

**Decision of RTA, Malappuram held at Collectorate Conference Hall on
28/05/2014**

Item No 1:-

Heard.

1. Perused the judgment in MVAA No 70/2012 dt. 05/08/2013 of Hon'ble STAT.
2. In view of the above judgment of Hon'ble STAT, regular permit **granted** subject to -
 - a) Production of a modified time schedule providing full round trips between termini of the route.
 - b) Settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.
 - c) 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.

Item No 2:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 3:-

Heard. The regular permit **granted** in respect of S/C KL-11-N-7236 subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 4:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 5:-

Heard.

1. Perused the judgment in wp© 278337/2013 dt. 19/11/2013 of Hon'ble High Court.
2. In view of the above judgment of Hon'ble High Court considered the application for regular permit and regular permit **granted** in respect of S/C KL-11-N-4546 subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 7:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 8:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 9:-

Heard. The proposed route overlaps on the notified route Kottayam – Kozhikkode vide notification no G O (P) No. 42/2009/Tran dated 14/07/2009 on a distance of 4kms from Puthanpally to Athikkarappadi. This overlapping distance exceeds 5% of the route length and violates claus 5(c) of the above notification. Hence the application for regular permit is **rejected**.

Item No 10:-

Heard. Regular permit granted in respect of the S/C KL-07-AJ-4375.

Item No 11:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 12:-

Heard. The regular permit **granted** in respect of S/C KL-10-N-4349 subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time and notifying fare stages on the notice board of RTA.

Item No 13:-

Heard. The regular permit **granted** subject to -

- a) Correction in the proposed time schedule regarding departure and arrival.
- b) Settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.
- c) 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.

Item No 14:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 15:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 16:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 17:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 18:-

Heard. The road fitness certificate for the virgin portions of the route from Karattangadi to Mini Bazar and Puthanangadi to Kacheripadi are not obtained. Secretary is directed to seek road fitness certificate from the concerned authorities and place before next RTA. Hence decision on the application is **adjourned**.

Item No 19:-

Heard. The road fitness certificate for the virgin portion of the route from Karattangadi to Mini Bazar is not obtained. Secretary is directed to seek road fitness certificate from the concerned authorities and place before next RTA. Hence decision on the application is **adjourned**.

Item No 20:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 21:-

Heard. The road fitness certificate for the virgin portions of the route from Karattangadi to Mini Bazar and Puthanangadi to Kacheripadi are not obtained. Secretary is directed to seek road fitness certificate from the concerned authorities and place before next RTA. Hence decision on the application is **adjourned**.

Item No 22:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 23:-

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 in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 24:-

Heard. The Regular Permit **granted** subject to production of a time schedule in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 25:-

Heard. The Regular Permit **granted** subject to production of a time schedule in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 26:-

Heard. The Regular Permit **granted** subject to production of a time schedule in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 27:-

Heard. Delay in filing application for renewal of permit is condoned. Renewal of regular permit granted.

Item No 28:-

Heard.

1. The proposed variation of permit will create traffic jam due to the increase of trips within the Manjeri town as reported by the field officer.
2. The traveling public approached before this authority and submitted that the shifting of existing trip at 1pm to Tharish from Karuvarakundu will cause to the deprival of their existing traveling facility, which is a remote area. The submission seems as genuine since as per the proposed time schedule the trip to Tharish is scheduled at 9.11pm as last trip from Karuvarakundu and at present the vehicle is halting at 9.11 pm. In result the traveling public is not going to be benefited by this variation.

In the above circumstances this authority is not satisfied that this variation application is for the convenience of the traveling public as laid down in Section 80(3) of MV Act and there is also no necessity under rule 145(6) of KMVR 1989. Hence the variation application is **rejected**.

Item No 29:-

Heard.

1. Perused the judgment in wp(c) No. 11320/2014 of Hon'ble High Court.
2. In obedience to the above judgment of Hon'ble High Court the request for conversion of the category of service as Limited Stop Ordinary Service is considered. Now STA has fixed separate running time for limited stop ordinary services in view of the judgment of Hon'ble High Court in a case connected with fixation of running time by STA for various types of services. This is a long route service and long distance passengers will be availing this service for their journey. The enquiry report also shows that conversion of this service as Limited Stop Ordinary Service will be beneficial to the long distance travelers. Hence the request for conversion as Limited Stop Ordinary Service is **allowed** subject to production of stop list proposed by the applicant for verification by Secretary, RTA to ensure that the existing stops at important places and educational institutions are not excluded.

