

MINUTES OF REGIONAL TRANSPORT AUTHORITY ,ERNAKULAM HELD ON 05/04/2016

Present:- Chairman-

Sri.M.G.Rajamanickam,I.A.S, The District Collector, Ernakulam

Members:-

1.Sri.Yathish Chendra.G.H, I.P.S,The District Police Chief Ernakulam[Rural]

2.Sri.K.G.Samuel, Deputy Transport Commissioner [Law], CZ- II,Ernakulam.

Item No.01

Heard the Counsel represented the applicant .This is an application for the grant of fresh intra district regular permit in respect of Stage Carriage KL-15-9118 to operate on the route Ernakulam-Airport-Fort Kochi via Thoppumpady ,Aluva and Vyttila as Ordinary Moffusil Service. The State Transport Undertaking is the applicant. This authority considered the application in detail after hearing the all concerned and decides the following.

The offered stage Carriage KL-15-9118 is a 2010 model and registered on 04/04/2011.This authority in its earlier sitting decided to prevent the grant of new permits to stage carriage older than five years from the date of original registration considering the aspects of road safety in the light of judgment of Hon'ble Supreme Court of India in C.A No.5227 of 2003 dtd 04/08/2010.Hence the offered vehicle cannot be considered for the grant of fresh regular permit.If the applicant is ready to offer a suitable vehicle not older than five years, this authority will reconsider the application accordingly.Hence adjourned

Secretary RTA is entrusted to consider and pass orders the application for the grant of temporary permit till the disposal of the application for regular permit.

Item No.02

1.Perused the judgment of Hon,ble High Court of Kerala in WPC No.255 of 2016

2.Heard; Adv.Gopinathan Nair,the learned counsel represented the applicant.This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-07-AK-4789 or a suitable stage carriage to operate on the route Manjapra-Vyttila Mobility Hub as Ordinary moffusil service.This authority in its earlier sitting held on 30/10/2014 and 17/08/2015 considered the application adjourned decision for ascertaining the fitness of the road portion from Chithranjali Theatre Jn to Peruvaram temple road through the concerned Authority. On 30/12/2015,the Secretary,North Parur Municipality has forwarded a report of their technical officer

wherein it is clarified that there are five turnings within a short length of 500 meter and the the road from Peruvaram temple road to Chitranjali Jn is very narrow to pass two vehicles simultaneouslt in opposite directions. The report of enquiry officer in the Motor Vehicles Department is also specified with photographs that the grant of permit through the portion from Peruvaram temple road to Chitranjali Jn is not feasible and any grant of regular or temporary will be against the road safety aspects and dangerous to the travelling public and other road users.

Considering the above adverse reports of the enquiry officers,the application for the grant of regular permit is hereby rejected.

Item No.03

1.Perused the order of Hon'ble High Court of Kerala in WP© No.755 of 2016 dtd 13/01/2016.

2.Heard;Adv.O.D.Sivadas,the learned counsel represented the applicant.This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route Plantation Post Office Jn-Angamaly-Kalady-Manjapra-Ayyampuzha-Paduva as Ordinary moffusil service. This authority considered the application in detail.

The offered stage Carriage KL-02-R-7477 is a 2003 model vehicle and registered on 12/02/2004.This authority in its earlier sitting decided to prevent the grant of new permits to stage carriages older than five years from the date of original registration considering the aspects of road safety in the light of judgment of Hon'ble Supreme Court of India in C.A No.5227 of 2003 dtd 04/08/2010.Hence the offered vehicle cannot be considered for the grant of fresh regular permit.If the applicant is ready to offer a suitable vehicle not older than five years, this authority will reconsider the application accordingly.Hence adjourned

3.However the enquiry officer has reported that there is a need for the grant of temporary permit under Section 87[1]C of MV Act and the Hon'ble Human Rights Commission of Kerala has directed the RTA to consider the application fot the permit through the ill served areas of the proposed route.Hence Secretary RTA is directed to grant temporary permit for a duration of 4 months to the applicant subject to settlement of timings.

Item No.04

Heard;Adv.Gopinathan Nair,the learned counsel represented the applicant.This is the application for the grant of fresh inter district regular permit on the route Thalayolapparambu-Thoppumpady via Thattaveli, Brahmamangalam, Neerpara, Mulamthuruthy, Kandanad, Kureekad, Puthiyakavu, Trippunithura, Maradu, Kundannoor and Santhinagar as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.The applicant has not furnished in his application the details of the vehicle to which the permit is sought for,such as registration mark,type of vehicle,Seating Capacity and

Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application.He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit,even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989.But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules.This rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances.The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle,the details of which have not been furnished in the prescribed application,the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a non-existent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region,especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

2.The proposed route is objectionably overlaps Ernakulam-Muvattupuzha complete exclusion scheme and the grant of stage carriage permits regular or temporary on the above route is the clear violation of scheme of nationalization.

