

Minutes of Regional Transport Authority , Malappuram



Held on 25 January, 2017

At Collectorate Conference Hall

Malappuram.

Present

1. Sri. Amit Meena I.A.S

District Collector & Chairman, RTA Malappuram

2. Sri. Debesh Kumar Behera I.P.S.

District Police Chief & Member, RTA Malappuram

3. Sri. Shaji Joseph

Deputy Transport Commissioner & Member, RTA Malappuram

Item No.1

Heard the learned counsel.

This to re-consider the application for regular Stage Carriage permit to operate on the route Tirur – Theyyala – Pookiparamba as ordinary service. The matter was placed before the RTA held on 06.01.2016 in Item No. 39 and the decision was adjourned for want of road fitness certificate for the virgin portion specified in the report of the route enquiry officer. Secretary, RTA has submitted that the road fitness certificate was obtained and the same was available for verification.

This authority has verified the application and connected files in detail. This is an intra-district route with route length of 16.3 Kms. There is a virgin portion of 0.8 Kms. Further, there is no overlapping with notified portion in the proposed route. The applicant has not offered any vehicle and/or the specification asked for. Thus the details asked for in point nos. 6, 7, 8 i & ii in the application are not filled by the applicant in a proper manner. Upon verification it is further revealed that the applicant has not offered a stage carriage for endorsing the permit even at the time of open hearing of this authority. The fare stages for the virgin portion as well as the entire route is not clearly specified by the route enquiry officer. There were serious timing objections raised by other en-route operators and those were considered as per law. The declaration submitted by the applicant before this authority was also considered. As per the declaration, he has submitted that he has not produced any vehicle for endorsing this permit and however he will produce the same later. Also, the particulars of the vehicle that he is going to produce is not available in the submission. Considering the above observations and findings,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No.2

Heard the learned counsel.

Perused the Judgment from Hon. High Court of Kerala in WP(C) No. 389 of 2017 Dtd. 06.01.2017; which directed this authority take up and dispose this application positively on 24.01.2017 itself.

This is to re-consider the application for regular Stage Carriage permit to operate on the route Olavettur – Mukkam. This is an inter-district route with a total route length 27 Kms in which 17.7 Kms lies in Malappuram District and 9.3 Kms in Kozhikkode District. The proposed route does not overlap with any of the notified routes and there is no virgin

portion. This authority has verified the application and the connected files in detail. The objections raised for and against the application were also considered in detail.

The matter was considered by the RTA held on 06.01.2016 in Item No. 29 and also on 11.07.2016 in item no. 14. The decision was adjourned for a modified application with more number of trips to Olavattur and also a report on whether the proposed route overlapping with any of the notified portions in Kozhikkode district or not. The applicant has modified the application with more number of trips to ill-served area Olavattur.

On further verification of files, it is observed that in obedience to the directions contained in the Judgment from Hon. High Court of Kerala in WP(C) No. 8707 of 2016 a temporary permit for four months has already been issued on this route to the applicant after settlement of timings.

Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to the settled timings on 10.01.2017 in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 25 A 225. The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 3

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the route Cherplasserry – Melattur – Alanallur. This is an inter-district route with total route length 39.7 Kms in which 29.7 Kms lies in Malappuram and 10 Kms lies in Palakkad District. There is no overlapping with the notified sector and no virgin portion in the proposed route. As per the report of the enquiry officer, the present stage carriage operations are not enough to occupy the people and students travelling in the proposed route. This authority has verified the application and report of the enquiry officer in detail. Further this application was already been considered by the RTA held on 11.07.2016 in item no. 29 and the decision was adjourned for want of a specific report from the Sister RTA, Palakkad especially whether the proposed route overlaps with any of the notified portions in their jurisdiction or not. This was enquired by the Motor Vehicle Inspector, Sub-RT Office, Mannarkkad and the report was forwarded by the Secretary, RTA, Palakkad. The applicant has offered the stage carriage KL 53 K 5629 for endorsing the permit. The objections raised by other en-route operators were considered as per law.

On further verification, this authority is of the view that the report forwarded by the Secretary, RTA Palakkad is not suffice to take an appropriate approach on this application. Hence this authority directs Secretary, RTA to

1) obtain concurrence from Sister RTA Palakkad to proceed further on this application;

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 4

Heard the learned counsel.

(1) Perused the directions contained in the Judgment of Hon. High Court of Kerala Judgment in WP(C) No. 34228 of 2016 Dtd. 26.10.2016

(2) This is to re-consider the application for fresh S/C permit to operate on the route Nalloorpulli- Kavala Puthanezhi- Perinthalmanna. This authority has considered the application, route enquiry report and connected files in detail. The arguments for and against the application were also considered as per law. The total length of the proposed route is 37.6; of which 34.1 Kms lies under the jurisdiction of this authority and 3.5 Kms. lies in Palakkad District. There is a virgin portion of 9.3 Kms in the proposed route. Route Enquiry Officer has suggested the fare stages and the same is published along with the agenda. There is also an overlapping of 1.8 Kms with the notified portion. The enquiry officer has also stressed the need of a stage carriage service on the proposed route.

The application was previously considered by this authority held on 11.07.2016 in item 41 and the decision was adjourned with a direction to the Secretary, RTA to:

- 1) Re-enquire the matter and ascertain the exact distance of overlapping with notified portion.
- 2) Obtain a specific report from Sister RTA, Palakkad specifying whether the proposed route overlaps with the notified portion in their jurisdiction or not.
- 3) Modify the time schedule in consultation with the applicant in such a way that there should be at least two more trips to Melattur during peak hours.

On further verification files, report from MVI, Palakkad has been received and he has reported that the proposed route overlaps with the notified route Palakkad – Kannur in Perinthalmanna Town 1.8 Kms which is not objectionable and also the proposed route does not overlap with any of the notified routes in Palakkad District

The applicant has also produced a Judgment in WP(C) No. 34228 of 2016 Dtd. 26.10.2016; which directs this authority to consider the application of the petitioner for grant of regular permit and decides his entitlement as proposed by the applicant. In obedience to the judgment this authority considered the application afresh. However we are of the view that the report forwarded by the Secretary, RTA Palakkad is not suffice to take an appropriate approach on this application. Hence this authority directs Secretary, RTA to

- 1) obtain concurrence from Sister RTA Palakkad to proceed further on this application;
- 2) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

3) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 5

Heard the learned counsel.

This is to peruse the Judgment in WP(C) No. 40563 of 2016 Dtd. 20.12.2016 and also to re-consider the application for fresh S/C permit to operate on the route Vettamcheerppu – Purathur-Koottai Azhimugham-Tirur. The directions contained in the Judgment of Hon. High Court of Kerala in WP(C) No. 40563 of 2016 Dtd. 20.12.2016 were perused.

This is an intra-district route with total route length 50 Kms. There is no virgin portion and also there is an overlapping of 3.5 Kms with the notified sector; as per the report of the enquiry officer, the same is not objectionable.

The matter was considered by this authority held on 11.07.2016 in item no. 55 and the same was adjourned with a direction to modify the time schedule in consultation with the applicant with two more trips each during peak hours to underserved areas Koottayi Azhimugham and Vettom Cheerpu and also to conduct a re-enquiry and ascertain whether the proposed route passes through notified portion or not. The applicant has submitted the modified application and the same was re-enquired by the Motor Vehicle Inspector, Tirur.

The objections raised for and against the applications were also considered as per law. In the light of the above observations and findings, regular stage carriage permit on the route mentioned in the application is **granted** to the stage carriage KL 13 J 1454 subject to settlement of timings in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 and production of current records of the above stage carriage within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 6

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the route Edakkara – Mooleppadam. This is an intra-district route with route length 28.9 Kms. There is a virgin portion of 1.4 Kms and an overlapping of 1 Kms in the proposed route. The application and the connected records were verified in detail.

The matter was considered by the RTA, Malappuram held on 11.7.2016 in Item No. 57 and the matter was adjourned with a direction to include two more trips to not adequately served area Mooleppadam during peak hours. The revised application has been obtained. In the application submitted by the applicant in P. St.S.A., point nos 6, 8 i & ii were not filled properly and he could not produce the details even at the time of open hearing of this authority. The applicant has also submitted before this authority that he will produce a

vehicle which is registered after 2006 within one month from 11 July 2016 and again he has submitted that he will produce the vehicle within one month from 25 January 2017. Thus the submission by the applicant is not dependable and this authority is of the view that, this is only to mislead this authority.

Further, the fare stages for the virgin portion as well as the entire route is not clearly specified by the route enquiry officer. Considering the above observations and findings,

1)the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 7

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the route Mooleppadam – Edakkara. The application and connected files were considered in detail. This is an intra-district route with route length 28.9 Kms. There is a virgin portion of 1.4 Kms and an overlapping with notified route is 1 Km. The application was already been considered by this authority held on 11.07.2016 in item no. 58 the decision on the application was adjourned with a direction to increase two more trips to the ill served area Mooleppadam. In obedience to the direction of this authority, the applicant has modified the proposal and the same has been verified. However the application submitted seems to be incomplete. In P.St.S.A., the applicant has not properly filled point nos. 6, 8 i & ii; even at the time of open hearing of this authority, the applicant could not furnish these details before this authority. Further, the applicant has produced a submission before this authority stating that he will produce a stage carriage, which will not be of more than ten years old within one month from 11.07.2016 and now he has again submitted that will produce the certificate of registration within one month from 25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

1)the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 8

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the route Puthanathani – Tirur – Thirunavaya Navamukunda Temple. This is an intra-district route with route length 28.8 Kms. There is no virgin portion and no overlapping with notified sector. The applicant has offered the vehicle KL 10 R 576 for endorsing the permit. The route enquiry officer has also submitted that the introduction of fresh stage carriage service will be highly beneficial for the travelling public and students.

The matter was considered previously by this authority held on 11.07.2016 in Item no. 61 and there is vehement objection that portion of the route from Osanpadi to Pothannur is virgin and the decision on the application was adjourned for want of a road fitness certificate. The certificate issued by the Grama Panchayath Secretary, Valavannoor has been verified and found satisfactory.

Further, in obedience to the directions contained in the Judgment from Hon. High Court of Kerala in WP(C) No. 11301 of 2016; Dtd. 29.01.2016 Secretary, RTA has issued a temporary permit u/s 87(1) c after settlement of timings on the same route to the applicant with respect to his stage carriage KL 10 R 576.

The objections raised for and against this application were considered and as per law.

In the above circumstances regular stage carriage permit on the route mentioned in the application is **granted** subject to the settled timings on 06.10.2016 in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 10 R 576. The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 9

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the modified route as per the directions contained in the Judgment of Hon. High Court of Kerala in Contempt Case (C) No. 1439 of 2016 Dtd. 04.11.2016 Tirur- Koottayi Azhimugham. This is an intra-district route and there is no virgin portion in the proposed route. Further there is no objectionable overlapping with the notified route.

Initially the application was on the route Kuttippuram - Tirur and the matter was considered by this authority held on 11.07.2016 in Item No. 69 and the matter was adjourned for a re-enquiry on the overlapping distance with notified portion. There was also an application for temporary permit u/s 87(1)c on the same route and the Hon. High Court of Kerala in its Judgment in WP(C) has ordered to issue the temporary permit on the above said route. Since there is vehement objections from other en-route operators that the

proposed route objectionably overlaps with the notified portion, Ponnani - Chelari, the Secretary RTA could not issue the temporary permit and the applicant was challenged the same before Hon. High Court of Kerala in contempt case (C) No. 1439 of 2016 Dtd. 04.11.2016. He has also submitted his willingness to modify the application before the Hon. High Court of Kerala. As per the directions contained in the Judgment of Hon. High Court, this authority accepted the modified applications for regular as well as temporary permit submitted by the applicant. The application for temporary permit u/s 87(1) c was considered and issued by the Secretary RTA with settled timings to the stage carriage KL 55 U 1266. The application for regular permit was considered by this authority on the modified route mentioned in the application is **granted** subject to the settled timings on 24.11.2016 in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 55 U 1266. The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 10

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the modified route Kuttippuram – Tirur. The application was considered by this authority and verified the connected records. Initially the application was submitted on the route Thirunavaya Railway Station – Kuttippuram - Tirur and the matter was considered by this authority held on 11.07.2016 in Item No. 76 and the decision was adjourned with a direction to obtain road fitness certificate for the virgin portion and also to re-enquire the matter and ascertain whether the overlapping with notified portion complies the directions contained in clause 5 (c) of G.O.(P) No. 79/2015/Tran. Dtd. 08.12.2015 or not.

Meanwhile, the applicant has submitted a modified application in view of the directions contained in order of Hon. High Court of Kerala in Cont. Case (C) No. 1439 of 2016 and I.A. No. 528 and 538 of 2016 dtd. 04.11.2016 (K.K. Abdul Gafoor v/s Secretary RTA, Malappuram) with route Kuttippuram – Tirur and the matter was enquired by the Motor Vehicle Inspector, Tirur. Major observations of his report are as follows:

This is an intra district route with total route length is 20.7; There is an overlapping of 3.4 Kms with Ponnani – Chelari notified scheme from B.P. Angadi to Thazhepalam. There is virgin portion from Kainikkara to Karathur (0.9 Kms) and the road fitness certificate for the said virgin portion is obtained. He has also affirmed that the fare stages has already been fixed.

However the application submitted seems to be incomplete. In P.St.S.A., the applicant has not properly filled point nos. 6, 8 i & ii; even at the time of open hearing, the applicant could not furnish these details before this authority. Further, the applicant has produced a

submission before this authority stating that he will produce a stage carriage, which will not be of more than ten years old within one month from 11.07.2016 and now he has again submitted that will produce the certificate of registration within one month from 25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

1)the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 11

Heard the learned counsel.

