counsel for the permit holder submitted that the necessary charge memo is not so far served on the permit holder and he has not given with the opportunity to file explanation on the charges in connection with the agenda. Secretary is directed to serve charge memo by RPAD, complete the procedure as per the rules and place before next RTA. Hence the decision on the matter is **adjourned**.

Item No 92:-

Applicant absent, **adjourned**.

Item No 93:-

Granted concurrence for renewal of regular permit without prejudice to the right of primary authority to decide on the basis of class of service subject to notification GO (P) No. 42/2009/TRAN dtd 14.7.2009 and final notification G.O. (P) No.73/2013/Trans dated 16/07/2013 (SRO No. 555/2013) and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 94:-

Granted concurrence for renewal of regular permit without prejudice to the right of primary authority to decide on the basis of class of service subject to notification GO (P) No. 42/2009/TRAN dtd 14.7.2009 and final notification G.O. (P) No.73/2013/Trans dated 16/07/2013 (SRO No. 555/2013) and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 95:-

Granted Renewal concurrence without prejudice to the right of primary authority in deciding the nature of service according to route length subject GO (P) No. 42/2009/TRAN dtd 14.7.2009 and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 96:-

Granted Renewal concurrence without prejudice to the right of primary authority in deciding the nature of service according to route length subject GO (P) No. 42/2009/TRAN dtd 14.7.2009 and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 97:-

This is a Fast Passenger Service permit and the concurrence is sought for the renewal of the same. As per the clause 3 of the final notification G.O (P) No. 73/2013/Trans dated

16/07/2013 (SRO No 555/2013), the permits issued in the private sector prior on or before the date of this notification will be allowed to continue till the dates of expiry of the respective permits and there after the permits shall not be renewed and no permit regular or temporary shall be issued afresh except other wise than provided in sub section (2) of Section 99 of the Act. This permit is not renewable as per the above mentioned notification. Hence the request for renewal concurrence is **rejected**.

Item No 98:-

Granted Renewal concurrence without prejudice to the right of primary authority in deciding the nature of service according to route length subject GO (P) No. 42/2009/TRAN dtd 14.7.2009 and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 99:-

Granted Renewal concurrence without prejudice to the right of primary authority in deciding the nature of service according to route length subject GO (P) No. 42/2009/TRAN dtd 14.7.2009 and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 100:-

Granted Renewal concurrence without prejudice to the right of primary authority in deciding the nature of service according to route length subject GO (P) No. 42/2009/TRAN dtd 14.7.2009 and the disposal of WP© 20520/2009 and 22196/2009 of Hon'ble High Court.

Item No 101:-

This is a Fast Passenger Service permit and the concurrence is sought for the renewal of the same. As per the clause 3 of the final notification G.O (P) No. 73/2013/Trans dated 16/07/2013 (SRO No 555/2013), the permits issued in the private sector prior on or before the date of this notification will be allowed to continue till the dates of expiry of the respective permits and there after the permits shall not be renewed and no permit regular or temporary shall be issued afresh except other wise than provided in sub section (2) of Section 99 of the Act. This permit is not renewable as per the above mentioned notification. Hence the request for renewal concurrence is **rejected**.

Item No 102:-

This is a Fast Passenger Service permit and the concurrence is sought for the renewal of the same. As per the clause 3 of the final notification G.O (P) No. 73/2013/Trans dated 16/07/2013 (SRO No 555/2013), the permits issued in the private sector prior on or before the date of this notification will be allowed to continue till the dates of expiry of the respective permits and there after the permits shall not be renewed and no permit regular or temporary shall be issued afresh except other wise than provided in sub section (2) of Section 99 of the Act. This permit is not renewable as per the above mentioned notification. Hence the request for renewal concurrence is **rejected**.

Departmental Item

No. 1

The powers as listed below under rule 133(1) are delegated to Joint RTO, Nilambur as provided under rule 133(3) of KMV rules 1989.

1. Power under sections 73 and 74 of the Act to grant or refuse a contract carriage permit where the number of contract carriages are not fixed under clause (a) of sub

- section (3) of section 74 of the act and power under sub section (2) of section 74 of the Act to attach conditions to a contract carriage permit.
2. Power under section 76 of the Act to grant or refuse a private service vehicle permit and power under sub-section (3) of section 76 of the Act to attach conditions to such permits.
 3. Power under section 78 and 79 of the Act to grant or refuse a goods carriage permit and power under sub-section (2) of section 79 of the Act to attach conditions to a goods carriage permits.
 4. Power to entertain a belated application for renewal of permit under sub-section(3) of section 81
 5. Power to renew or refuse to renew a permit under section 81 of the Act and power to counter sign or refuse to countersign a permit under section 88 of the Act. Provided however that this power does not extend to refusing either to renew or to countersign a stage carriage permit.
 6. Power under sub-section (1) of section 82 of the Act to transfer a permit save in the case of stage carriage and power under sub-section (3) of section 82 of the Act in respect of all vehicles on the death of a permit holder.
 7. Power under section 83 of the Act to allow replacement of one vehicle by another other than stage carriage.
 8. Power under section 87 of the Act to grant or refuse a temporary permit other than stage carriage.
 9. Power to refuse to entertain applications for grant or renewal of permits and for grant of counter-signature of permits when such applications are not in accordance with the provisions of the Act and of the rules made there under or are inadmissible under any orders passed by the State or Regional Transport Authority in exercise of their powers under the Act other than stage carriage.
 10. Power under section 103 of the Act to grant permits to the State Transport Undertakings.
 11. Power to grant temporary permit under sub-section (7) of section 88 of the Act.
 12. Power to grant special permit under sub-section (8) of section 88 of the Act other than stage carriage.
 13. Power under section 86 of the Act to suspend a permit, power under sub-section (4) of section 88 of the Act read with section 86 of the Act to suspend counter-signature of permits and power under sub-section (5) of section 86 of the Act to recover from the holder of the permit a sum of money agreed upon to pay, in lieu of suspension of permit or suspension of counter-signature of permit.
 14. Power to vary the conditions of the permit specified under sub-section (3) of section 80 of the Act other than stage carriage.
 15. Power to fix the number of standing passengers the vehicle may be permitted to carry, or the permit holder may be required carry, in any public service vehicle other than a motor cab under sub-rule(2) of rule 267.
 16. Power to grant permission for advertisement or writing on vehicles under Rule 191

No. 2

Ratified the work done by Secretary, RTA under delegated powers and as per MV Act and Rules.

Other Items**No. 1**

Perused.

Sd/-
Sri. K Biju, I.A.S.
District Collector & Chairman RTA Malappuram

Sd/-
Sri. Manjunath H, IPS
Superintendent of Police Malappuram & Member RTA Malappuram

Sd/-
Sri. P V Varghese
Deputy Transport Commissioner, CZ-I, Thrissur & Member RTA Malappuram