Under the above circumstances,the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Item No.05

Heard;Adv.G.Prabhakaran,the learned counsel represented the applicant.This is the application for the grant of fresh inter district regular permit on the route Keltrone Ferry-Amritha Hospital as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

The applicant has not furnished in his application the details of the vehicle to which the permit is sought for,such as registration mark,type of vehicle,Seating Capacity and Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application. He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit, even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989. But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules. This rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances. The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle, the details of which have not been furnished in the prescribed application, the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a nonexistent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region, especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

Under the above circumstances, the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Item No.06

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant. This is the application for the grant of fresh inter district regular permit on the route Vyttila Hub-Aluva with trip between Vyttila-Varappuzha and Vyttila- Amrutha Hospital as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

The applicant has not furnished in his application the details of the vehicle to which the permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application. He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit, even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989. But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules. This

rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances. The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle, the details of which have not been furnished in the prescribed application, the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a nonexistent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region, especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

Under the above circumstances, the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Item No.07

Heard; Adv.O.D.Sivadas, the learned counsel represented the applicant. This is the application for the grant of fresh inter district regular permit on the route Kakkanad-Thuthiyoor-Vyttila Hub-Pallikkara as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

The applicant has not furnished in his application the details of the vehicle to which the permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application. He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit, even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989. But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules. This rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances. The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle, the details of which have not been furnished in the prescribed application, the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a nonexistent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region, especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

Under the above circumstances,the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Item No.08

Heard;Adv.Stalin Peter Davis,the learned counsel represented the applicant. This is the application for the grant of fresh inter district regular permit on the route North Parur- Chathamma as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.The applicant has not furnished in his application the details of the vehicle to which the permit is sought for, such as registration mark, type of vehicle, Seating Capacity and Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application. He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit, even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989.But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules.This rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances. The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle, the details of which have not been furnished in the prescribed application, the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a nonexistent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region, especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

2. Moreover, the proposed route is well served and the further grant of stage carriage permit on the same route may lead to unhealthy competition and which will threaten the life of public. Recently so many major accidents happened on the above route due to the competitive running of stage carriages.

Under the above circumstances, the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Item No.09

Heard; Adv.Gopinathan Nair, the learned Counsel represented the applicant and the Counsel represented other private bus operators. This is the application for the grant of fresh intra district regular permit in respect of stage carriage KL-18-B-2344 or a suitable stage carriage to operate the route North Parur-Kakkanad-Karingachira as ordinary mofussil service. This authority considered the application in detail and reveals the following.

1. As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL-18-B-2344 or a Suitable stage carriage not less than 33 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-18-B-2344 is an older model and having age more than five years. Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Eventhough the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

2. So many objections have been raised against the grant of proposed permit stating that there is no sufficient parking place for stage carriages at Karingachira. This authority considered the objection and felt that the contention is genuine

In view of the aforesaid facts and circumstances, the application for the grant of regular permit is hereby rejected.

Item No.10

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Sherin.P.G and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit and

temporary permit in respect of stage carriage KL-17-3456 or a suitable stage carriage to operate on the route Perumpadappu- Kalamassery Medical College as ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.As per the application submitted for the grant of regular permit,the applicant offered stage carriage KL-17-3456 or a Suitable stage carriage not less than 39 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-17-3456 is an older model one.Hence it cannot be considered for the fresh stage Carriage permit,as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration. But the counsel represented the applicant has requested to adjourn the application for regular permit till the finalization of writ petition pending with the Hon'ble High Court of Kerala regarding age of stage carriages. Hence the application for the grant of regular permit is adjourned.

2. The enquiry officer has reported that there exist necessity for the grant of temporary permit U/S 87[1]C of MV Act-1988.There is a direction from the Hon'ble High Court to conduct a timing conference for the settlement of timings for the grant of proposed temporary permit. Hence temporary permit for 4 months duration is granted subject to settlement of timings.