This is to re-consider the application for fresh S/C permit to operate on the route Tirur – Kunnumpuram – Ottupuram. This is an intra-district route with length 25.6 Kms. As per the report of the enquiry officer, there is no virgin portion and no overlapping with notified route. The matter was placed before this authority held on 11.07.2016 in Item No. 77 and the decision was adjourned with a direction to include more number of trips to Ottumpuram and Kunnumpuram. The applicant has submitted a revised proposal and the Motor Vehicle Inspector has verified the same.

The applicant has produced the stage carriage KL 51 7067 for endorsing the granted permit.

The objections raised for and against the applications were also considered as per law.

As per the report of the enquiry officer, there is no overlapping with the notified sector on the proposed route. However, upon verification of the route sketch, the proposed route passes through Moochikkal – Kalattambalam – Moolakkal – Tanur; in which there is an objection in the open hearing of this authority that Moolakkal – Tanur lies in complete exclusion portion of Ponnani – Chelari notified scheme.

In the light of the above observations and findings, Secretary, RTA is directed to

- 1.re-enquire the matter and a specific report from MVI is called for.
2. obtain the fare stages for the entire route and

Submit before this authority. Hence decision on this application is **adjourned**.

Item No. 12

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Koottayi Azhimugham – Ottumpuram. This authority has verified the application and perused the connected documents. This is an intra-district route with route length 22.5 Kms and there is no virgin portion or no overlapping with any of the notified schemes. As per the report of

the enquiry officer, the proposed route is not adequately served with stage carriage services and there is a pressing need for new stage carriage operations.

Further, the applicant has produced a submission before this authority stating that he will produce a stage carriage within one month from 25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 13

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Thirunnavaya-Valanchery. This authority has considered the application and perused the connected files in detail. The report of the route enquiry officer has revealed that this is an intra-district route with total route length 104.1 Kms. There is no virgin portion and an overlapping of 5.1 Kms from Kanhippura to Valancherry and also a crossing of nationalized route Ponnani – Chelari at Alathiyur. This authority has also considered the arguments for and against raised by the en-route operators. In the open hearing of this authority the applicant has also produced a document from Assistant Executive Engineer, National Highway Sub-Division, Kuttippuram stating that the distance between Kanhippura to Valancherry is exactly 5 Kms. Also, KSRTC has submitted that the distance is 5.5 Kms and the permit cannot be granted. Private Bus Operators Association, Valancherry Area Committee has submitted that the said distance is 5.2 Kms. This authority has also verified the same. In this context, we are of the opinion that a thorough checking is required on the exact distance of overlapping with the notified portion. Further, on verification it is observed that the application was not complete; in Form P.ST.S.A. point no. 6, 8 i & ii were not filled properly.

Again, as per the proposed time schedule, the stage carriage starts its operation from 3.45 a.m. in the morning to 11.05 in the night, the vehicle is continuously servicing about 19 hours. This is against the provisions contained in labor laws. From the time schedule it is also clear that the applicant intends to operate in the Thirunavaya – Valancherry sector and the extension to all other places are to escape from the effect of notification. Hence,:

1) the secretary RTA is directed to conduct a re-enquiry on the entire route and submit a specific report mentioning the exact distance of overlapping with the notified sector.

2) Total running time has to be restricted to 8-9 hours

3) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

4) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 14

Duplication. Item deleted

Item No. 15

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Thirunnavaya-Valanchery. This authority has considered the application and perused the connected files in detail. The report of the route enquiry officer has revealed that this is an intra-district route with total route length 104.1 Kms. There is no virgin portion and an overlapping of 5.1 Kms from Kanhippura to Valancherry and also a crossing of nationalized route Ponnani – Chelari at Alathiyur. This authority has also considered the arguments for and against raised by the en-route operators. In the open hearing of this authority the applicant has also produced a document from Assistant Executive Engineer, National Highway Sub-Division, Kuttippuram stating that the distance between Kanhippura to Valancherry is exactly 5 Kms. Also, KSRTC has submitted that the distance is 5.5 Kms and the permit cannot be granted. Private Bus Operators Association, Valancherry Area Committee has submitted that the said distance is 5.2 Kms. This authority has also verified the same. In this context, we are of the opinion that a thorough checking is required on the exact distance of overlapping with the notified portion. Further, on verification it is observed that the application was not complete; in Form P.ST.S.A. point no. 6, 8 i & ii were not filled properly.

Again, as per the proposed time schedule, the stage carriage starts its operation from 3.30 a.m. in the morning to 11.05 in the night, the vehicle is continuously servicing about 19 hours. This is against the provisions contained in labor laws. From the time schedule it is also clear that the applicant intends to operate in the Thirunavaya – Valancherry sector and the extension to all other places are to escape from the effect of notification. Hence,:

- 1) the secretary RTA is directed to conduct a re-enquiry on the entire route and submit a specific report mentioning the exact distance of overlapping with the notified sector.
- 2) Total running time has to be restricted to 8-9 hours
- 3) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum

Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

4) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 16

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Thirunnavaya-Valanchery. This authority has considered the application and perused the connected files in detail. The report of the route enquiry officer has revealed that this is an intra-district route with total route length 104.1 Kms. There is no virgin portion and an overlapping of 5.1 Kms from Kanhippura to Valanchery and also a crossing of nationalized route Ponnani – Chelari at Alathiyur. This authority has also considered the arguments for and against raised by the en-route operators. In the open hearing of this authority the applicant has also produced a document from Assistant Executive Engineer, National Highway Sub-Division, Kuttippuram stating that the distance between Kanhippura to Valanchery is exactly 5 Kms. Also, KSRTC has submitted that the distance is 5.5 Kms and the permit cannot be granted. Private Bus Operators Association, Valanchery Area Committee has submitted that the said distance is 5.2 Kms. This authority has also verified the same. In this context, we are of the opinion that a thorough checking is required on the exact distance of overlapping with the notified portion. Further, on verification it is observed that the application was not complete; in Form P.ST.S.A. point no. 6, 8 i & ii were not filled properly.

Again, as per the proposed time schedule, the stage carriage starts its operation from 4 a.m. in the morning to 11.33 in the night, the vehicle is continuously servicing about 19 hours. This is against the provisions contained in labor laws. From the time schedule it is also clear that the applicant intends to operate in the Thirunavaya – Valanchery sector and the extension to all other places are to escape from the effect of notification. Hence,:

1) the secretary RTA is directed to conduct a re-enquiry on the entire route and submit a specific report mentioning the exact distance of overlapping with the notified sector.

2) Total running time has to be restricted to 8-9 hours

3) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

4) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 17

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Thirunnavaya-Valanchery. This authority has considered the application and perused the connected files in detail. The report of the route enquiry officer has revealed that this is an intra-district route with total route length 104.1 Kms. There is no virgin portion and an overlapping of 5.1 Kms from Kanhippura to Valancherry and also a crossing of nationalized route Ponnani – Chelari at Alathiyur. This authority has also considered the arguments for and against raised by the en-route operators. In the open hearing of this authority the applicant has also produced a document from Assistant Executive Engineer, National Highway Sub-Division, Kuttippuram stating that the distance between Kanhippura to Valancherry is exactly 5 Kms. Also, KSRTC has submitted that the distance is 5.5 Kms and the permit cannot be granted. Private Bus Operators Association, Valancherry Area Committee has submitted that the said distance is 5.2 Kms. This authority has also verified the same. In this context, we are of the opinion that a thorough checking is required on the exact distance of overlapping with the notified portion. Further, on verification it is observed that the application was not complete; in Form P.ST.S.A. point no. 6, 8 i & ii were not filled properly.

Again, as per the proposed time schedule, the stage carriage starts its operation from 4.15 a.m. in the morning to 12 midnight, the vehicle is continuously servicing about 19 hours. This is against the provisions contained in labor laws. From the time schedule it is also clear that the applicant intends to operate in the Thirunavaya – Valancherry sector and the extension to all other places are to escape from the effect of notification. Hence:

- 1) the secretary RTA is directed to conduct a re-enquiry on the entire route and submit a specific report mentioning the exact distance of overlapping with the notified sector.
- 2) Total running time has to be restricted to 8-9 hours.
- 3) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.
- 4) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 18

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Vettom Cheerp – Tirur in the surrendered vacancy of KL 55 R 7861. This is an application for a fresh regular Stage Carriage permit on the above intra-district route with route length 19.3 Kms. There is no virgin portion and an overlapping of 0.5 Kms with the Ponnani – Chelari

notified scheme. Further, the route enquiry officer has stated that only one bus KL 55 R 7861 was conducting service on the proposed route. The said permit had been surrendered and cancelled. Average frequency of bus services Vettom Cheerp – Pariyapuram sector is 30 Minutes.

Further In obedience to the direction from Hon High Court in WP(C) No. 38480 of 2016; Dtd. 02.12.2016, granted temporary permit u/s 87(1) c and a timing conference was convened and settled the timings on 10.01.2017. Temporary permit was issued to the applicant on the same route with respect to the stage carriage KL 10 N 8281.

In this context, Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to the settled timings on 10.01.2017 in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 10 N 8281. The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 19

Heard the learned counsel.

This is to consider the application for fresh Stage Carriage permit to operate on the route Government Hospital Kottappadi – Korambayil Hospital Manjeri. This authority has considered the application in detail and verified the connected records. Total route length of this intra-district route is 54.9. There is no virgin portion in the proposed route and an overlapping of 2.2 Kms with the notified sector. The route enquiry officer has further stated that the overlapping is not objectionable. There were heated arguments for and against the application in the open hearing of this authority and all were considered as per law.

The applicant intends to operate from Government Hospital, Malappuram which is situated in Kozhikkode-Palakkad National Highway just near to Malappuram Bus stand. Moreover there is not enough space available for a stage carriage to halt or even to turn. This authority strongly feels that allowing a stage carriage service as requested by the applicant as Malappuram Government Hospital as the halting terminus will be a threat to the travelling public and other vehicles plying service through the national highway. Similarly, in the other terminus, Manjeri Korambayil Hospital also will result a very similar situation. This concept is also against the present traffic arrangement in both the towns; that the stage carriage services have to be operated from the bus stands available in these towns. Further, from the proposed time schedule, it is evident that the extension of service to Chnkuvetti-Padapparamba-Kolathur is only name sake and to escape from the effect of notification. This is obviously against the interest of the State Transport Undertakings. They have vehemently objected the proposal. Further, Regional Transport Authorities are

constituted to facilitate better travelling facilities to the public and this is not a public friendly proposal.

Again, the applicant has failed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988 and even at the time of open hearing of this authority he could not furnish the said details.

Thus we are of the common view that the above said proposal is not public friendly and not even maintainable. In this context the application for fresh stage carriage permit on the above said route is **rejected**.

Item No. 20

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Kadampuzha – Malappuram. The application and connected documents and files were considered and verified by this authority. The arguments and counter arguments in the open hearing of this authority were also considered as per law. This is an intra-district route with route length 23.4 Kms. There is no virgin portion and an overlapping of 1.6 Kms with the notified sector. This is above the permissible limit as per the notification and the overlapping with notified portion is objectionable as per Clause 5 (c), G.O. (P) No. 42/2009/Trans. Dtd. 14.07.2009.

Again, the applicant has failed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

In this context the application for fresh stage carriage permit on the above said route is **rejected**.

Item No. 21

Heard the learned counsel.

This is to consider the application for fresh Stage Carriage permit to operate on the route Kalikave-Wandoor-Pookkottumpadam with halt at Panampoil. This authority considered the application and verified connected records and file. This is an intra-district route with 70.5 Kms. As per the report of the enquiry officer, there is no virgin portion and no overlapping with the notified sector. He has also submitted that the proposed route is through areas not adequately served with stage carriage operation.

In this context, Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to the settled timings in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 03 P 4695 The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing

which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 22

Heard the learned counsel.

This is to consider the application for fresh Stage Carriage permit to operate on the route Kalikavu-Panampoil-Adakkakundu-Ambalakkadavu-Thuvvur. This authority considered the application and verified connected records and file. This is an intra-district route with 50.5 route length. As per the report of the route enquiry officer, there is no virgin portion and no overlapping with the notified sector. He has also submitted that the places covered by this route are thickly populated and the passengers are increasing day by day. There is need for more bus services in public interest. The objections raised in the open hearing of this authority were considered as per law.

However, the applicant has produced a submission before this authority stating that he will produce a stage carriage within one month from 25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

1)the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 23

Heard the learned counsel.

This is to consider the application for fresh Stage Carriage permit to operate on the route Tanur – Ottumpuram. This authority considered the application and verified connected records and file. The route is an intra-district with 6 Kms. total route length. As per the report of the enquiry officer, there is no virgin portion and no overlapping with the notified sector.

In this context, Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to settlement of timings in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 10 N 42. The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 24

Heard the learned counsel.

This is to consider the application for fresh Stage Carriage permit to operate on the route Ottumpuram-Tirur. This authority considered the application and verified connected records and file. The route is intra-district having a route length of 26.8 Kms. There is no virgin portion and an overlapping of 3.2 Kms with notified route, Ponnani – Chelari.

Tanur to Moolakkal – 1.5 Kms

Pookayil to Thazheppalam - 1.7 Kms

As per the report of the enquiry officer, these overlapping are not objectionable. The objections raised for and against the applications were also considered as per law.

In the open hearing of this authority there is an objection in the open hearing of this authority that Moolakkal – Tanur lies in complete exclusion portion of Ponnani – Chelari notified scheme and thus it is objectionable.

In the light of the above observations and findings, Secretary, RTA is directed to

1. re-enquire the matter and a specific report from MVI is called for and
2. obtain the fare stages for the entire route

Submit before this authority. Hence decision on this application is **adjourned**.

Item No. 25

Heard the learned counsel.