Item No 30:-

Heard. Variation of permit **granted** subject to subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time..

Item No 31:-

Heard.

1. Perused the judgment in MVAA No 137/2012 of Hon'ble STAT.
2. In view of the revised report of the filed officer and on verification of time schedule, it is found that there is no increase in total distance of overlapping on notified route due to the change in timings of trips. Hence Variation of permit **granted** subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 32:-

Heard.

1. Secretary is directed to seek concurrence from RTA Vadakara and Kozhikkode for the variation of permit for extension and curtailment proposed in the variation.
2. The application for variation to convert the service from Limited Stop Ordinary Service to Limited Stop Fast Passenger considered.
 - a) The field officer has reported that the conversion of service as Fast Passenger will adversely affect the students depending this service and the existing traveling public has to pay higher rate of charge without additional facilities.
 - b) As per the notification 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 and to increase trips shall be reserved exclusively for STU. Hence this service cannot be converted as Fast Passenger service .

For the above reasons the application for conversion of service as Limited Stop Fast Passenger is **rejected**.

Item No 33:-

The Counsel and the applicant submitted that the application is not pressing for decision. Hence Secretary is directed to return the application on proper acknowledgement without prejudice to the right of applicant for resubmitting the application at any later time.

Item No 34:-

Heard.

1. Perused the judgment in MVAA No 232/2012 of Hon'ble STAT.
2. In obedience to the judgment of Hon'ble STAT the variation application is reconsidered and taking in to consideration of the fact that the trip curtailment proposed is on the notified portion and on the other hand the additional trip proposed is through a comparatively ill served area. Hence Variation of permit **granted** subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time

Item No 35:-

Heard. Variation of permit **granted** subject to subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time.

Item No 36:-

Heard. The variation application is filed in respect of permit which has already expired on 27/06/2013 and is not valid now. The variation of a permit can only be entertained during its period of validity. Hence this variation application is now not maintainable and is **rejected**.

Item No 37:-

Heard.

1. Perused the judgment in MVAA No 229/2012 dated 21/03/2013 of Hon'ble STAT.
2. In obedience to the above judgment of Hon'ble STAT the variation application is reconsidered in detail. The effects of curtailment of trips on the curtailment portion Kanhipura to Ambalaparamba is considered comparing to the advantages due to the increase in trips proposed in the application. It is convinced that the three trips proposed for curtailment at 10 am, 4 pm and 7 pm, which are peak time for students and public traveling, will forfeit the existing traveling facility of the public of remote, ill served place Kanhipura and premises to the main road. The chance for new additional service by other operators on this portion is also found as less. On the other hand the increase of trips are proposed on comparatively well served route portion.
3. More over the increase in trips will cause to increase number of trips on the notified portion Valanchery to Kavumpuram which is prohibited by clause 19 of notification no G O (P) No. 42/2009/Tran dated 14/07/2009. As per this notification it is not left to this authority to take any decision on account of the effects of increase of trips on the notified route to the services of KSRTC. In result this variation application cannot be considered as advantageous in view of public convenience and compliance with the provisions in Section 80(3)(ii) of M V Act.

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

Item No 38:-

Heard. The variation application is filed in respect of permit which has already expired on 27/06/2013 and is not valid now. The variation of a permit can only be entertained during its period of validity. Hence this variation application is now not maintainable and is **rejected**.

Item No 39:-

Heard.

1. Perused the judgment in MVAA No 272/2011 dated 07/09/2013 of Hon'ble STAT.
2. In obedience to the above judgment of Hon'ble STAT the variation application is reconsidered in detail weighing the advantages and disadvantages. It is found that the increase of trips is sought for mainly on the well served route portions Edappal – Changaramkulam, which is well served by KSRTC and they have also raised the same contention. On the other hand the proposed curtailment of trips are proposed as follows-1) Edappal – Kumbidi via Vattamkulam 2) Two single trips via Vattamkulam 3) Last trip from Chekanur to Kumbidi on existing route. The above curtailments are vehemently objected by the Member of Legislative Assembly and Grama Panchayath President, public organizations and beneficiaries of the trip curtailment area. Representations are also received by this authority from the above objectors which leads to convince that the proposed variation is going to be affected adversely to the large number of traveling public of an ill served area, which is also reported by the filed officer who has conducted the field enquiry.

For the above reasons this authority could not satisfy that this variation is for the convenience of traveling public as laid down under section 80(3)(ii) of MV Act and hence **rejected**.

Item No 40:-

Heard. Variation of permit **granted** subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time..