Item No.11

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant. This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-17-9660 or a suitable stage carriage to operate on the route Kothamangalam-North Parur as Ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.The enquiry officer has reported that the portion of the proposed route from Peruvaram temple road to Chitranjali Jn is very narrow to pass two vehicles simultaneouslt in opposite directions. He has also specified with photographs that the grant of permit through the portion from Peruvaram temple road to Chitranjali Jn is not feasible and any grant of regular or temporary will be against the road safety aspects and dangerous to the travelling public and other road users. The Secretary,North Parur Municipality has forwarded a report of their technical officer wherein it is clarified that there are five turnings within a short length of 500 meter and the road from Peruvaram temple road to Chitranjali Jn is very narrow to pass two vehicles simultaneouslt in opposite directions.

2.The portion of the proposed route from Chendamangalam Jn to Vedimara Jn which is 2.2 km in length is objectionably overlaps Aluva-Vadakkumpuram complete

exclusion scheme and hence KSRTC, the beneficiary of the scheme has vehemently objected the grant of permit violating the scheme of nationalization.

Considering the above adverse reports of the enquiry officers and the existence of legal impediment, the application for the grant of regular permit is hereby rejected.

Item No.12

Heard; Adv.O.D.Sivadas, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-BM-351 operating on the route South Chittoor Ferry-Konthuruthy as Ordinary service. This authority considered the application in detail in the light of enquiry report furnished by the field officer, Objections raised by the public and connected file. So many objections have been received from the public against the proposed variation stating that the curtailment of existing trips especially the last trips to Konthuruthy will adversely affect them and hence requested to deny the proposed variation on public interest. The enquiry officer has also specifically reported the adverse effect of proposed curtailment.

The counsel represented the permit holder argued that another stage carriage of same person is operating on the curtailed portion to overcome the difficulties of public. But the counsel has failed to submit the documents supporting his argument. The Secretary RTA is directed to conduct a further detailed enquiry and report the actual effect and consequence of the proposed variation and report the frequency of stage carriage operations in the curtailed portion in between 8.00PM and 10.00 PM. Hence adjourned

Item No.13

Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation and renewal of regular permit in respect of stage carriage KL-07-AN-2346 operating on the modified route North Parur-Ernakulam South curtailing the service to Manjali for avoiding objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme as Ordinary moffusil service. This authority considered the application in detail. The curtailment of service to Manjali will adversely affect the travelling public. But there is a legal impediment to renew the regular permit without avoiding the objectionable overlapping on nationalized scheme. Hence proposed variation is allowed without changing the existing timings and delay is condoned and renewal of permit on the modified route North Parur-Ernakulam South is granted.

Item No.14

Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AU-786 operating on the route North Parur-Kaloor via Edappally, Elamakkara and Punnakkal as Ordinary moffusil service. This

authority considered the application in detail in the light of enquiry report furnished by the field officer , Objections raised by the public and connected file and reveals the following.

A.As per the existing time schedule, the vehicle shall commence service from North Parur in the early morning at 5.07 am and terminate service very late night at 11.46 pm. So many complaints have been received against this stage carriage stating that the vehicle is not operating night trips between Kaloor and North Parur.

B. Now the proposed variation, the permit holder is desired to extend most of the trips from Koonammavu to North Parur by changing most of the existing timings so as to start the service at 5.07 am and end it at 00.11am.

This authority felt that by the proposed variation, the intention of the permit holder is only to revise the existing timings, as a fresh permit. If the existing time schedule is modified as proposed, the settled position of the time schedules on the entire route will be disturbed and it will adversely affect the travelling public. In this sitting also, objections have been received stating that the vehicle is not operating service on the permitted route via Elamakkara and Punnkkal .This authority felt that there sufficient stage carriages are operating service on the portion between Koonammavu and North Parur and hence there is no necessity warranted under rule 145[6] and 145[7] of KMV Rules for the proposed variation and revision of existing time schedule. Hence the application for the variation of regular permit is hereby rejected.

Secretary RTA is directed to conduct a frequent checking programme for ascertaining the unauthorized operation of the stage carriage KL-07-AU-786 based on the complaints received from the public.

Item No.15

Heard; Adv.O.D.Sivadas,the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-BD-399 operating on the route North Parur-Kaloor as Ordinary moffusil service. This authority considered the application in detail in the light of enquiry report furnished by the field officer ,Objections raised by the public and connected file and reveals the following.

The enquiry officer has reported that the proposed variation through the Methanam new bridge is very advantage to the public.But by the proposed variation,the permit holder is proposed unnecessary alteration of the entire timings in the remaining trips also. He has also reported that the proposed time schedule and rate of running time is against the road safety aspects.

Hence the permit holder is directed to furnish a modified time schedule without changing the existing timings of remaining trips. Hence adjourned.