To consider the application for fresh S/C permit to operate on the route Puthanathani – Alloor. This is an intra-district route with total route length 6.1 Kms. The authority has verified the application and connected files in detail. As per the report there is no virgin portion and no overlapping with the notified route. He has also reported that the proposed route is not adequately served with stage carriages. Present stage carriage operations are insufficient to occupy the present travelling needs of the public.

However, the applicant has produced a submission before this authority stating that he will produce a stage carriage within one month from 25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 26

Heard the learned counsel.

This is to peruse the directions contained in the Judgment of Hon. High Court of Kerala in WP(C) No. 35178 of 2016 Dtd. 03.11.2016 and to consider the application for fresh S/C

permit to operate on the route Pulikkal – Puthiyodathuparamba. This authority has considered the application and perused the connected records and files. Total route length is 9 Kms. There is a virgin portion of 2 Kms between Urundadimala and Mayakkara. The Secretary, RTA is directed to obtain road fitness certificate for the above mentioned portion and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 27

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Vettamcheerppu-Tirur-Paravanna. This is an intra-district route with route length 21.5 Kms. There is no virgin portion and no overlapping with notified route. This authority has verified the application and connected files in detail. The objections raised during the open hearing of this authority were also considered as per law. Upon verification it is further revealed that the applicant has not offered a stage carriage for endorsing the permit. Also the fare stages for the entire route is not clearly specified by the route enquiry officer.

Also, the applicant has produced a submission before this authority stating that he will produce a stage carriage before the Secretary, RTA. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

Considering the above observations and findings,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 28

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Chembra Colony – Edakkara. This authority has considered the application and verified connected records. This is an intra-district route with route length 33.7 Kms. As per the report of the enquiry report, there is no virgin portion. However there is an overlapping of 0.2 Kms with the notified sector; which is within the permissible limit.

The objections raised during the open hearing of this authority were also considered as per law. Upon verification it is further revealed that the applicant has not offered a stage carriage for endorsing the permit. Also the fare stages for the entire route is not clearly specified by the route enquiry officer. Also, the applicant has produced a submission before this authority stating that he will produce a stage carriage within one month from

25.01.2017. This authority is of the view that these statements are not dependable and is only to mislead this authority. Hence,

Considering the above observations and findings,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 29

Heard the learned counsel.

This is an application for a fresh regular Stage Carriage permit on the above intra-district route. This authority has verified the application and connected files in detail. This is an intra-district route with route length 14.9 Kms. There is a virgin portion of 7.6 Kms and also an overlapping with notified sector, Ponnani – Chelari in

Tanur to Moolakkal - 1.5 Kms

Pookayil to Thazheppalam – 1.5 Kms

As per the report of the enquiry officer, these overlapping are not objectionable. The objections raised for and against the applications were also considered as per law.

In the open hearing of this authority there is an objection in the open hearing of this authority that Moolakkal – Tanur lies in complete exclusion portion of Ponnani – Chelari notified scheme and thus it is objectionable.

In the light of the above observations and findings, Secretary, RTA is directed to

1. re-enquire the matter and a specific report from MVI is called for and
2. obtain the fare stages for the entire route

Submit before this authority. Hence decision on this application is **adjourned**.

Item No. 30

Heard the learned counsel.

To consider the application for fresh S/C permit to operate on the route Mooleppadam- Nilambur-Karuvarakundu touching Peruvampadom and Ramankuth. This authority has considered the application and connected files in detail. This is an intra-district route with route length 70.6 Kms. As per the report of the route enquiry officer, there is no virgin portion and 3 Kms overlapping with notified sector; which is not objectionable. Proposed route is not adequately served with stage carriages, which passes through interior and ill-served areas. Introduction of the proposed bus service will be beneficial to the travelling public and students.

Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to settlement of timings in accordance with Order No.D3/875/05 of STA dtd

08/11/2011 to the stage carriage KL 10 Q 9955 The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 31

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Kuttippuram-Tirur-Kadampuzha. This authority has considered the application and verified the connected records and files. As per the report of the route enquiry officer this is an intra district route with route length 55.3 Kms. There is also an overlapping of 5.9 Kms with notified schemes; which are not objectionable.

The objections raised during the open hearing of this authority were also considered as per law. Upon verification it is further revealed that the applicant has not offered a stage carriage for endorsing the permit. Also the fare stages for the entire route is not clearly specified by the route enquiry officer. Considering the above observations and findings,

1) the applicant is directed to furnish the details of the vehicle to which the fresh permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Laden Weight etc. required by item No. 6 to 8 in Form P.St.S.A as per section 70[1] Clause[f] of Motor Vehicles Act 1988.

2) obtain fare stages for the entire route from the route enquiry officer and place before this authority.

Hence decision on this application is **adjourned**.

Item No. 32

Heard the learned counsel.

This is to consider the application for fresh S/C permit to operate on the route Tirur-Meeshappadi. This authority has considered the application and verified connected files in detail. This is an intra-district route with route length 11 Kms. As per the report of the enquiry officer, there is no virgin portion and no overlapping with notified sector. He has also reported that the proposed route is not adequately served with stage carriages. Introduction of the proposed bus service will be beneficial to the travelling public and students. The objections raised in the open hearing of this authority were considered as per law.

Hence regular stage carriage permit on the route mentioned in the application is **granted** subject to settlement of timings in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 07 AJ 4375 The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular

permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 33

Heard the learned counsel.

To consider the application for fresh S/C permit to operate on the route Melattur-Kozhikkode. This authority has considered the application and verified connected records. The route enquiry officer has reported that this is an inter-district route with route length 85.5 Kms of which 56.9 Kms lies in Malappuram District and 28.6 Kms in the jurisdiction of Sister RTA, Kozhikkode. There is no virgin portion and an overlapping of 2.1 Kms with notified sector. However the same is not objectionable.

The objections raised during the open hearing of this authority were also considered as per law. Also the fare stages for the entire route is not clearly specified by the route enquiry officer. Considering the above observations and findings,

- 1) obtain fare stages for the entire route from the route enquiry officer and place before this authority.
- 2) The Secretary RTA is directed to obtain concurrence from Sister RTA, Kozhikkode for granting such a fresh stage carriage permit on the above route.

Hence decision on this application is **adjourned**.

Item No. 34

Heard the learned counsel.

This is to consider the application by the grantee of the permit on the route Panakkad High School – Malappuram for endorsing the granted permit by the RTA held on 26.02.2013 in Item No. 22 to the stage carriage KL 06 D 5196 and also to consider the application for temporary permit on the above route for four months u/s 87(1) c. This authority has considered the application by the grantee of the permit and verified connected records. The permit on the above route was granted by the RTA held on 05.03.2013 in item no.22 and the grantee has produced the current records of a stage carriage within the stipulated time. A timing conference was also scheduled, convened and amicably settled the timings by the Secretary, RTA on 18.04.2013. proceedings issued to the petitioner on 02.01.2014 with a direction to produce the current records of KL 08 R 5030 for endorsing the granted permit. However the applicant was not responded to the communication till 17.11.2016. On 17.11.2016, he has submitted a request for endorsing the granted permit on the above said route with the settled timings to another stage carriage KL 06 D 5196. In the open hearing of this authority there were not much objections including for the settled timing on 18.04.2013 received before this authority. In this context, this authority could not find any legal impediment to issue the permit on the above route to the stage carriage KL 06 D 5196 produced by the grantee of the permit with settled timing on 18.04.2013.

Hence regular stage carriage permit on the route mentioned in the application is **granted with the settled** timings in accordance with Order No.D3/875/05 of STA dtd 08/11/2011 to the stage carriage KL 06 D 5196 The applicant is directed to produce the current records of the said vehicle within thirty days of communication of this decision as stipulated under Rule 159[2] of KMV Rules 1989 failing which the grant of the regular permit will be treated as revoked without further notice. This authority is of the view that the request for extension of time should not be entertained for the production of stage carriage under any circumstances.

Item No. 35

Heard the learned counsel.

To consider the application for variation of permit in respect of the Stage Carriage KL 10 R 8008 on the route Edavannapara – Vengara. The permit holder applied for Extension From Kunnumpuram to Kakkad via A.R Nagar, Kolappuram and Kooiad (2single trips)by curtailment of two single trips from Kunnumpuram to Vengara on the existing regular route. The application was considered by this authority and verified the connected records and files. Objections for and against the application raised by other en-route operators were heard and considered as per law. The proposed variation includes extension to Kakkad from Kunnumpuram by curtailing the comparatively ill-served area; that is Kunnumpuram to Vengara. The reporting officer has clearly pointed out that the curtailment will adversely affect the travelling public in this sector. Regional Transport Authorities are constituted to provide better travelling facilities to the public. If the request is allowed this is a deprivation of the travelling facilities of a certain portion of the route. Further, the request for extension is from Kunnumpuram to Kakkad; part of the route from Kolappuram to Kakkad falls in the national High Way Kozhikkode – Thrissur. This authority could not find any urgent necessity to increase trips in the requested well-served area. Furthermore the applicant has changed the existing timings slightly.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 36

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 T 6022 on the route Pookottumanna – Kanhirampadam. The permit holder applied for extension from Karimbinthodi to Karad (22 Single Trips) on the existing regular route without curtailment. The application was considered by this authority and verified connected records. The route enquiry officer has reported that the requested extension is 1.2 km from Karimbinthodi to Karad without any curtailment. He has also pointed out that the existing timings will be changed but which will not affect the travelling public. Variation of the permit to extend 22 single trips up to Karad will be beneficial for

travelling public. Variation distance is only 1.2 kms. Route length after variation is 26.2 Kms. There is no virgin portion or overlapping of the notified route. Variation does not violate section 80(3) of the MV act and do not overlapping any notified portion.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 10 T 6022 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 37

Heard the learned counsel.

To Consider the application for regular variation in respect of the vehicle KL 10 Y 1176, operating on the route Wandur –Nilambur. The permit holder has applied for regular variation of conditions of Permit so as to provide Additional trips (1) from Thrikaikuth to Keerthipadi(1 single) and Keerthipadi – Wandur (2 singles) on existing route and to provide one trip from Wandur to Keerthipadi and halting single trip from Wandoor to Thrikkaikuth. This authority has considered the application and related documents in detail. The objections raised for and against the application were also considered as per law. On further verification, the permit is granted and issued after settlement of timings three months before and this authority is not convinced the need for such a variation in such a short span of time. The intention of the applicant is not providing better travelling facility to the common public. The route enquiry officer has also reported that change of halting place is a violation of 80 (3) of Motor Vehicles Act. Regional Transport Authorities are constituted to provide better traveling facilities to the public and we are of the opinion that this not a viable and public friendly proposal.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 38

Heard the learned counsel.

This is to consider the application for **regular variation** in respect of the vehicle KL 10 AC 8016, operating on the route Chalikkal –Areacode. The permit holder has applied for regular variation of conditions of Permit so as to extend the trip from Chalikkal to Munderi Appan kavu colony (2 singles) having a distance of 2 kms on the existing Regular Route. This authority has considered the application and verified connected files and records. The route enquiry officer has reported that the proposed extension will be beneficial to the travelling public especially, the tribal families residing at the Apankavu colony, since there is no bus service on the route from Chalikkal To Munderi Appankavu colony. The permit holder has requested to operate service 5 a.m. in the early morning. Considering the necessity of a

stage carriage service in this area, this authority is of the collective opinion that more number of trips has to be operated to the mentioned colony for the benefit of travelling public. Hence the application for variation is **granted** subject to

- 1) add four additional single trips to Munderi Appankavu Colony during peak hours and
- 2) production of current records of KL 10 AC 8016 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 39

Heard the learned counsel.

This is to consider the application for regular variation in respect of the vehicle KL 10 W 1123 , operating on the route Munderi -Thannikkadavu. This authority has verified the application and connected records in detail. The permit holder has applied for regular variation of conditions of Permit so as to Extend Route from Narokavu to Mathalpara(6 single trips)by curtailment of Narokavu to Thannikkadavu (2single trips). As per the report of the route enquiry officer, the proposed extension will be beneficial to the travelling Public on the route from Edakkara to Mathalpara . At the same time the Curtailment of 2 single trips between Narokavu & Thannikkadavu will adversely affect the travelling public on that sector, since this sector is not well served.

Regional Transport Authorities are constituted to provide better traveling facilities to the public and we are of the opinion that this not a viable and public friendly proposal.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 40

Heard the learned counsel.

This is to consider the application for regular variation in respect of the vehicle KL 10 AA 4343, operating on the route Mampad -Kalikavu touching Amarambalam. This authority has verified the application and connected records in detail. The permit holder has applied for regular variation of conditions of Permit so as to Deviation of one trip from Nilambur to Amarambalam via Mukkatta railway, Kottampara and Pookkoottumpadam instead of Via Vadapuram and Wandoor. The route enquiry officer has stated that the total deviation is 17.5 km and Trip Curtailment is 20 kms. Thus the permit holder is requested for a total of variation of 37.5 Kms in the existing route. Furthermore the requested variation will change the entire basic characteristic of the existing permit and this authority is of the opinion that this is not a public friendly approach. 20 Kms curtailment will definitely affect the travelling public. Again, maximum allowable limit in a variation as per section 80 is 24 Kms.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 41

Heard the learned counsel.

This is to re-consider the application for regular variation of permit in r/o the stage carriage KL-07-AJ-7062 operating on the route Nilambur – Nellikuth. The permit holder has applied for a variation of permit condition so as to extend the route from Krappuram to Balankulam (2 single trips) and two additional single trips between Karulai and Karappuram and extension from Mukkatta to Ramankuth (2 single trips) by curtailment from Mukkatta to Karulai on the existing regular route. This authority has re-considered the application and verified connected documents and files. The matter was previously considered by this authority held on 11.07.2016 in item no. 103 and the decision was adjourned for want of a specific report.