Item No 41:-

Heard. Variation of permit **granted** subject to subject to settlement of timings in compliance with the order no D3/875/STA/2005 dated 08/11/2011 of STA regarding running time..

Item No 42:-

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

Item No 43:-

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

Item No 44:-

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

Item No 45:-

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

Item No 46:-

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

Item No 47:-

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

Item No 48:-

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

Item No 49:-

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

Item No 50:-

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

Item No 51:-

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

Item No 52:-

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

Item No 53:-

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

Item No 54:-

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

Item No 55:-

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

Item No 56:-

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

Item No 57:-

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

Item No 58:-

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

Item No 59:-

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

Item No 60:-

Heard. The Counsel of the applicant represented that the application is not filed by the permit holder and requested for withdrawal. Secretary is directed to verify the genuineness of renewal application received in the office, verify the service the vehicle and furnish a report in the next RTA.

Item No 61:-

Applicant absent. Secretary is directed to call the applicant sending a notice by RPAD for a personal hearing on the application for renewal, temporary permit and tax arrears in view of his objection dated 06/07/2013. Hence decision on the application is **adjourned**.

Item No 62:-

Heard. The permit was valid up to 02/01/2014 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.

Item No 63:-

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

Item No 64:-

Repetition of Item No 54

Item No 65:-

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

Item No 66:-

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

Item No 67:-

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

Item No 68:-

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

Item No 69:-

Heard.

1. Perused the judgment in MVAA No 116/2013 dated 29/06/2013 of Hon'ble STAT.
2. In view of the above judgment of Hon'ble STAT Secretary is directed to send notice to the finance company stating that the renewal of permit and compliance of judgment of Hon'ble STAT is pending for want of their response in the matter of NOC and that an ex-party decision will be taken in the absence of response deeming that the company has no objection in renewing the permit. Decision on renewal application is kept pending for the compliance of above matter.

Item No 70:-

Heard.

1. Perused the judgment in wp(c) No. 25843/2013 dt.29/10/2013 of Hon'ble High Court.
2. In obedience to the above judgment of Hon'ble High Court the renewal and replacement applications are reconsidered. Renewal and replacement of vehicle **granted** subject to the production of a validly executed and registered lease agreement in respect of the incoming vehicle and clearing of Govt. dues if any.

Item No 71:-

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

Item No 72:-

Heard. The permit was valid up to 15/01/2014 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.

Item No 73:-

Heard. The permit was valid up to 27/04/2014 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 Secretary is allowed to **seek concurrence** from Sister RTA, Kozhikkode.

Item No 74:-

Heard. The route covered by this permit satisfies clause 5(c) of notification GO(P) No 3/2014/Tran dtd. 22/01/2014 as no portion of this route includes on the complete exclusion portion between Chamravattom Junction and Alathiyoor. Hence renewal of permit granted.

Item No 75:-

Heard. This renewal application was earlier rejected by this authority vide decision dated 30/10/2013 and this authority has no review power in this matter. Hence reconsideration of renewal application is not maintainable and earlier decision will stand good.

Item No 76-

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

Item No 77-

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

Item No 78-

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

Item No 79-

Secretary is allowed to seek concurrence from Sister RTA, Thrissur

Item No 80

Secretary is allowed to seek concurrence from Sister RTA, Thrissur

Item No 81

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

Item No 82

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

Item No 83

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

Item No 84

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

Item No 85:-

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

Item No 86:-

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

Item No 87:-

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

Item No 88:-

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

Item No 89:-

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

Item No 90:-

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

Item No 91:

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

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

Item No 119:-

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

Item No 120:-

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

Item No 121:-

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

Item No 122:-

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

Item No 123:-

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

Item No 124:-

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

Item No 125:-

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

Item No 126:-

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

Item No 127:-

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

Item No 128:-

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

Item No 129:-

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

Item No 130:-

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

Item No 131:-

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

Item No 132:-

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

Item No 133:-

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

Item No 134:-

Heard.

1. Perused the judgment of Hon'ble STAT in MVAA No 398/2011 dt.30/11/2013

2. In obedience to the above judgment of Hon'ble STAT transfer of permit allowed subject to clearance of Govt. dues and production of NOC from the financier if applicable.

Item No 135:-

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

Item No 136:-

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

Item No 137:-

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

Item No 138:-

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

Item No 139:-

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

Item No 140:-

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

Item No 141:-

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

Item No 142:-

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

Item No 143:-

Item No 170:-

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

Item No 171:-

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

Item No 172:-

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

Item No 173:-

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

Item No 174:-

Heard. Transfer of permit in favor of Sri.Akbar Shareef Paravakkal, S/O,Jameela, Paravakkal House, Ateeri, Puthoor Po, Othukkungal, Malappuram is allowed subject to clearance of Govt. dues if any.