Item No.16

Heard the learned counsel Adv.O.D Sivadas represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect

of stage carriage KL-11-Q-1549 operating on the route Kumbalangy Ferry- - Eramalloor-Vyttila-Kakkanad as ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public and connected file. The proposed variation includes extension and curtailment of trips. The enquiry officer has reported that the curtailments of trips between Palarivattom Pipe line Jn to Kakkanad in the 3rd trip will adversely affect the travelling public in city limit, at the same time he has reported that the extension of trips to Kunnumpuram is beneficial to the public. But so many objections have been received from the travelling public in this sitting stating that the curtailment of trips will adversely affect the general public especially the public to Civil Station Kakkanad. The field officer has reported the real consequence of curtailment. Hence this authority went through the matter deeply and then revealed the following facts.

1. The curtailment of existing trip from Palarivattom Signal Jn to Kakkanad will adversely affect the travelling public. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.
2. This authority felt that by the proposed variation, main intention of the permit holder is that only to revise the entire timings in the existing trips. Since there is no necessity Under Rule 145[7] warranting for the revision of timings, it cannot be allowed.
3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public. In this case this authority granted permit for the convenience of the travelling public to Kakkanad. The proposed variation will not give any additional advantage to the travelling public. This authority feels that the consequence of curtailment of trips is much higher than the extension sought by the permit holder.

In view of the afore said fact and circumstances, the application for the variation of permit is hereby rejected.

Item No.17

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-36-B-1314 operating on the route Kaippuzhamuttu-Vaikom-Thoppumpady-Kaloor as LSOS. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public, local body and connected file. By the proposed variation, the permit holder is desired to provide one additional trip in the afternoon at 2.05pm from Vaikom to Vyttila by curtailing the last trip between Vyttila and Vaikom and also to deviate 5th trip from Vaikom to Thoppumpady via AP Bridge, Thevara and BOT. Hence this authority considered the matter in detail and then revealed the following facts.

1. The curtailment of existing night trip from Vyttila to Vaikom in the late night will adversely affect the travelling public. So many objections and representations have been received from the public and local body against the proposed variation of service Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.
2. This authority felt that by the proposed deviation through AP Bridge and Thevara will not give any advantage to the travelling public.
3. The proposed additional trip between Vaikom and Vyttila in the afternoon at 2.05pm is the violation of clause 19 of the notification No.42/2009/Tran dtd 14/07/2009 by way of overlapping on Ernakulam -Thekkady notified scheme.
4. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public .In this case. The proposed variation will not give any additional advantage to the travelling public. This authority feels that the consequence of curtailment of trips is much higher than the extension sought by the permit holder.

In view of the afore said facts and circumstances, the application for the variation of permit is hereby rejected.

Item No.18

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-40-2419 operating on the route Panangad -Aluva as ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public and connected file. The proposed variation includes deviation and curtailment of trip. The enquiry officer has reported that the curtailments of trip via Palarivattom, Menaka and South will adversely affect the travelling public in city limit

The grant of new stage carriage permits in the private sector through city roads of Kochi is prevented by the Government by way of notifications, Hence there is no chance to introduce new stage carriage permits directly connecting the curtailed portions such as Edappally, Palarivattom, Menaka and South. If the proposed curtailment is allowed this authority felt that it will permanently deprive the existing benefits of the travelling public. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.

Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public .In this case this authority granted permit for the convenience of the travelling public. The proposed variation will not give any additional advantage to the travelling public. This authority feels that the consequence of curtailment of trips is much higher than the extension sought by the permit holder.

In view of the afore said fact and circumstances, the application for the variation of permit is hereby rejected.

Item No.19

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation and renewal of regular permit in respect of stage carriage KL-07-AV-3878 to operate on the modified route North Parur-Ernakulam High Court curatling the service to Angamaly for avoiding objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme as Ordinary moffusil service. This authority considered the application in detail. The curtailment of service to Angamaly from North Parur will adversely affect the travelling public. But there is a legal impediment to renew the regular permit without avoiding the objectionable overlapping on nationalized scheme. Hence proposed variation is allowed without changing the existing timings and renewal of permit on the modified route North Parur-Ernakulam High Court is granted.

Item No.20

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-40-F-4758 operating on the route Aluva- Eloor Ferry-Ernakulam- Fort Kochi. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public, local body and connected file. By the proposed variation, the permit holder is desired to curtail 2nd trip to Fort Kochi and to extend 6th trip to Fort Kochi by way of interchanging.This authority considered the matter in detail and then revealed the following facts.