Accordingly, the matter was re-enquired through Motor Vehicle Inspector, Malappuram and he has clearly explained the effect of variation with adequate statistical evidence. This authority has verified the report in detail.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 07 AJ7062 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 42

Heard the learned counsel.

This is to consider the application for **regular variation** in respect of the vehicle KL 10 AA 6394 , operating on the route Porur –Wandur –Mampad. The permit holder has applied for the extension of trip from Wandur to Emangad via Vaniyambalam, Thachankode and Parakkulamm (2singles) without changing existing timings on the existing regular route. As per the report of the route enquiry officer, the proposed extension will be beneficial to the travelling Public on the route Wandur to Emangad, since the sector ill-served.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 10 AA 6394 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 43

Heard the learned counsel.

This is to Consider the application for regular variation in respect of the vehicle KL 53 8839, operating on the route Pookkootumpadm –Manjeri –Karuvarakundu. The permit holder has applied for regular variation of conditions of Permit so as to extend existing route from Puthanazhi Kavala to Chalava and return single trip from Chavala by curtailment of the route from Puthanazhi to Karuvarakundu. This authority has considered the application

and verified the connected files in detail. The applicant has requested for extension, curtailment and time change to a recently issued stage carriage permit. The route enquiry officer has stated that the extension will be beneficial for the travelling public. However it is evident that the trip curtailment will seriously affect the travelling public of the route. Regional Transport Authorities are constituted to facilitate the travelling needs of the public. Curtailment of portion of an existing permit will be disadvantageous to the travelling public and students of the area. The permit holder intends to extent 15.2 Kms in the existing permit and also propose time changes in the existing permit which is issued very recently. This authority is of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 44

Heard the learned counsel.

This is to Consider the application for regular variation in respect of the vehicle KL 13 N 8270, operating on the route Chathrathodi –Kozhikode touching Kondotty. The permit holder has applied for regular variation so as to deviate return trips from Kozhikode Via Feroke N.B. instead of Feroke. This authority has considered the application and verified connected records. The requested variation is within the city limit of Kozhikkode Corporation and new permits are restricted by way of Government Notification. Also, stage carriage is presently operating through the notified portion and the permit holder has requested to withdraw service from notified sector. This is against the interest of travelling public that there is no scope for another private stage carriage permit through Feroke. Enough stage carriages are operating service through Feroke New Bridge. Regional Transport Authorities are constituted to facilitate the travelling needs of the public and withdrawal of service via Feroke will not be beneficial for the travelling public of the area. This authority is of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 45

Heard the learned counsel.

This is to Consider the application for regular variation in respect of the vehicle, KL 06 D 6413, operating on the route Kanhiramadam-Wandoor touching Nilambur and Pookkoottumpadam. The permit holder has applied for regular variation of conditions of permit so as to extend the route from Kanhiramadam to Karimbinthodi. This authority has considered the application in detail and perused connected files and records. As per the

report of the route enquiry officer, there is no deviation or curtailment or trip variation or overlapping on notified route/nationalization scheme due to variation and there is no virgin portion. He has also reported that the proposed extension will be beneficial to the travelling Public of Karimbintodi.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 06 D 6413 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 46

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 R 2951 on the route Purathur-Koottai-Azhimugham touching Vyrangode. The permit holder has applied to provide 4 Single trips on the Tirur-Kootayi sector via Poongottukulam and Paravanna by extending the route from Poongottukulam to Paravanna via Thunjanmadam, Ettirikkadavu and Pachattiri without curtailment on the existing regular route. This authority has considered the application and perused connected files and records. As per the report of route enquiry officer, there is no virgin portion and there is no curtailment in the existing route. There is an overlapping of 0.4 Kms in the notified sector, Ponnani – Chelari, which is not objectionable.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 10 R 2951 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 47

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 T 727 on the route Puthuparamba-Kottapuram. The permit holder has applied for regular extension from Puthuparamba to Puthanangadi via Karattangadi, Manjamad Palam and Mini Bazar as OS on the existing regular route Puthuparamba-Kottappuram. This authority has considered the application and verified connected records and files in detail. While verifying the proposed and existing time schedule, the applicant has changed most of the existing timings. This is against the basic principle of application for variation of permit condition. This authority is convinced that the intension of the applicant is the shuffling of existing timings in the guise of a variation application. Shuffling of timing will definitely affect the travelling needs of public and this authority is for safeguarding the interest of the traveling public. This authority is of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 48

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 73 A 6966 on the route Kolathode-Chemmad with halt at Idimozhikkal. The permit holder applied to extend the route from Kolathode to Irumpothinkadavu (10 single trips) on the existing regular route without curtailment and without changing existing timings.

This authority has considered the application and verified connected records and files. In the open hearing of this authority there was an objection from other en-route operators regarding the proposed timings published in the agenda. Secretary, RTA has published an erratum agenda and the same has been verified. However there is vehement objection from other en-route operators that they could not verify the timings and place objections before this authority. This authority finds a clerical error in the published agenda and hence the Secretary RTA is directed to rectify the same and place before this authority for further consideration.

Hence decision on this application is **adjourned**.

Item No. 49

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 07 AK 7766 on the route Kadampuzha - Kolathode - Kondotty. The permit holder applied for extension from Kolathode to Irumpothinkadavu (8 single trips) and extension from Aalingal to Kadakkattupara (2 single trips) and 2 additional single trips in between Kolathode and Mele chelari and 2 additional single trips in between Mele Chelari and Aalingal without curtailment on the existing regular route. This authority has considered the application and perused the documents in detail.

In the open hearing of this authority there were vehement objections from other en-route operators that:

- 1) The applicant hide the extension portion in the proposed timings
- 2) The additional overlapping between Kolathode and Mele Chelari overlaps with notified portion.
- 3) There is a dispute on the fare stage in the proposed route.

On further verification of agenda and connected records, the objections (1) & (2) are found sustainable. Secretary, RTA has published an erratum agenda and the same has been verified. However there is vehement objection from other en-route operators that they could not verify the timings and place objections before this authority and thus the Secretary, RTA is directed to

1) Submit the proposal with timings on the extension portion (Irumpothikkadavu & Kadakkattupara) and

2) Obtain a specific report mentioning whether the proposed portion overlaps with notified portion or not

and present before this authority. Hence, decision on this application is **adjourned**.

Item No. 50

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 08 AH 1000 (old bus KL 50 A 5533) on the route Calicut-Pattambi. The Permit Holder has applied for extension of the route from Chemmad to Parappangadi (2 single trips) and halt at Parappanangadi and time revision on the existing regular route. This authority has considered the application and perused the documents in detail. As per the report of the route enquiry officer, the applicant has proposed to change the halting place from Chemmad to Parappanagdi by extending the route from Chemmad to Parappanagdi and also proposed to increase the running time from 2 minute to 2.5 minutes. There were vehement objections from other en-route operators on the proposed variation proposal. Those were also considered as per law.

Change of halting place is a clear violation of Section 80 (3) of M V Act. Most of the existing timings were changed in the guise of variation of permit condition. This is also not acceptable. This authority is of the view that unnecessary change of timings will be disadvantageous to the existing travelling public. This authority is for safeguarding the interest of the traveling public and we are of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 51

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 AW 5090 on the route KADAMPUZHA - KOTTAKKAL touching Thalakkappu with halt at Villoor. The permit holder applied for extension to additional one single trips from Kavathikalam to Kottakkal and Kottakkal to Kavathikalam (via) Athani and Kottappadi without curtailing existing trips. This authority has considered the application and perused the documents in detail.

As per the report of the enquiry officer the proposed additional single up and down early morning trips is beneficial to travelling public and students. Kadampuzha temple is an important temple on the route and the proposed varied trips are highly beneficial for the devotees. This additional 3 km trip is not violated sec 80 (3) of the MV act and clause 19 of the notification No 4/2009 and ensuring there is no time clash with other operators service.

There was an objection from an en-route operator stating that there is error in the existing timing given in the agenda; Secretary, RTA is directed to verify the same. He has also raised objections regarding the proposed timing in the variation application. The same can be considered and settled during the timing conference and the objections in this regard were overruled.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 10 AW 5090 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 52

Heard the learned counsel.

This is to re-consider the application for variation of permit in respect of the Stage Carriage KL 10 P 4434 operating on the route Tirur – Theyyala. The permit holder applied for extension from Tanur to Ottumpuram (6 kms) 4 single trips on the existing route Tirur – Theyyala. This authority has considered the application and perused the documents in detail. The route enquiry officer has reported that the total distance of variation is 5.6 kms. There is no curtailment of trips on the existing route and some slight arrangements in the existing timings. Ottumpuram is a fishermen area and there are so many fishermen families residing there. At present the existing facilities not enough for the travelling publics and the proposed variation will be highly beneficial for them. Moreover, the proposed extension doesn't touch any nationalized or notified sector.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to production of current records of KL 10 P 4434 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 53

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 R 8969 on the route Kottumalaparamba- Kondotty – Madanchina – OKM Nagar. The permit holder has applied to provide 8 additional single trips on the Vengara-OKM Nagar route (6 single trips via Chinnammapadi and 2 single trips via Mini by curtailment of the route from Chinnammapadi to Kondotty on the existing regular route.

As per the report of the route enquiry officer, there is a curtailment of 18.2 Kms and this will definitely affect the travelling public of that area. There is also a variation of additional trip on the existing route by 11.7 Kms. Thus there is totally a variation of 29.9 Kms as per

the present proposal, this cannot be acceptable. Section 80 (3) stipulates the total allowable variation as 24 Kms. Thus the proposal violates Section 80 (3) of Motor Vehicles Act. The intention of the applicant is also slight changes in the existing timing schedule in the guise of this application for variation of permit condition. This is also not acceptable. This authority is of the view that unnecessary change of timings and curtailment of trips will be disadvantageous to the existing travelling public. This authority is for safeguarding the interest of the traveling public and we are of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 54

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 V 8669 on the route Tirur-Chemmad. The permit holder has applied to deviate 4th single trips from Pandimuttam to Payyanangadi via Chembra instead of via Pulparamba and vylathur on the existing regular route. This authority has considered the application and perused the documents in detail.

The proposed deviation 4th single trip from pandimuttam to Payyanagadi Via Cembra having a distance of 9.02 kms. Chembra is a ill served area. The present stage carriage operations on the route Chemmad- Tirur via Chembra are insufficient to occupy people and students. Most of the stage carriage operating through this route is overloaded with passengers and more stage carriage services are required to avoid congestion and for passenger comfort. There is no curtailment and slight changes in the existing timings. There is no change in the halting place.

In the light of the above findings and observation, this authority feels that the request for variation complies with Section 80(3) of MV Act 1988. Hence the application for variation is **granted** subject to

- 1) No change in existing timings; except for varied portion and
- 2) production of current records of KL 10 V 8669 within one month from the date of communication of the decision failing which the grant of this variation will be treated as revoked without further notice and subject to settlement of timings.

Item No. 55

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 10 W 3465 on the Kuttippuram – Tirur. The permit holder applied for curtailment of the four Thrirunavaya_Tirur Cut Trips and change of halting place from Thirunavaya to Perunthallur , time revision and re arrangements of trips on the Kuttippuram-Tirue route. This authority has considered the application and perused the documents in detail. As per

the report of the route enquiry officer, the applicant has requested for curtailment Thirunavaya – Tirur four cut trips with time revision. This authority is of the view that curtailment of an existing permit will always be adversely affecting a portion of the regular passengers. The applicant has stated that the trips at early morning will not be beneficial for the passengers. At the time of request for grant of a stage carriage permit, applicants usually submit that the early morning trips are highly beneficial for the travelling public. So, the argument of the applicant that the existing trips are not beneficial for the travelling public cannot be accepted. Further, another request is to change the halting place. This is again a clear violation of section 80 (3) of Motor Vehicles Act. Furthermore this is a short distance route and by curtailing major portion of the route, the applicant has requested to change the basic characteristic of this permit; If the variation is allowed this will be like a fresh stage carriage permit. This is also not acceptable. This authority is of the view that unnecessary change of timings and curtailment of trips will be disadvantageous to the existing travelling public. This authority is for safeguarding the interest of the traveling public and we are of the common opinion that this proposal is not a public friendly one and facilitates the travelling needs of the public. There were vehement objection from State Transport Authority on the proposed variation.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 56

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 11 R 7514 on the route Cholakkundu-Kottakkal Touching Vengara And Kottappuram. The permit holder applied to deviate 6 single trips from Kottakkal to cholakkundu via Chankuvetti instead of via Thekkekolamb on the existing regular permit. This authority has considered the application and perused the documents in detail. As per the report of the enquiry officer, the application is for a deviation from Kottakkal to Cholakkunde via Chankuvetti. He has also reported that this deviation is through the notified sector from Chankuvetty to AVS College Junction. This authority is of the opinion that this is a violation of clause 19 of the notification G.O. (P) No. 42/2009/Tran. Further, the need for such a deviation is not convincing and this authority is not supporting an unnecessary change in existing conditions endorsed to an existing permit. This authority is of the view that unnecessary change of trips will be disadvantageous to the existing travelling public. This authority is for safeguarding the interest of the traveling public and we are of the common opinion that this proposal is not a public friendly one and does not facilitates the travelling needs of the public.

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 57

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 55 E 5004 on the route Tirur-Puthanathani. The permit holder has applied for time revision to re arrange trip on the Puthanathani –Tirur route via Thuvvakad to operate in the morning (with Puthanathani departure time 5.20 a m) instead of the existing trip in the night (7.35 p m departure from Puthanathani) and also to conduct trip from Tirur to Vairankode in the morning with Tirur departure time 6.00am instead of existing halting trip from Tirur to vairankode and variation by providing additional trip from Puthanathani to Vairankode (halting trip) without curtailment. This authority has considered the application and perused the documents in detail. As per the request, the applicant has request for re-arrangement of trips. This authority is of the view that the morning trips proposed by the applicant are beneficial to the travelling public. However the withdrawal of trips for re-arrangement during night will be disadvantageous to the existing travelling public. The Secretary, RTA has also submitted that there are several complaints about the curtailment of night trip by the operator.