Item No 175:-

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

Item No 176:-

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

Item No 177:-

Heard. Ratified.

Item No 178:-

Heard.

1. Perused the judgment in wp(c) 21645/2013 Dt. 02/09/2013 of Hon'ble High Court.

2. In obedience to the above judgment considered the request dt.12/07/2013 of the applicant in which it is requested to allow maximum time for replacement of vehicle on the permit now kept idle under suspended animation. The vehicle which was covered by this permit was sold and taken clearance on 20/05/2013. Now one year lapsed without a vehicle on this permit to conduct service and even now the permit holder has not offered a vehicle to operate service. It is meaningless to keep the permit idle for indefinite period and keeping the timings of this permit reserved without providing any service on the route for traveling public. The applicant even after 10 months from filing request on 12/07/2013 for maximum time, has not turned out to offer a stage carriage to operate service. The maximum time allowable for production of current records of a vehicle as per rule 159(2) of KMV rule 1989 is four months from the date of communication of the grant of permit. In this case one year is lapsed after taking clearance of the vehicle covered by this permit, hence the request itself has become infractus. For the above reasons the request for grant of more time to produce the vehicle is **rejected** and Secretary is directed to issue notice under rule 152 of KMV Rule 1989.

Item No 179:-

Heard. The offence amounts to violation of permit conditions and head to misunderstanding to the traveling public about the nature of service conducted by the S/C KL-50-B-3322. For the above reason the permit is liable to be suspended and is suspended for a period of 10 days with option to remit an amount of Rs.10000/- in lieu of suspension on the offences on each check reports Dt. 26/04/2013 and 28/05/2013. Secretary is directed to issue proceedings as above as laid down under rule 186(a) of KMV Rule 1989.

Item No 180:-

Heard. On perusal of the field enquiry report it is found that there are reasonable number of stages according to the route length and are fixed at major important places. It is also found that any change or increase in fare stages is not necessary and any such changes or increase of stages will cause unnecessary financial loss to traveling public. The existing fare stages are found as convenient and reasonable and hence decided to continue as such.

Item No 181:-

The permit holder is absent. In view of the irresponsible attitude of the permit holder and his laxity in discharging his duties as laid down under rule 153 of KMV rule 1989. The permit is liable to be revoked on account of this violation. But it is not clear whether the permit holder was served with a copy of the agenda prior to this meeting and he is not present. Hence Secretary is directed to serve the agenda to the permit holder before next meeting and place the matter for consideration, any service on

the permit shall be effected only after complying the above matters and taking a decision on this matter. Hence adjourned.

Item No 182:-

Heard. It is found reported by the field officer that the bus stand is having capacity to accommodate only 10 buses due to the lack of space and infrastructure facility. The stage carriages have to traverse 1.5km more distance if the services are deviated through the new over bridge. It is also seen reported that the traffic regulatory committee of that area has taken a stand on this matter earlier. Hence Secretary is directed to obtain the opinion of the Traffic regulatory committee in this matter. Hence the decision on the matter is **adjourned**.

Item No 183:-

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 184:-

The route length of this permit exceeds 140 kms and as per rule 2(Oa) of KMV Rule 1989 this service cannot operate as an ordinary service. This renewal concurrence sought for by RTA Palakkad is after the final notification GO(P) No 73/2013/Trans Dt.16/07/2013. As per this notification the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit also cannot be renewed by converting as Fast Passenger Service. Hence request for renewal concurrence is **rejected**.

Item No 185:-

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 186:-

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 187:-

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 188:-

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 189:-

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 190:-

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 191:-

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 192:-

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 193:-

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 194:-

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 195:-

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 196:-

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 197:-

The route length of this permit exceeds 140 kms and as per rule 2(Oa) of KMV Rule 1989 this service cannot operate as an ordinary service. This renewal concurrence sought for by RTA Kannur is after the final notification GO(P) No 73/2013/Trans Dt.16/07/2013. As per this notification the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit also cannot be renewed by converting as Fast Passenger Service. Hence request for renewal concurrence is **rejected**.

Item No 198:-

The renewal concurrence is sought for renewal of a super fast service permit in respect of S/C KL-59-F-4600. As per notification GO(P) No 73/2013/Trans Dt.16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit is not renewable and the renewal concurrence is **rejected**.