1. The enquiry officer has specifically reported that the curtailment of the 2nd trip in the morning will adversely affect the travelling public especially students. So many objections and representations have been received from the public and local body against the proposed curtailment of morning trip between Thoppumpady and Fort Kochi . Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.
2. This authority felt that by the proposed extension of service to Fort Kochi is beneficial to the travelling public.But the proposed extention portion objectionably overlaps Trivandrum-Kannur notified scheme published vide

GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension[additional] is granted, it will be clear violation of clause[19] of above said notification.

3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public . This authority feels that the consequence of curtailment of trips is much higher than the extension sought by the permit holder.

In view of the afore said facts and circumstances,the application for the variation of permit is hereby rejected.

Item No.21

Heard the learned counsel Adv.Gopinathan Nair represented the applicant . This is the application for variation of regular permit in respect of stage carriage KL-39-C-5777 operating on the route Thalayolapparambu-Kaloor as ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer,objections raised by the public,local body and connected file. By the proposed variation, the permit holder is desired to deviate 1st trip to Kaloor via Chottanikkara avoiding Kandanad.This authority considered the matter in detail.The time schedule existing and proposed will not shows the intermediate places and timings at other than Thalayolapparambu and Kaloor.The permit holder is directed to propose a detailed time schedule without clash with another stage carriages on the route.Hence adjourned.

Item No.22

Heard Adv.Gopinathan Nair, the learned counsel represented the applicant and also the Counsel represented the KSRTC. This is an application for conversion of nature of service from Fast Passenger to Limited Stop Ordinary and renewal of permit in respect of stage carriage KL-35-B-6957 on the route Pala-Ernakulam as LSOS. This authority considered the application in detail with connected file,Notifications and various judgments of Hon'ble High Court of Kerala in this regard .This is an inter district permit having route length of 73 km.This authority considered the matter in detail.The time schedule existing and proposed will not shows the intermediate places and timings at other than Pala,Piravom and Kaloor. The permit holder is directed to propose a detailed time schedule with intermediate places such as Mulamthuruthy,Trippunithura and Vyttila for detailed study. Hence adjourned to next sitting.

Item No.23

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AU-5040 operating on the route Kumbalangy-Cheranelloor as Ordinary service. This authority reconsidered the application in the light of enquiry report furnished by the field officer,objections raised by the

public, local body and connected file in compliance to the judgment of Hon,ble STAT in MVAA No.68/2014. By the proposed variation, the permit holder is desired to curtail 1st trip from Kumbalangy to BOT Bridge and also to curtail last trip from Perumpadappu Ayyappankavu and Ayyappankavu to Kumbalangy. In addition to that he desired to extend certain trip from Chittoor to Shappupady, Perumpadappu to Kumbalangy and etc. This authority considered the matter in detail and then revealed the following facts.

1. This authority felt that the curtailment of the trips from Kacherippady Jn to Ayyappankavu and Kumbalangy will adversely affect the travelling public. So many objections and representations have been received from the public and local body against the proposed curtailment of above trips. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.
2. This authority felt that by the proposed extension of service from Perumpadappu to Kumbalangy is beneficial to the travelling public. But the proposed extension portion objectionably overlaps Trivandrum-Kannur notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension[additional] is granted, it will be clear violation of clause[19] of above said notification.
3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public . This authority feels that the consequence of curtailment of trips is much higher than the extension sought by the permit holder.

In view of the afore said facts and circumstances, the application for the variation of permit is hereby rejected on public interest.

Item No.24

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AE-7755 operating on the route Willington Island-Pallithode as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public, local body and connected file. By the proposed variation, the permit holder is desired to vary the permit by deviating the service via RC Road . The counsel represented the objector has argued that the proposed deviation portion is a well served one and no sufficient stage carriages are operating through the curtailed portions. The report of enquiry officer will not specify the real consequence of proposed curtailment and deviation.

The Secretary RTA is directed to submit a detailed report showing the frequency of stage carriages operating on both sector with registration number and timings.Hence adjourned to next sitting.

Item No.25

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-01-AQ-7722 operating on the route Eloor- W/Island as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. By the proposed variation, the permit holder is desired to change halting and starting place to Eloor by providing one additional trip from Palarivattom to Eloor via Edappally and Manjummel..This authority considered the matter in detail and then revealed the following facts.

This authority felt that by the proposed additional trip from Palarivattom to Eloor is beneficial to the travelling public.But the proposed extention portion objectionably overlaps Trivandrum-Kannur and Trivandrum-Palakkad notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension[additional] is granted, it will be clear violation of clause[19] of above said notification. Hence the application for the variation of permit is hereby rejected on public interest.

The enquiry officer has not reported the scheme violation in his report.Hence Secretary RTA is directed to call explanation from the official concerned.