In the light of the above findings and observation, this authority feels that the request for variation does not complies with Section 80(3) of MV Act 1988. Hence the application for variation is **rejected**.

Item No. 58

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 55 H 5670 on the route Changaramkulam – Valanchry. The permit holder has applied for providing extension to Thavanur, Agricultural College, (2 singles) by curtailing Kuttippuram –Valanchery on the existing regular route. This authority has considered the application and perused the documents in detail.

This application was considered by this authority held on 25.10.2016 in Item No. 43 and the decision was adjourned with a direction to the Secretary, RTA to place the matter with a specific report on curtailment. However, from the files it is seen the Secretary, RTA has not complied the decision of this authority and hence once again **adjourned** the decision on this application with a direction to comply the decision of this authority held on 25.10.2016 in Item No. 43.

Item No. 59

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 55 T 9100 on the route Kottakkal-Purathur. The permit holder has applied for regular

variation from Tirur to Kuttippuram (20 Kms) on the existing regular route Kottakkal – Purathur and halt at Karingappara as OS. This authority has considered the application and perused the documents in detail. However there is a mismatch is apparent with the application, report of the route enquiry officer and sketch submitted by the applicant. Also, there is an objection in the open hearing of this authority that this is the third variation on this permit and the total variation exceeded 24 Kms altogether. This authority is of the view that this also has to be examined in detail. Hence Secretary, RTA is directed to obtain a specific report from the route enquiry officer on the application submitted; also, mention whether the details of previous variations on permit conditions allowed with respect to this permit and place before this authority.

Hence, the decision on this application is **adjourned**.

Item No. 60

Heard the learned counsel.

This is to consider the application for variation of permit in respect of the Stage Carriage KL 65 D 5287 on the route Olipram - Kozhikkode - Tanur touching Vallikkunnu railway station. The permit holder applied to change of halting place from olipram to Ravimangalam having a distance of 5 km. Curtailment between parappanagadi –Tanur. This authority has considered the application and perused the documents in detail. The proposal is to curtail the trip between Parappanangadi and Tanur; the need for such a curtailment is not convincing and this authority is not supporting an unnecessary change in existing conditions endorsed to an existing permit. We are of the view that this curtailment of trips will be disadvantageous to the existing travelling public. This authority is for safeguarding the interest of the traveling public and we are of the common opinion that this proposal is not a public friendly one and does not facilitates the travelling needs of the public. Moreover, change of halting place is not permissible by Motor Vehicles Act under Section 80 (3).

In these circumstances this authority is not convinced the need or necessity for a variation of permit conditions of the above mentioned stage carriage as per 80(3) of MV Act. Hence the application for variation of permit is **rejected**.

Item No. 61

Duplication of agenda – Item No. 50. Hence, deleted.

Item No. 62

Heard.

1.This is to consider the application for renewal and regular variation of permit as LSOS in respect of the stage carriage Stage KL 48 D 645 operating on the route Kozhikkode-Thrissur-Tirur Via University, Kolapuram Valanchery, Kuttipuram Edappal, Kunnamkulam and Vylathur as LSFP.

This authority considered the application in detail. The inter district regular permits issued to the above stage carriage to operate service as Fast Passenger was expired on 30.07.2016.

Vide GO (P) No.73/2013/Tran dtd 16/07/2013, the Government of Kerala prevented the operation of private stage carriages as Super Class services. Later, vide GO (MS) No.45/2015/Tran dtd 20/08/2015, the Government of Kerala have directed all Regional Transport Authorities to issue Limited Stop Ordinary Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super-Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013.

In the light of above order, the permit holder of the S/C KL 48 D 645 had applied for 4 months temporary permit and the same was issued as LSOS to this stage carriage in obedience to the direction in GO MS No.45/2015 along with a proceedings with the existing time schedule and stops by the Secretary, RTA.

Further, the permit holder has applied for the conversion of the class of services from Limited Stop Fast Passenger to LSOS and renewal of the permit as LSOS. The route Kozhikode-Thrissur-Tirur is an inter district route and the route is passing through the jurisdictions of two other Regional Transport Authorities; concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities as per the decision of this authority held on 25.10.2016 in Departmental Item 1. Hence **adjourned.**

2. The decision taken by the Secretary RTA to issue temporary permit is ratified and is further directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS, based on the application received from the permit holder with a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops, subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services and the Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before re-issuing the temporary permit.

Item No. 63

Heard.

1.This is to consider the application for renewal and regular variation of permit as LSOS in respect of the stage carriage Stage **KL 55 E 9455** operating on the route Kozhikode - Thrissur Via Feroke NB, Ramanattukara, Ucity, Kolappuram, Valanchery And Kuttipuram,Kunnamkulam As LSFP.

This authority considered the application in detail. The inter district regular permits issued to the above stage carriage to operate service as Fast Passenger was expired on 28.03.2014. The Permit Holder applied for renewal of Permit for further period of 05 years as on 30.07.2013. Concurrence granted by RTA, Kozhikode, held on 06/02/2014 item no.17 and Thrissur, on 06/02/2014 item no. 2. Vide GO (P) No.73/2013/Tran dtd 16/07/2013, the

Government of Kerala prevented the operation of private stage carriages as Super Class services. Later, vide GO (MS) No.45/2015/Tran dtd 20/08/2015, the Government of Kerala have directed all Regional Transport Authorities to issue Limited Stop Ordinary Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super-Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013.

As per the above, direction, the Permit Holder, Sri. Salih, applied for Converting existing Fast Passenger Service on the Route to LSOS, as on 17.09.2015. Also, the Permit holder in respect of the Stage Carriage, Sri. Salih, approached the H'ble High court of Kerala in W.P (C) No. 24619 of 2015 before the H'ble High Court of Kerala, praying to grant an interim direction to obtain Clearance Certificate by keeping the Permit Under Suspended Animation. While disposing the Writ Petition, the H,ble High court, directed the Secretary R.T.A. Malappuram, to issue Permit-less Certificate to the Petitioners Stage Carriage bearing Registration No. KL 55 E 9455 as the Petitioners Vehicle is not covered by a permit. Accordingly, Permit-less certificate issued to the Stage Carriage, KL 55 E 9455, on 17.09.2015. Now, the Permit holder has submitted an Application for replacement of the Stage Carriage Permit in respect of KL 10 55 E 9455 (2009 model) with a Later model Stage Carriage, KL 08 AX 5004 (2012 model), on 23.05.2016, which is belated.

In the light of above order, the permit holder of the S/C KL 08 AX 5004 had applied for 4 months temporary permit and the same was issued as LSOS to this stage carriage in obedience to the direction in GO MS No.45/2015 along with a proceedings with the existing time schedule and stops by the Secretary, RTA.

Further, the permit holder has applied for the conversion of the class of services from Limited Stop Fast Passenger to LSOS and renewal of the permit as LSOS. The route Kozhikode-Thrissur is an inter-district route and the route is passing through the jurisdictions of two other Regional Transport Authorities; concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities as per the decision of this authority held on 25.10.2016 in Departmental Item 1. Hence **adjourned.**

2. The decision taken by the Secretary RTA to issue temporary permit is ratified and is further directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS, based on the application received from the permit holder with a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops, subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services and the Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before re-issuing the temporary permit.

Item No. 64

Heard.

This is to peruse the Order of Hon'ble Supreme Court of India in its order No C.No.3815 of 2016 and to consider the application for re-issue of 4 month temporary permit under section 87(1)c on the route Manalaya Harijan Colony-Pattambi via Anamangad, Perinthalmanna, and Koppam as Ordinary Service.

This authority has considered the application and verified the related documents in detail. Stage Carriage KL 53 H 1186 (replaced from KL 53 3221) was operating on the above route as Ordinary Service with a regular permit (10/55/2004) and its validity expired on 15.04.2014. Regular permit in respect of this carriage was under suspended animation with effect from 04.10.2013. On 20.03.2014 permit holder had applied for renewal of permit without offering a vehicle. The renewal and replacement applications submitted by the registered owner of the stage carriage KL 53 H 1186 was granted by this authority held on 21.05.2015 in Item No. 105. In WP(C) No. 24250 of 2015 Dtd. 07.09.2015 Hon. High Court of Kerala has quashed the decision of this authority to grant the renewal and replacement of permit. The division bench of Hon. High Court of Kerala has dismissed the writ appeal submitted by the applicant. Further, the applicant has challenged the Judgment of Division Bench in the Hon. Supreme Court of India. In an interim order, Hon. Supreme Court of India in its Order in No C. 3815 of 16 on 21.03.2016 has directed this authority to consider the application for temporary permit u/s 87(1) c for four months. In obedience to the direction of Hon. Supreme Court of India, the Secretary RTA has issued temporary permit u/s 87(1) c multiple times and lastly up to 26.01.2017

Thus, there is no validity for regular permit issued to the applicant as on date. A case is pending with Hon. Supreme Court of India for final disposal. As per the direction of Hon. Supreme Court of India this authority has already issued temporary permit to the applicant and thus complied the order of Hon. Supreme Court of India.

Now, this authority is of the view that the application for temporary permit submitted by the applicant on the above said route for four months has to be viewed as a fresh application u/s 87 (1) c in the lapsed vacancy of Stage Carriage KL 53 H 1186 which is expired on 15.04.2014. This authority has considered the said application along with the report of the route enquiry officer. The report of the route enquiry officer revealed that out of the total route length of 35.5 Kms, 24.5 Kms lies in the notified sector as per G.O.(P) No. 42/2009/Tran. Dtd. 14.7.2009. As per clause 19 of the above said notification, the right to operate any new service and to increase the trips is reserved exclusively for State Transport Undertaking. Thus issuance a permit for initiating a new service to a private stage carriage is a clear violation of clause 19 of the above said notification. KSRTC has filed a detailed objection against the issuance of this permit before this authority. Moreover, there is no urgent temporary need exists on the above said route as explained under section 87(1) c of the Motor Vehicles Act.

In these circumstances, this authority could not find any valid reason for issuing further temporary permit on the above said route.

Hence, the application for re-issue of temporary permit for four months under section 87(1) c of Motor Vehicles Act on the route Manalaya Harijan Colony-Pattambi via Anamangad, Perinthalmanna, and Koppam as Ordinary Service with respect to the stage carriage KL 53 H 1186 is considered and **rejected**.

Item No. 65

Heard the learned counsel.

Secretary, RTA is directed to renew the permit or to seek concurrence from Sister RTAs Thrissur and Palakkad after verifying the route length in the neighboring district(s) in accordance with decision of this authority held on 25.10.2016 in Departmental Item 1.

Item No. 66

Heard.

This is to consider the belated renewal of permit application submitted by the registered owner of the S/C KL 10 AB 1246 on 27/10/2016 to operate on the route Areacode-Mythrakuthuparamba Via Pathanapuram, Therattammal, Moorkanad And Mythra Touching Pakulam Via Pathanapuram 6 trips and touching Kariparamba (One Round Trip) Via Pookottuchola, Kariparamba and halt at Kezhparamba Via Kuttooli and Kuniyil touching Amia College as OS.

The stage carriage KL 10 AB 1246 was covered by Regular Permit No.10/169/2001 and which was valid up to 29/10/2016 to operate on the above route and the renewal application was submitted was on 27/10/2016, which is only two days before the expiry of the permit, so could not be considered as an in time application. A request with medical certificate was submitted by the applicant to condone the delay.

As per the Motor Vehicles Act 1988, Section 81 (2) application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage on time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. The applicant has submitted a medical certificate stating that the delay is because of the hospitalization of the applicant. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 67

Heard.

This is to consider the belated renewal of permit application submitted by the registered owner of the Stage Carriage KL 10 R 3937 on 03-01-2017 to operate on the route Chalikkal

Areacode as Ordinary Service. The Permit No.10/118/1996 was valid up to 12/01/2017. the renewal application was submitted only on 03-01-2017, which is only 9 days before the expiry of the permit. A request with medical certificate is submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. The applicant has produced a medical certificate stating that the delay is because of the hospitalization of the applicant. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 68

Heard.

This is to consider the belated renewal of permit application submitted by the registered owner of the Stage Carriage KL 55 D 4786 on 12.05.2016 to operate on the route KOLAKUTH -KONDOTTY as Ordinary Service. The Permit No. 10/138/2001/M was valid up to 23.05.2016. The renewal application was submitted only on 12.05.2016, which is only 11 days before the expiry of the permit. A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. In the open hearing of this authority, there is an objection filed by one Ms. Sheeba M.M. has filed an objection on this application with a copy of death certificate of Mr. Imbichutty, the applicant. This authority is of the view that further exploration is needed in this regard and the Secretary RTA is directed to hear the objector and make an enquiry and submit a report before this authority.

Hence, decision on this application is **adjourned**.

Item No. 69

Heard.

This is to consider the Belated application for renewal of Permit in respect of the stage carriage KL 10 AA 6964 operating on the route, Thalippadam -Thannikkadavu Touching Karappuram. Permit No.10/582/2001/M, which was valid from 21.12.2011 to 20.12.2016.

The Permit holder applied for the renewal of Permit for further Period of 05 years on 07.12.2016.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 70

Heard.

This is to consider the Belated application for renewal of Permit in respect of the stage carriage KL 11 AA 8510 operating on the route, T-k- Colony- Nilambur- Touching Ramankuth. Permit No. 10/128/2006/M, which was valid from 04.11.2011 to 03.11.2016. The Permit holder has applied for the renewal of Permit for further Period of 05 years on 01.11.2016.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 71

Heard.