Item No 199:-

The renewal concurrence is sought for renewal of a super fast service permit in respect of S/C KL-55-E-2882. As per notification GO(P) No 73/2013/Trans Dt.16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit is not renewable and the renewal concurrence is **rejected**.

Item No 200:-

The renewal concurrence is sought for renewal of a super fast service permit in respect of S/C KL-08-AT-7399. As per notification GO(P) No 73/2013/Trans Dt.16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit is not renewable and the renewal concurrence is **rejected**.

Item No 201:-

The route length of this permit exceeds 140 kms and as per rule 2(Oa) of KMV Rule 1989 this service cannot operate as an ordinary service. As per notification GO(P) No 73/2013/Trans Dt.16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala and to increase

the trips is exclusively with State Transport Undertaking only. Hence this permit also cannot be renewed by converting as Fast Passenger Service. Hence request for renewal concurrence is **rejected**.

Item No 202:-

The renewal concurrence is sought for renewal of a super fast service permit in respect of S/C KL 05 AA 3699 & KL 05 AA 8474 (replaced by KL 05 AF 3699 & KL 05 AF 3434). As per notification GO(P) No 73/2013/Trans Dt.16/07/2013 the right to operate any class of service other than ordinary service in the state of Kerala and to increase the trips is exclusively with State Transport Undertaking only. Hence this permit is not renewable and the renewal concurrence is **rejected**.

Item No 203:-

Heard.

1. Perused the Judgement of the Hon'ble court in WP(C)2312 of 2014(L) dated 26.03.2014
2. In obedience to the above judgment, variation for changing parking place in respect of the Autorickshaw KL 10 U 5208 is granted with parking place at any of the Autorickshaw stand in Malappuram Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Item No 204:-

Heard.

1. Perused the Judgement of the Hon'ble court in WP(C)5324 of 2014(M) dated 13.03.2014
2. In obedience to the above judgment, the Secretary is directed to verify application for changing parking place in respect of the Autorickshaw KL 10 AD 6896 and granted variation as sought for with parking place at any of the Autorickshaw stand in Manjeri Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Item No 205:-

Heard.

1. Perused the Judgement of the Hon'ble court in WP(C)2312 of 2014(L) dated 26.03.2014
2. In obedience to the above judgment, variation for changing parking place in respect of the Autorickshaw KL 10 AD 4464 is granted with parking place at any of the Autorickshaw stand in Malappuram Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Item No 206:-

Heard.

1. Perused the Judgement of the Hon'ble court in WP(C)3469/2014(M) dated 04.03.2014
2. In obedience to the above judgment variation for changing parking place in respect of the Autorickshaw KL 10 AQ 2502 is granted with parking place at any of the Autorickshaw stand in Malappuram Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Item No 207:-

Absent, adjourned.

Item No 208:-

Heard.

1. Perused the judgements of Hon'ble High Court mentioned in the agenda.

2. In obedience to the above judgments variation for changing parking place in respect of the Autorickshaws mentioned in the agenda is granted with parking place at any of the Autorickshaw stand in Perinthalmanna Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Item No 209:-

Heard. The proposed location for the bus stop is found as unfit on field enquiry and is near to an accident prone curve. Hence the request for LSOS stop at Moyinkutty Smarakam , Kondoty is rejected. Secretary is directed to place the proposal at the alternate location after the construction of necessary bus bay at the proposed location in next meeting.

Departmental item

No: 1

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

Supplementary Item No: 1

Adjourned.

Supplementary Item No: 2

Adjourned.

Supplementary Item No: 3

Adjourned.

Supplementary Item No: 4

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

Supplementary Item No: 5

Heard.

1. Perused the Judgement of the Hon'ble court in WP(C)2312 of 2014(L) dated 26.03.2014

2. In obedience to the above judgment, application for fresh permit in respect of the Autorickshaw KL 10 S 6564 is granted with parking place at any of the Autorickshaw stand in Malappuram Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Supplementary Item No: 6

Heard.

1. Perused the Judgement of the Hon'ble court in WP© No.11049 of 2014 (E)

2. In obedience to the above judgment, application for fresh permit in respect of the Autorickshaw KL 55 N 3976 is granted with parking place at any of the Autorickshaw stand in Tirur Municipality having convenient parking place in compliance with the observations contained in the judgement in WP© 18168/11 dtd 8.4.13 and production of proof for permanent residential address in side the Municipal area.

Supplementary Item No: 7

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

Supplementary Item No: 8

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

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

Sri. S Sasikumar IPS
Superintendent of Police Malappuram & Member RTA Malappuram

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