Item No.26

Heard the learned counsel Adv.Stalin Peter Davis represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-BB-9817 operating on the route Puthencruz-Kaloor as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. By the proposed variation, the permit holder is desired to vary the permit by operating 4th trip from Kaloor to Puthencruz via Palarivattom,Vazhakkala,Kakkanad,Infopark and Karimugal by curtailing service via KK Road and Trippunithura.This authority considered the matter in detail and reveals the following facts.

This authority felt that by the proposed variation from Kaloor to Puthencruz via Palarivattom and Kakkanad is beneficial to the travelling public.But the portion of the proposed route from Kaloor to Palarivattom which is 2 km in length objectionably overlaps Trivandrum-Kannur and Trivandrum-Palakkad notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension[additional] is granted, it will be clear violation of clause[19] of above said notification. Hence the application for the variation of permit is hereby rejected.

Item No.27

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-BF-9394 operating on the route Thuthiyoor-Kakkanad-Ernakulam-Edakochi Ordinary service. This authority considered the

application in the light of enquiry report furnished by the field officer and connected file. The enquiry officer has reported that the proposed variation will provide additional advantage to the public and the curtailment of trip via NGO Quarters will not adversely affect them since the portion is well served. Hence proposed variation is granted subject to settlement of timings.

Item No.28

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-BS-7623 operating on the route Cheranelloor-Fort Kochi Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. By the proposed variation, the permit holder is desired to vary the permit so as to change the starting and halting place as Cheranelloor by curtailing 1st and last trips between Cheranelloor and Fort Kochi. He has also desired to operate 2nd and 3rd trip between Fort Kochi and Cheranelloor. This authority considered the matter in detail.

1. This authority felt that the curtailment of the trips between Cheranelloor and Fort Kochi in the early morning and late night will adversely affect the travelling public. So many objections and representations have been received from the public and local body against the proposed curtailment of above trips. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.
2. This authority felt that by the proposed Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public. This authority feels that the consequence of curtailment of trips is much higher than the other variations sought by the permit holder. The proposed variation will not provide any advantage to the travelling public.

In view of the afore said facts and circumstances, the application for the variation of permit is hereby rejected on public interest.

Item No.29

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation and renewal of regular permit in respect of stage carriage KL-08-X-8010 to operate on the modified route North Parur-Ernakulam High Court jn curtailing the service to Kochangadi for avoiding objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme as Ordinary moffusil service. This authority considered the application in detail. The curtailment of service to Kochangadi from North Parur will adversely affect the travelling public. But there is a legal impediment to renew the regular permit without avoiding the objectionable overlapping on nationalized scheme. Hence

proposed variation is allowed without changing the existing timings and renewal of permit on the modified route North Parur-Ernakulam High Court Jn is granted.

Item No.30

Heard the learned counsel Adv.G.Prabhakaran represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-38-7594 operating on the route Kothad Ferry-Poothotta as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. The report of the field officer highlights the non availability of rest time for the cews of the stage carriage.Hence the permit holder is directed to propose another time schedule for the proposed extension without affecting the remaining timings.Hence adjourned.

Item No.31

1.Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant and heard the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-05-AE-9178 as LSOS to operate on the route Kumily- Konnakkadu in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permit issued to the above stage carriage to operate sevice as Super Express in opposite direction were expired on 24/07/2007. Since the sister RTAs rejected the concurrence for the renewal of permit as Express Service, this authority rejected the application for the renewal of permit. 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. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop 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/adjourned 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 has appied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS.The route Kumily-Konnakkadu is an inter district route and the route is passing through the jurisdictions of eight 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 Tranport Authorities having jurisdiction of more than 20 kilometers.Hence adjourned.

2.Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and 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 clearance of pending check reports and Government dues if any and decision of STA on the age of the buses for being operated as Ordinary limited stop services .

3.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 issuing the temporary permit.

Item No.32

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-02-X-7300 operating on the route Kakkanad-Trippunithura-Medical College-Aluva as Ordinary service.The counsel represented the permit holder has requested to adjourn the matter for submitting a modified proposal.Hence request allowed and adjourned to next sitting.

Item No.33

Heard the learned counsel Adv.Gopinathan Nair represented the applicant.This is the application for the transfer of permit in respect of the stage carriage KL-07-AN-313 consequent to the death of permit holder and renewal of the regular permit on the route Cheranelloor-Fort Kochi as ordinary city service.This authority considered the applications in detail.