This is to consider the Belated application for renewal of Permit in respect of the stage carriage operating KL 10 S 288 on the route, VALIYAPARAMBA – PULIKKAL. Permit No. 10/6177/2001/M, which was valid from 03.12.2011 to 02.12.2016. The Permit holder applied for the renewal of Permit for further Period of 05 years on 09.12.2016.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time.

However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

On further verification of connected files, the applicant has not submitted that he has stopped the operation of the above said service immediately after the expiry of the permit and the Secretary, RTA has not verified the same. Hence,

- 1) The applicant is directed to submit an affidavit stating that he has not operated the service after 02.12.2016 and if so, the Secretary, RTA has to enquire the genuineness of the submission and place a verification report by an officer not below the rank of a Motor Vehicle Inspector or
- 2) The applicant has to remit a fine of Rs. 5000 as a punishment for permit less operation and violation of permit conditions within a period of fifteen days of receipt of this decision, if otherwise the decision of this authority on this application is revoked without further notice.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 72

Heard.

This is to consider the Belated application for renewal of Permit in respect of the stage carriage KL 10 Y 4861 operating on the route, POOTHUVETTIPPARA KOZHICKODE N-B vide Permit No. 10/196/2001/M, which was valid from 14.12.2011 to 13.12.2016. The Permit holder applied for the renewal of Permit for further Period of 05 years on 07.12.2016 to operate on the Route.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 73

Heard.

This is to consider the Belated application for renewal of Permit in respect of the stage carriage KL 11 U 4707 operating on the route, KONDOTTY-MARUTHAKKADAVU vide Permit No. 10/647/2006/M, which was valid from 31.08.2011 to 30.08.2016. The Permit

holder applied for the renewal of Permit for further Period of 05 years on 06.09.2016 to operate on the Route, which was not in time.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

On further verification of connected files, the applicant has not submitted that he has stopped the operation of the above said service immediately after the expiry of the permit and the Secretary, RTA has not verified the same. Hence,

1) The applicant is directed to submit an affidavit stating that he has not operated the service after 30.08.2016 and if so, the Secretary, RTA has to enquire the genuineness of the submission and place a verification report by an officer not below the rank of a Motor Vehicle Inspector or

2) The applicant has to remit a fine of Rs. 5000 as a punishment for permit less operation and violation of permit conditions within a period of fifteen days of receipt of this decision, if otherwise the decision of this authority on this application is revoked without further notice.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 74

Heard.

This is to consider the belated renewal of permit application submitted by the R/O of the S/C KL 06 D 6828 on 07/11/2016 on the route Malappuram - Puthuparamba - Thalakkappu vide permit No.10/5113/1996 was expired on 07/11/2016. The permit holder has submitted the renewal application on 29/12/2016.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

On further verification of connected files, the applicant has not submitted that he has stopped the operation of the above said service immediately after the expiry of the permit and the Secretary, RTA has not verified the same. Hence,

- 1) The applicant is directed to submit an affidavit stating that he has not operated the service after 07.11.2016 and if so, the Secretary, RTA has to enquire the genuineness of the submission and place a verification report by an officer not below the rank of a Motor Vehicle Inspector or
- 2) The applicant has to remit a fine of Rs. 5000 as a punishment for permit less operation and violation of permit conditions within a period of fifteen days of receipt of this decision, if otherwise the decision of this authority on this application is revoked without further notice.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 75

Heard.

This is to consider the belated renewal of permit application submitted by the R/O of the S/C KL 10 Q 9151 on 07/01/2016 on the route Edappal - Tirur. The permit (No.10/81/2001) was expired on 05/01/2016.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

On further verification of connected files, the applicant has not submitted that he has stopped the operation of the above said service immediately after the expiry of the permit and the Secretary, RTA has not verified the same. Hence,

- 1) The applicant is directed to submit an affidavit stating that he has not operated the service after 05.01.2016 and if so, the Secretary, RTA has to enquire the genuineness of the submission and place a verification report by an officer not below the rank of a Motor Vehicle Inspector or
- 2) The applicant has to remit a fine of Rs. 5000 as a punishment for permit less operation and violation of permit conditions within a period of fifteen days of receipt of this decision, if otherwise the decision of this authority on this application is revoked without further notice.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 76

Heard.

This is to re-consider the belated renewal of permit application submitted by the R/O of the S/C KL 08 AN 1595 on 04/08/2016 on the route Achanambalam - Kozhikkode Corp. bus stand. The permit(No.10/628/1987 was expired on 16/08/2016. The application was placed before the RTA meeting held on 25/10/2016 and the decision was adjourned for want of a report from the Secretary, RTA with an explanation from the applicant on the reason for delay for submission of the application. The same was obtained.

A request was submitted by the applicant with a prayer to condone the delay. As per Section 81 (2) of Motor Vehicles Act, application for renewal of fresh stage carriage permit has to be submitted 15 days before the expiry of the permit. Here, the permit holder has failed to submit the application for renewal of permit endorsed to his stage carriage in time. However, he has submitted an application before this authority praying to grant the renewal of permit by condone the delay in filing the application for renewal of permit.

This authority has considered the application and verified all relevant documents. This authority accepted the prayer and the delay occurred in filing the renewal of permit application is **condoned**.

On further verification of connected files, the applicant has not submitted that he has stopped the operation of the above said service immediately after the expiry of the permit and the Secretary, RTA has not verified the same. Hence,

- 1) The applicant is directed to submit an affidavit stating that he has not operated the service after 16.08.2016 and if so, the Secretary, RTA has to enquire the genuineness of the submission and place a verification report by an officer not below the rank of a Motor Vehicle Inspector or
- 2) The applicant has to remit a fine of Rs. 5000 as a punishment for permit less operation and violation of permit conditions within a period of fifteen days of receipt of this decision, if otherwise the decision of this authority on this application is revoked without further notice.

Hence the Secretary, RTA is directed to renew the permit as per law.

Item No. 77

Heard. Perused the Judgment of Hon. High Court of Kerala in WP(C) No. 1685 of 2017 Dtd. 18.01.2017; which directed this authority to take appropriate decision on EX. P2 application for renewal of the permit.

This is to consider the application received from the Permit holder of Stage Carriage KL 08 AR 9696 for replacement of vehicle by a latest model Stage Carriage KL 46 F 5879 and to consider the application for renewal of permit granting permission to seek concurrence from RTA Thrissur and Kozhikode for renewal of stage carriage permit (10/631/2002) valid up to 18.09.2016 in respect of stage carriage KL 08 AR 9696 on the route of Thrissur-Kozhikode Via Kunnankulam, Kuttipuram, Changuvetty, Kolapuram, University, and

Feroke NB as LSOS. This authority has considered the application and verified the connected documents in detail.

The Stage Carriage KL 08 AR 9696 covered by a regular permit expired on 18.09.2016 (10/631/2002) operating on the above inter-district route. The regular permit in respect of this Stage Carriage is under suspended animation as per the order of Honorable High Court of Kerala in WP(C) No.25323 of 13 dtd 22.10.2013 w e f 22.11.2013. The permit holder is supposed to replace the permit within four months. But he has not applied for the vehicle replacement in the stipulated time.

On 30.08.2016, permit holder submitted the application for renewal of permit and replacement of vehicle by a latest Stage Carriage KL 46 F 5879 since the Permit which was under suspended animation. Portion of the route lies in Thrissur and Kozhikode Districts and concurrences are to be sought from that RTA's. Renewal application was on time.

There were vehement objections from other en-route operators against the issuance of replacement and renewal of this permit stating that this permit was kept under suspended animation three years before and the vehicle offered is not in the name of the applicant. Upon verification, this authority could not find the registration certificate of the new vehicle for verification.

In the light of the above observations, this authority directs Secretary RTA to ascertain the genuineness of the produced vehicle in the light of the objections raised by other en-route operators and place a detailed report in the next RTA. Hence the decision on this application is **adjourned**.

Item No. 78

Heard.

This is to consider the applications for renewal of permit and replacement of vehicle by a later model Stage Carriage in respect of KL 10 K 4715 was operating on the route of Palapetty- Chaliyam Via Puduponnani, Ponnani, Edappal, Chungam as OS with Regular Permit (10/528/96) which was expired on 11.03.2016 since the registration validity of KL 10 K 4715 was expired on 30.08.2015. This authority has considered the application in detail and verified the related documents.

The Stage Carriage, KL 10 K 4715, was covered by Regular Permit vide No. 10/528/96 valid up to 11.03.2016, operating on the above route. Meanwhile, the registration validity of the Stage Carriage KL 10 K 4715 is expired on 30.08.2015. The Permit holder applied for the renewal of Permit for a further period of 05 years, on 25.02.2016, which was in time. On

16.06.2016 the permit holder submitted an application for replacement of vehicle by a later model Stage Carriage.

As per the note submitted by the Secretary, RTA the registration validity of the vehicle expired on 30.08.2015 and he has not even applied for a replacement till 16.06.2016. Without a vehicle attachment, the permit itself not valid; further the permit holder submitted an application for renewal of permit on 25.02.2016 without a valid vehicle. Now after five months, even after the expiry of the permit the permit holder has applied for replacement of vehicle. This authority is of the view that there is no need to condone the delay occurred for replacing the vehicle with a suitable vehicle to keep the permit alive for the benefit of traveling public.

In this context, this authority has also referred the observations made by Hon. High Court in a similar case in WP (C) No. 24250 of 2015 Dtd. 07.09.2015. By interpreting Rule 172 (2), Hon. Court has observed that 'No application for renewal of permit would lie without the registration mark of the vehicle to be covered by the permit'. Hence even the very application for renewal submitted by the applicant is not maintainable. The validity of the regular permit attached to the stage carriage was expired on 11.03.2016 and the applicant is ceased to be a holder of a regular permit thereafter. On 25.02.2016, the permit holder submitted the application for renewal of permit and which was in time, but without a valid stage carriage registration mark the application itself is not maintainable. However, the registration validity of the stage carriage expired on 30.08.2015. He is supposed to replace the permit with another vehicle on or before the expiry of the registration validity of the vehicle.

Thus the applicant has intentionally missed the opportunity for renewing his permit. Similarly, as per Section 83 of Motor Vehicles Act, 1988, only a holder of permit can apply for permission of the Regional Transport Authority to replace the vehicle covered by the permit by another stage carriage. In the light of the above findings and observations, this authority is of the view that there is no necessity to condone the intentional negligence and laxity of the applicant to operate a stage carriage.

Hence this authority **rejected** the application for renewal and replacement.

Item No. 79

Heard.

This is to re-consider the application for renewal of permit, variation of permit and replacement of vehicle in respect of the Stage Carriage KL 10 F 9000 on the route Kozhikkode corporation Bus stand –Ernakulam South Bus stand via Feroke, Vylathur, Tirur , Kuttippuram-Guruvayur-Kodungallur as LSOS. Regular Permit 10/19/1992, expired on 14/12/2007. This authority has re-considered the applications in detail and perused the documents.

Stage Carriage KL 10 F 9000 was operating on the route Kozhikkode Corporation Bus stand –Ernakulam South Bus stand via Feroke, Vylathur, Tirur, Kuttippuram-Guruvayur-

Kodungallur as LSFP. Regular Permit 10/19/1992, expired on 14/12/2007. The permit holder has submitted an application in form Permit condition Variation Application for converting the fast Passenger on the route as Limited stop Ordinary service without changing the existing timings and existing trips as GO 45/2015 dtd 20/08/2015, and another application has filed to replace the existing vehicle with later model KL 05 AA 9099 in lease agreement.

On further verification of connected files, Hon. High Court of Kerala in an interim order in WP(C) No. 2465 of 2017 (G), has stayed all further proceedings pursuant to the consideration of applications for renewal as regarding to the permit on the route Kozhikkode Corporation Bus Stand – Ernakulam South Bus stand. In obedience to the direction from Hon. High Court of Kerala, the decision on this application is **adjourned**.

Item No. 80

Heard.

This is to consider the belated application for Replacement of Vehicle of the Stage Carriage in respect of KL 10 R 7559 on hire agreement with regular permit (10/513/99) valid up to 08.03.2019 on the route of Malappuram Kambram as OS which has been under suspended animation as per the Judgment of Hon'ble High Court of Kerala in WP(C) No. 846 of 2016 dtd 13.01.2016 w e f 29.01.2016. This authority has considered the application and verified related documents in detail. As per the note submitted by the Secretary, RTA

On 28.05.2016 permit holder has submitted application for replacement of the Stage Carriage Permit in respect of KL 10 R 7559(Yr of Mnfr is 2003 and seating capacity is 28) on hire agreement with a later model Stage Carriage KL 10 AT 9942(Yr of Mnfr is 2015 and seating capacity is 28). Both vehicles are owned by different person. Notarized hire agreement is produced with application

The permit is valid and the same has been kept under suspended animation as per the direction from Hon. High Court of Kerala. In this context, this authority could not find any legal impediment to allow the application submitted with an intention to make a dead permit alive. This will be helpful for the travelling public of the route.

Hence replacement application is **allowed** with a condition that the Hire Agreement has to be endorsed in the Registration Certificate.

Item No. 81

Heard. This is to consider the belated application for replacement of vehicle in respect of KL 49 4667 with regular permit (10/522/2002) valid up to 01.09.2017 on the route of Pengamukku- Puduponnani as OS which has been under suspended animation as per the Judgment of Hon'ble High Court of Kerala in WP(C) No. 8517 of 2016 dtd 09.03.2016 w e f 29.03.2016. This authority has considered the application and verified related documents in detail. As per the note submitted by the Secretary, RTA:

On 03.01.2017 permit holder has submitted application for replacement of the Stage Carriage Permit in respect of KL 49 4667(Yr of Mnfr is 2007 and seating capacity is 38) on

hire agreement with a later model Stage Carriage KL 55 B 2832(Yr of Mnfr is 2007 and seating capacity is 33). Both vehicles are owned by same person.

The permit is valid and the same has been kept under suspended animation as per the direction from Hon. High Court of Kerala. In this context, this authority could not find any legal impediment to allow the application submitted with an intention to make a dead permit alive. This will be helpful for the travelling public of the route.

Hence replacement application is **allowed**.

Item No. 82

Heard. This is to consider the belated Application for Replacement of the Stage Carriage Permit vide Permit No. 10/2699/2012, valid from 26.04.2012 to 25.07.2017, in respect of KL 10 AC 7922, on the route, MONGAM - PULINGOTTUPURAM (2 SINGLE TRIPS TOUCHING PANNIPPARA) which has been kept under Suspended Animation, as per Judgment in W.P (C) No. 5136 of 2014. This authority has considered the application and verified related documents in detail. As per the note submitted by the Secretary, RTA reveals that the permit holder in respect of the Stage Carriage, Sri. Syedalavi, approached the H'ble High court of Kerala in W.P.(C) No. 5136 of 2014 before the H'ble High Court of Kerala. While disposing the Writ Petition, the H,ble High court, directed the Secretary R.T.A. Malappuram, to consider the Application for Clearance Certificate to the Stage Carriage, KL 10 AC 7922, without insisting the surrender of regular permit within a period of one week, with direction to the Permit holder to produce current Records of the vehicle sought to be substituted within a period of 04 months from today. If the Current records are not produced within that time, Permit stands cancelled. Accordingly, Clearance certificate issued to the Stage Carriage, KL 10 ac 7922, on 15.03.2014, with condition that the Permit shall be replaced within 04 months. Now, the Permit older has submitted an Application for replacement of the Stage Carriage Permit in respect of KL 10 AC 7922 (2008 model) with a lesser model Stage Carriage, KL 08 U 2085 (2002 model), on 13.12.2016, which is belated.

The permit is valid and the same has been kept under suspended animation as per the direction from Hon. High Court of Kerala. In this context, this authority could not find any legal impediment to allow the application submitted with an intention to make a dead permit alive. This will be helpful for the travelling public of the route. However, the applicant has intents to replace the permit with a lesser model stage carriage and this authority is of the view that this will deprive the travelling needs of the public. Hence the applicant is directed to produce a same/higher model vehicle for replacement with immediate effect and place the matter before this authority.

Hence, decision on the application is **adjourned**.

Item No. 83

Heard. This is to consider the belated application for replacement of the Stage Carriage in respect of the stage carriage KL-10-AS-1800 operating on the route Kozhikkode -

Poovathipady as LSOS (Permit No. 10/6630/1989, valid from 28.02.2010 to 27.02.2015), which has been kept under suspended animation, as per Judgment in W.P (C) No. 12868 of 2015., to the same vehicle. Now the Vehicle s operating with the strength of Temporary Permit u/s 87(1) D, from 12.01.2017 to 11.05.2017, since renewal application is pending for want of concurrence Sister, R.T.A. Kozhikode. The Permit holder in respect of the Stage Carriage, Sri. Noushad, approached the H'ble High court of Kerala in W.P.C. No. 12865 of 2015 dated, 24.04.2015. While disposing the Writ Petition, the H,ble High court, directed the Secretary R.T.A. Malappuram, to consider the Application for Clearance Certificate to the Stage Carriage, KL 10 AS 1800, without insisting surrender of Regular Permit within a period of one week, with direction to the permit holder to produce current records of the vehicle sought to be substituted within a period of 04 months from the date of Judgment, failing which the same shall stand revoked. Accordingly, clearance certificate issued to the Stage Carriage, KL 10 AS 1800, on 06.05.2015, with condition that the Permit shall be replaced within 04 months. On 15.01.2016, the Permit holder has submitted a belated application for replacement of the stage carriage permit in respect of KL 10 AS 1800 with the Same Vehicle. This application is filed after the expiry of the time allowed by the Court for replacing the Vehicle. This authority could not find any legal impediment for allowing the request for replacement and hence the above replacement application is **allowed**.

Item No. 84

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 85

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 86

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 87

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 88

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 89

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 90

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 91

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 92

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 93

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 94

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 95

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 96

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 97

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 98

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 99

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 100

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 101

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 102

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 103

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 104

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 105

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 106

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 107

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 108

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 109

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 110

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 111

(1) This is to peruse the judgment from Hon'ble high Court of Kerala in WP(C) No. 28577 of 2016 dtd 09.09.2016 and

(2) to re-consider the application for transfer which was adjourned by RTA held on 11.07.2016 vide item No. 212 of the stage carriage permit (No.10/57/95) in respect of the vehicle KL 09 V 7477 operating on the route of Kozhikode-Palakkad as LSOS from the name of 1.Sri. Mohammed Ali C P, S/O Kunhayammed, Cherapurath House, Cheriya, Koottil P O, Perinthalmanna (Power of attorney Sri. Sajeer, Nirappil House, Vadakkangara Mankada, Perinthalmanna to the name of

2. Smt. Valsala K C, Vedhanilayam, Oliparambbil House, Pampadi P O, Thiruvillamala.

Stage Carriage KL 09 V 7477 is operating on the above said route with Temp. permit U/S 87(1) d valid up to 10.03.2017. Regular permit in respect of this Stage Carriage KL 09 V 7477 has expired on 09.10.2015 and renewal of permit is pending in Office.

On 03.03.2016 a joint application has been received from the Permit holder of Stage Carriage Sri. C P Muhammed Ali and Smt. Valsala for transfer of permit. The matter was enquired through the Motor Vehicle Inspector Sri. Anumodh Kumar V and he has reported that the transferee is financially sound to hold the Permit and conduct the service

satisfactorily in favor of the public and also that, the genuineness of the application were ascertained by hearing both the Applicants in Person.

It was placed before the RTA held on 11.07.2016 vide item No 212 and the decision was adjourned with

- 1) direction to place the matter after renewal of the permit and
- 2) direction to the Secretary, RTA to re-validate the status and possession of the vehicle attached to the permit and submit a report before this authority along with the application for transfer of permit after renewal of regular permit.

Meanwhile the permit holder submitted a Judgment in WP(C) No. 28577/16 dtd 09.09.16 from Hon'ble High Court of Kerala in this office on 26.09.2016 and directed to consider Ext P2 application in accordance with law and take a decision on the same within six weeks from the date receipt of a copy of this judgment after hearing the second respondent also.

In obedience to the above Judgment and the decision of the RTA which held on 11.07.16 vide item No. 212, the matter was enquired through MVI Peinthalmanna and he has reported that the Stage Carriage KL 09 V 7477 attached to the Permit 10/57/95 is under the possession of Smt. Valsala K C, Vedanilayam, Oliparambil Houe, Pampady P O, Thrissur.

The objection filed by Sri. Muhammed Koya, S/o. Muhammed, Kodupatta, Narukara P.O. has filed an objection against this transfer of permit before this authority. The same has been considered as per law. This authority is of the view that there was no substantial legal impediment in his objection and hence overruled.

In the above circumstance, Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 112

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 113

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 114

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 115

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 116

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 117

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 118

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 119

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 120

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 121

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 122

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 123

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 124

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 125

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 126

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 127

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 128

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 129

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 130

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 131

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 132

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 133

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 134

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 135

Applicant absent. **Adjourned.**

Item No. 136

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 137

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 138

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 139

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 140

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 141

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 142

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 143

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 144

Applicant absent. **Adjourned.**

Item No. 145

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 146

Heard the learned counsel. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 147

Heard the learned counsel. Transfer of permit **allowed** (by death) subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 148

Heard the learned counsel. Transfer of permit **allowed** (by death) subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 149

Heard the learned counsel. Transfer of permit **allowed** (by death) subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 150

Heard the learned counsel. Transfer of permit **allowed** (by death) subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 151

Heard the learned counsel. This is to re-consider the rejected transfer of permit application of the stage carriage permit in respect of the vehicle KL 10 Z 7553 on the route Tirur – Nilambur from the name of the first applicant to the name of the second applicant. The application was happened to be rejected in the RTA meeting of 11-07-2016 vide item No.189 since the permit was under suspended animation and hence not operational at that time. Then the permit was provisionally replaced to KL 10 AU 3353 on lease agreement as per the order of Hon. High Court in WP(C) 32918/2016 dtd 14-10-2016 up to 21-01-2017. Application for renewal of lease agreement for a further eleven month is also received. Transfer of permit **allowed** subject to the production of no objection certificate from the financier, if applicable and clearance of Govt. dues, if any.

Item No. 152

This is the request of the Secretary, RTA, Vadagara for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 08 AY 4059 operating on the route Thrissur – Kozhikkode as Super-fast Service. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanoor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 153

This is the request of the Secretary, RTA, Vadagara for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 58 C 6465 operating on the route Thrissur – Kozhikkode - Kannur as LSOS. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanoor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 154

This is the request of the Secretary, RTA, Vadagara for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 56 B 3141 operating on the route Thalasserry – Kozhikkode - Guruvayoor as LSOS. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanoor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 155

This is the request of the Secretary, RTA, Wayanad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 12 G 4242 operating on the

route Nilambur – Thirunelly via Edavanna, Areakode, Vythirir, Kalpetta as LSOS. This authority considered the matter in detail.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 156

This is the request of the Secretary, RTA, Kozhikkode for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 58 E 6006 operating on the route Koodaranhi - Tirur as LSOS. This authority considered the matter in detail.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 157

This is the request of the Secretary, RTA, Ernakulam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 05 AE 1825 and KL 05 AH 4972 (old vehicle KL 05 AB 3555 operating on the route Pathanamthita – Chittarikkal via THodupuzha, Muvattupuzha, Kothamangalam, Perumbavoor Thrissur, Kozhikkode, Kannur, Thalipparambu as LSOS. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 158

This is the request of the Secretary, RTA, Ernakulam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 05 AD 3699 and KL 05 AG 3553 operating on the route Kaloor - Narakakkadavu as LSOS. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 159

This is the request of the Secretary, RTA, Ernakulam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 05 AB 3666 operating on the route Kumili - Konnakkad as LSOS. This authority considered the matter in detail. Portion of the route from Idimoozhikkal to Kadavallur Bridge via. University, Chankuvetti, Puthanathani, Valancherry, Kuttippuram, Edappal and Changaramkulam in a distance of 77 Kms is lying in this district. Portion of the route from Idimoozhikkal to Thalappara Edappal to Thavanoor Road Jn. and from Kakkad to Thavanor road Junction overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 160

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 37 5559** operating on the route Malampuzha - Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable. Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 161

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL 10 AT 7139 (Replaced by KL 10 AU 9199) operating on the route Mangalamkunnu - Malappuram as LSOS. This authority considered the matter in detail. Portion of the route from Portion of the route from Karinkallathani – Malappuram (32 Kms) is lying in this district. Overlapping with notified sector is not objectionable. Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 162

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 S 7857** operating on the route Kuttippuram - Peringode. This authority considered the matter in detail. Portion of the route from Karuvanpindi Bridge to Kuttippuram – 4 Kms and Thangalpadi to Ponnani – 15.5 Kms Total – 19.5 Kms is lying in this district. Portion of the route from Thangalpadi to Kuttippuram – 2.5 Kms and Naripparamba to Ponnani – 7 Kms; Total 9.5 Kms. It is not objectionable. Concurrence for the renewal of permit is granted subject to the effect of

Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 163

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 08 X 342** operating on the route Kolalamba – Pattambi (via) Naduvattam, Edappal, Neeliyad as O S. This authority considered the matter in detail. Portion of the route from Neeliyad to Kolalamba – 9 Kms and Edappal to Ponnani – 10 Kms Total – 19 Kms is lying in this district. Portion of the route from Chamravattam Jn to Ponnani – 5 Kms and Neeliyad to Edappal – 5 Kms; Total – 10 Kms overlaps with notified sector; It is not objectionable. Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 164

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 AH 595** operating on the route Chittur – Kozhikkode (via) Kodumbu, Palakkad, Mundur, Mannarkkad, Unniyal, Melattur, Pandikkad, Manjeri, Kondoty and Ramanattukara as LSOS. This authority considered the matter in detail. Portion of the route from Unniyal DB to 11 Mile – 59.9 Kms is lying in this district. Portion of the route from Manjeri to 11 Mile – 30 Kms overlaps with notified sector. It is not objectionable. Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 165

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 53 603** operating on the route Ottappalam - Edathanattukara (via) Karimpuzha, Mannarkkad, Kumaramputhur OS. This authority considered the matter in detail. Portion of the route from Perinthalmanna to Karuvarakkundu via Patikkad, Ucharakkadavu, Melatur, Iringattiri and from Karivattam Jn. to Chavalithode and from Ucharakkadavu to Unniyal D B and from Pullikuth to Anjilangadi and from Puthanezhi Kavala to Moonadi – 53.5 Kms is lying in this district. There is no notified sector overlaps with the route of this permit.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 166

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 57 639** operating on the route

Anakkara – Keezhatur (via) Muthuthala, Anjumoola, T V Pura, Koppam, Pulamanthose Perinthalmanna, Manjeri, Pandikkad and Cunkam as LSOS. This authority considered the matter in detail. Portion of the route from Pulamanthole to Manjeri and from Perinthalmanna to Keezhattur and Mullyakkurissi – 53.5 Kms is lying in this district. Portion of the route from Pulamanthole to Thirurkkad – 17.3 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 167