A regular permit 7/1009/2000 was issued for a duration of 5 years in favour of Sri. K.S.Kunjumammed in respect of his stage carriage KL-07-AN-313 to operate on the route Cheranelloore- Fort Kochi as Ordinary City service.Subsequently the regular permit was renewed U/S 81 of MV Act for duration of another five years from 26/08/2005 to 25/08/2010 and from 26/08/2010 to 25/08/2015 on consideration of the application submitted by the permit holder . Thereafter on 26/08/2015, Smt.Safiya, the wife of permit holder has intimated death of the permit holder and applied for the transfer of permit U/S 82[2] of MV Act. As per the records produced,it is clearly reported that the permit holder was expired on 12/01/2007. The question is that how the renewal of regular permit could be effected without intimating the death of the permit holder and a without filing of application duly signed by the permit holder. This authority deeply perused the permit file and application made for the renewal of permit from 26/08/2010. On verification,it felt that the application for the renewal of permit was filed during the year 2008 very well after the expiry of the permit holder suppressing the facts before the authority granted the regular permit.Thereafter on 26/08/2015,after the long laps of nine years Smt.Safiya,wife of the deceased permit holder has intimated the death of the permit holder with supportive documents and applied for the transfer of the permit U/S 82[2] of MV Act and renewal of the regular permit with effect from 26/08/2015.

As per sub section 2 of section 82 of MV Act-1988,where the holder of permit dies,the person succeeding the to the possession of the vehicle covered by the permit has within thirty days of the death of the holder,informed the transport authority which granted the permit of the death of the holdere and of his own intension to use

the permit. Provided further that no permit shall be used after the date on which it would have ceased to be effective without renewal in the hands of the deceased holder.

In this case no sufficient reason for the non intimation of the death and the applicant Smt.Safiya had made application for the grant of renewal purposefully without intimating the death of the permit holder. This is a non bona fide and deliberate action of the applicant and misrepresentation of facts before the authority.

In this circumstances, this authority is felt that the applicant is not eligible and not entitled to hold a regular permit.

Hence the regular permit 7/1009/2000 issued to stage carriage is hereby revoked with effect from 26/08/2015, the date of application.

Since the regular permit is revoked, application for the renewal of permit and transfer of permits are also stands rejected.

Item No.34

Heard the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-45-2020 operating on the route Kadamakudy-Vyttila-Devaswampadam as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2011. The proposed route is having length of 23.8 km and the route will not overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit for continuous operation on the proposed route. Hence renewal of regular permit is granted .

Item No.35

Heard; Adv. Stalin Peter Davis, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-07-AJ-1923 operating on the route Aluva-Valiyaparambu as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued on 02/06/2006. The proposed route is having length of 40.08 km and the portion of the route from Aluva to Athani which is 8 km in length objectionably overlaps Trivandrum-Palakkad, Trivandrum-Kannur and Ernakulam-Thrissur notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. As per clause 4 of the above said notification, regular permit issued after 09/05/2006 violating the scheme of nationalization cannot be renewed. Only temporary permit can be allowed till the State Transport Undertaking claiming for the permit on such routes concerned. In this situation the proposed permit is not renewable.

Hence the application for the renewal of permit 7/1649/2006 is hereby rejected.

The Secretary RTA is directed to issue temporary permits for durations of 4 months in favour of the applicant to continue operation on the same route with existing time schedule.

Item No.36

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented KSRTC. This is the applications for the renewal of regular permits in respect of stage carriages KL-05-AD-3699 and KL-05-AG-3553 operating on the route Kaloor-Narakakkadavu as LSOS in opposite directions. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit were expired on 03/01/2011 and 08/02/2011 respectively and thereafter, this authority rejected the renewal of permit as LSOS since the route length exceeds the permissible limit of LSOS. At present the services are operating on the route as LSOS under Rule 214 of KMV Rules as per the order issued by the STAT in MVAA No.364/2012 and 365/2012. Now the permit holders have applied for the renewal of permits for further 5 years and requested to take a linient revised decision on earlier applications for the renewal of permit in view of the GO[MS] No.45/2015 dtd 20/08/2015.

This authority considered the applications in detail, all the sister RTAs granted concurrence for the renewal of permits for a duration of 5 year with effect from 03/1/2011 and 08/02/2011. Concurrence for the renewal of permit for further five years from 2016 is required from the authorities concerned unde Rule 171 of KMV Rules-1989.

1.Hence renewal of permits for a duration of five year from 2011 are granted subject to the clearance of Government dues and pending check reports if any subject to the condition that the vehicle with age older than 10 years is not suitable for operation as LSOS.