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 AM 2365** operating on the route Kozhikkode – Chittur (via) Feroke, Kondotty, Malappuram, Perinthalmanna, Mannarkkad, Palakkad as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani to 11 Mie – 64.5 Kms is lying in this district. Portion of the route from Karinkallathani to 11 Mie – 64.5 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 168

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 51 C 2799** operating on the route Vadakkancherry – Kozhikkode (via) Alathur, Kavusserry, Tarur, Lakkidi, Ottappalam, Perinthalmanna, Malppuram, KONDotty and Ramanattuakar as LSOS. This authority considered the matter in detail. Portion of the route from Pattambi Road Jn. to 11 Mie – 54 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 169

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 51 E 3167** operating on the route Mangalam Dam – Kozhikkode (via) Chittadi, Vadakkancherry, Palazhi, Pazhayannur, Lakkidi, Ottappalam, Cherpulasserry, Thootha, Perinthalmanna, Malappuram, Ramanattukara as LSOS. This authority considered the matter in detail. Portion of the route from Thootha to 11 Mie – 62.5 Kms is lying in this district. Portion of the route from Patambi Rd Jn. to 11 Mie – 54 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 170

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 AA 3221** operating on the route Cherpulasserry - Malappuram (via) Chalavara, Vallappuzha, Mulayankavu, Kulukkallur, Nelaya, Mavundirikkadavu, Muthukkurussi, Cherukara, Perinthalmanna, Angadippuram, Ramapuram as LSOS. This authority considered the matter in detail. Portion of the route from Muthukkurissi to Malappuram – 42 Kms is lying in this district. Portion of the route from Cherukara to Malappuram – 26 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 171

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 09 N 3901** operating on the route Malampuzha Dam – Kozhikkode (via) Palakkad, Mannarkkad, Perinthalmanna, Malappuram, Kondotty as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 172

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 Q 4287** operating on the route Vazhikkadavu – Walayar (via) Nilambur, Wandoor, Pandikkad, Melattur, Alanellur, Mannarkkad and Palakkad as LSOS. This authority considered the matter in detail. Portion of the route from Vazhikkadavu to Unniyal (61 Kms) is lying in this district. Portion of the route from Vazhikkadavu to Vadapuram (23.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 173

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 18 4300** operating on the route Chalikkal Jn. to Kavungal Railway Station (via) Peringode, Thiruvazhiyode, Mannarkkad, Alanallur, Pandikkad, Wandoor and Vaniyambalam as LSOS. This authority considered the matter in detail. Portion of the route from Unniyal to Kavungal Rly Station (44 Kms); Wandoor to Palakkode (10 Kms) and Vaniyamabalam to Karad – 7 Kms; Total – 61 Kms is lying in this district. There is no overlapping with the notified sector in this district.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 174

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 09 P 4938** operating on the route Anakkara – Aliparamb as OS. This authority considered the matter in detail. Portion of the route from Perinthalmanna to Valancherry; Perinthalmanna to Valambur; Perinthalmanna to Aliparamba (76.7 Kms) is lying in this district. Portion of the route from Orodumpalam to Pulamanthole (16 Kms); Vengad to Valancherry (8.6 Kms) and from Perinthalmanna to Karinkallathani (12 Kms) – Total overlapping 36.6 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 175

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 53 C 4960** operating on the route Nenmara – Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 176

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 51 C 9492** operating on the route Pattambi - Palakkad as LSOS. This authority considered the matter in detail. Portion of the route from Pulamanthole to Perinthalmanna and Cherpulasserry Rd Jn. to Thootha

(20.5 Kms) is lying in this district. Portion of the route from Pulamnanthole to Perinthalmanna (12 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 177

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 58 C 9774** operating on the route Malampuzha – Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 178

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 10 AS 9994** operating on the route Malampuzha – Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 179

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 13 J 3409** operating on the route Kuttippuram – Kuttippuram (via) Pandikassala, Valancherry, Vettichira, Kalpakancherry, Puthanathani, Tirur, Beeranchira, Alathiyoor and Thirunavaya and trip to Mangalamkunne (via) Kumbidi, Thrithala, Koottanadu, Pattambi, Koppam, Vallappuzha, Cheruplasserry as OS. This authority considered the matter in detail. Portion of the route from Karuvanpadi Bridge to Kuttippuram – 4 Kms; Kuttippuram to Tirur – 17 Kms ; Tirur to Valancherry – 22 Kms and Valancherry to Kuttupuram – 9 Kms (52 Kms) is lying in this district. Portion of the route from Kuttippuram to Puthanathani – 17 Kms; Thazhepalam to Alathiyoor – 7 Kms; Total – 24 Kms overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 180

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 50 B 8682** operating on the route Kanjikkode – Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 181

This is the request of the Secretary, RTA, Palakkad for the concurrence of this authority for the renewal of regular permit in respect of stage carriage **KL 53 C 9001** operating on the route Walayar – Kozhikkode as LSOS. This authority considered the matter in detail. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) is lying in this district. Portion of the route from Karinkallathani – 11 Mail (64.5 Kms) overlaps with notified sector. It is not objectionable.

Concurrence for the renewal of permit is granted subject to the effect of Clause [4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No. 182

This is to consider the request for granting Bus stop at Half Kidangazhi, on Manjeri – Areacode Road.

This authority has verified the application, enquiry report of Motor Vehicle Inspector and other connected files. As per the report, there is a distance of 400 Mts from Pullor (nearest stop at one side) and 700 Mts. From Kidangazhi (stop on the other side). He also reported that around 800 families were residing near by the required stop.

Hence a bus stop for ordinary services allowed at Half Kidangazhi on Manjeri – Areacode Road subject to the construction of a bus bay and waiting shed for passenger comfort.

Item No. 183

This is to re-consider the request for issuing necessary direction for extending bus services up to Makeri Rail which are operating on the route Valancheri – Mankeri via. Valiyakunnu. The matter was enquired by the Motor Vehicle Inspector, SRTO Tirur and he has submitted that the extension of bus services up to Thazhe Mankeri (Mankeri rail) will be beneficial to the travelling public. However as per his report there is an additional travelling distance of 1.8 Kms and additional running time and fare stages has to be fixed for bus services.

The matter was considered by this authority held on 25.10.2016 in Item No. 153 and the matter was adjourned since the applicant was absent.

This authority has considered the matter and verified the connected records. Eventhough this is a public friendly proposal, as per the report of enquiry officer, this involves an additional travelling distance of 1.8 Kms for buses; this involves fixation of additional fare stage and running time.

Considering the above matters, this authority is of the view that it is not appropriate to direct all stage carriages to conduct services up to Mankeri Rail. However, if the stage carriage operators submit application for variation of permit condition, this authority will consider this matter positively.

Item No. 184

(1) This is to re-consider the representations submitted by various organisations submitted for and against the revised traffic re-arrangements for stage carriages in Manjeri town enacted by the Traffic Regulatory Committee, Manjeri and

(2) To peruse the directions contained in the Order of Hon. High Court of Kerala in WP(C) No. 33358 of 2016 Dtd. 19.12.2016

The matter was considered by this authority recently on 06.01.2016 in Item No. 156 and also on 25.10.2016 in Item No. 154 in view of the directions contained in the Judgment of Hon. High Court of Kerala in WP(C) No. 31567 of 2015 Dtd. 16.10.2015; in which this authority has directed the Traffic Regulatory Committee, Manjeri to consider the representatives of KSRTC and all aggrieved parties and shall reach a consensus proposal and get the approval of the RTA before implementing any traffic system to avoid unnecessary chaos in the implementation of traffic systems. Till then the present status-quo has to be maintained.

Meanwhile, in an interim order issued by Hon High Court of Kerala in WP(C) No. 33358 of 2016 Dtd. 19.12.2016 has clarified that the decision of the Traffic Regulatory Committee shall be effective after the approval of RTA.

Hon. Chairman of RTA has conducted a meeting on this matter on 05.01.2017 and has directed to submit a detailed proposal in the next RTA meeting scheduled for 25.01.2017 to the Sub-Collector Perinthalmanna. The same has been submitted before this authority and the same is thoroughly reviewed by this authority along with the representations submitted by various organizations and individuals.

Major points in the proposal suggested by the Sub-Collector, Perinthalmanna were as follows:

1. The buses coming from Nilambur, Areacode, Elankur, Wandoor and going to Malappuram, tirur, Vengara, Perinthalmanna via Manjeri should halt at Jaseela Junction, Kozhikkode road and go via Thurakkal Junction to IGBT stand so on.
2. The buses which are passing buses from Perinthalmanna, Malappuram via Manjeri to their destination should halt at IGBT, Thurakkal Bypass, Girls High School and go to SHBT via. Central Junction

3. The buses which are coming from Malappuram, Perinthalmanna, Tirur, Parappanagadi etc. to Manjeri will end their services at IGBT and return from IGBT to Malappuram, Perinthalmanna etc.

4. The buses which are coming from Pandikkad and going to Malappuram, Perinthalmanna should halt at Chamayam Junction and route through IGBT via. Jaseela Junction and Thurakkal Junction.

5. The buses which are coming from Panthalloor, Pallippuram, Perimbalam, Vettekkode etc. should operate from Old Bus Stand.

6. The buses coming from Kizhisseri, Pukkootoor should go to old bus stand via. Cosmos Junction, Kozhikkode road and operate from there to MCH- IGBT road.

This authority has considered the suggestions in detail. The report is submitted before this authority on 25.01.2017 and a wider circulation and publish the same, inviting objections from public, if any could not be possible. Also, the opinion of the Traffic Regulatory committee was also not called for.

In this circumstance, there is a direction to the Traffic Regulatory Committee, Manjeri to publish these suggestions of Sub-Collector, Perinthalmanna inviting objections, if any from the affected parties; discuss the same in their next meeting and present a detailed viable proposal before this authority for approval. This authority is of the opinion that while deciding the traffic regulations, Traffic Regulatory Committee, Manjeri should make available all its members, the representatives of KSRTC and all aggrieved parties and shall reach a consensus proposal and get the approval of the RTA before implementation. Hence the decision on this matter is **adjourned**.

Item No. 185

This is to take a decision on the age of Stage Carriages produced for endorsing fresh stage carriage permits granted by Regional Transport Authority.

While considering this item, the Secretary, RTA has submitted that this matter is before the STA for consideration and hence the decision on this matter is **adjourned**.

Departmental Item - 1

Ratified.

Supplementary Item No. 1

Heard the learned counsel.

This is to peruse the Judgment of Hon. High Court of Kerala in WP(C) No.1945 of 2017 Dtd. 19.01.2017 with a direction to consider the application for regular permit on 25.01.2017 and also to grant temporary permit sought by the petitioner, if there is no impediment within a week;

To consider the application for fresh S/C permit to operate on the route Nariparambu – Chelakkadavu touching Puthenpalli, Uppungalkadavu, Koonamoochi (via) Polpakara, Thattanpadi, Edappal, Naduvattam, Kalachal, Changaramkulam, Variarmukku,

Naranipuzha, Eramangalam, Ayinichode, Chiravallloor, Kanjirathani with halt at Edappal as Ordinary Service.

This authority considered the application and verified connected records and file. This is an inter-district route with 50.5 Kms length; out of which 47 Kms Malappuram District and 3.5 Kms lies in the jurisdiction of Sister RTA Palakkad. As per the report of the route enquiry officer, there is no virgin portion and an overlapping of 2 Kms with the notified sector. He has also submitted that the places covered by this route are thickly populated and the passengers are increasing day by day. There is need for more bus services in public interest. The objections raised in the open hearing of this authority were considered as per law.

The directions contained in the Judgment of Hon. High Court of Kerala WP(C) No. 1945 of 2017 Dtd. 19.01.2017 were perused.

In this connection, there is a direction to the Secretary, RTA to grant the temporary permit u/s 87(1) c for four months and issue the same subject to settlement of timings to the stage carriage produced by the applicant at the time of submission of the application.

However since portion of the route overlaps with Sister RTA, Palakkad this authority is of the view that a concurrence from that RTA is necessary to proceed further on the regular permit application. The Secretary, RTA is directed to obtain concurrence from Sister RTA, Palakkad and hence, decision on this application is **adjourned**.

Supplementary Item No. 2

- 1) This is to peruse the Judgment of Hon. High court of Kerala in WP (C) no 1522 of 2017 Dtd. 17/01/2017 which directs to dispose the application preferably on 25/01/2017 and
- 2) To consider the application for variation of permit in respect of the Stage Carriage KL 10 N 4930, on the route Puthanathani – Kadampuzha. Regular Permit 10/5902/2016 valid up to 15/12/2021. The permit holder applied for extending the route from Pattarnadakkavu to Tirur by providing additional trip between Puthanathani and Pattarnadakkavu and for changing existing timings, without curtailment on the existing regular route.

This authority has verified the application and connected files in detail. The route requested for extension is not seems to be ill-served. Objections raised for and against the issuance of the variation application were also considered as per law. This is a permit issued on 16.12.2016 with timings settled in a properly convened timing conference. The permit holder has applied for a variation within one month of issuance of the permit. There is no legal impediment for the same; however this authority is of the view that this will be against the interest of the travelling public. Also, the applicant has shuffled the issued timings in the application, thus the intention of the applicant is the change of timings in the guise of application for variation of permit condition. This is not acceptable for this authority and we are of the opinion that this is against the interest of travelling public.

Considering the above facts, this authority considered the application for variation of permit condition submitted by the applicant in obedience to the directions of the Judgment of Hon. High court of Kerala in WP (C) no 1522 of 2017 Dtd. 17/01/2017 and **rejected**.

Sri. Shaji Joseph

Deputy Transport Commissioner & Member, RTA Malappuram

Sri. Debesh Kumar Behera I.P.S.

District Police Chief & Member, RTA Malappuram

Sri. Amit Meena I.A.S

District Collector & Chairman, RTA Malappuram.