2.The Secretary RTA is entrusted to seek concurrence of sister RTAs for the renewal of permit with effect from 2016.Hence adjourned

Item No.37

Heard; Adv.Stalin Peter Davis, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-07-AN-4311 operating on the route Annamanada- Aluva as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2005. The proposed route is having length of 44.8 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. RTA Thrissur has granted concurrence for the renewal of permit. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU

has not filed objection against the renewal of permit. Hence renewal of regular is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.38

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-39-7788 operating on the route Aluva-Kottayam as LSOS. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1996. The proposed route is having length of 95km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit as LSOS is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.39

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of intra district regular permit in respect of stage carriage KL-07-AN-9803 operating on the route Munambam-Vypin-Ernakulam High Court Jn as Ordinary moffusil service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2003. The applicant has not made application for the renewal of permit within the time limit specified under section 81 of MV Act and hence requested to condone delay in filing application. The proposed route is having length of 29 km and the route is will not overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit for continuous operation on the proposed route. Hence renewal of regular permit is granted .

Item No.40

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-06-E-39 on the route Thaikkattussery Ferry-Kakkanad-CSEZ, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.41

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AP-313 on the route

Kakkanad-W.Island, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.42

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BD-399 on the route North Parur-Ernakulam Kaloor Bus Stand, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.43

Heard Adv.Stalin Petr Davis, the learned counsel represented both the transferor and proposed transferee. This is the application for the transfer of permit in respect of stage carriage KL-17-2151 operating on the route Thuthiyoor-Aluva-Kavumthazham. The regular permit 7/3295/2015 was issued on 04/09/2015. This authority in its earlier sitting prevented the transfer of stage carriage permits within a period of two years from the date of first issue of permit to avoid the habit of sale of the permits. In this case the permit was issued on 04/09/2015 and hence the permit cannot be transferred before 03/09/2017.Hence the application for the transfer of permit is hereby rejected.

Item No.44

Heard Adv.Gopinathan Nair, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-04-K-3119 on the route Munambam-North Parur-Angamaly-Manjapra, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.45

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-A-4066 on the route Puthukkalavattom-Fort Kochi with trip to Kaloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.46

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-C-3459 on the route Aluva-Kumbalangi South, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.47

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-4100 on the route Aluva- Panangad- Brahmapuram, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.48

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-A-2535 on the route Puzhakkaredath-Vypin-Ernakulam, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.49

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AZ-2554 on the route Kumbalangy-Fort Kochi-Kaloor, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.50

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AJ-3973 on the route Aluva- Fort Kochi, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.51

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AR-4046 on the route Angamaly Bus Stand-Kalady Plantation, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.52

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-02-T-6001 on the route Aluva- Thevara Ferry, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.53

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-05-Y-6570 on the route Vypin-Munambam, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.54

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BF-6693 on the route Aluva-Thevara Jn, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.55

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-D-6300 on the route Vyttila-Vyttila , is allowed as applied for subject to the clearance of Government dues, if any.

Item No.56

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-B-5352 on the route Kumbalangy-Chittoor Ferry, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.57

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-6862 on the route Cheranelloor-W.Island-Panangad, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.58

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AQ-6210 on the route Mundamveli-Cheranelloor, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.59

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BB-6132 on the route Vypin-North Parur, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.60

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AL-9124 on the route Fort Kochi- Kaloore, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.61

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-8388 on the route Aluva-W/Island, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.62

Heard Adv.O.D.Sivadas, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BB-9810 on the route

Chittoor Ferry-Fort Kochi, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.63

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BD-9339 on the route Chittethukara-Perumpadappu, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.64

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BF-7586 on the route Aluva-Ernakulam South, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.65

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-12-C-9154 on the route Kadamakkudy-Aluva-Thadikkadavu, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.66

Heard Adv.Stalin Petr Davis, the learned counsel represented both the transferor and proposed transferee. This is the application for the transfer of permit in respect of stage carriage KL-17-8668 operating on the route Kakkanad-Trippunithura-Kavumthazham as ordinary moffusil service. The regular permit 7/4610/2014 was issued on 23/12/2014. This authority in its earlier sitting prevented the transfer of stage carriage permits within a period of two years from the date of first issue of permit to avoid the habit of sale of the permits. In this case the permit was issued on 23/12/2014 and hence the permit cannot be transferred before 23/12/2016.Hence the application for the transfer of permit is hereby rejected.

The enquiry officer has failed to report the impediment of the transfer of proposed permit, the Secretary RTA is directed to call explanation from the concerned official and submit before this authority in the next sitting itself.

Item No.67

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-C-9608 on the route Munambam-Vypin-High Court, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.68

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-05-X-8873 on the route

Malayattoor-Attara-Elavoor, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.69

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant. This is the application for the grant of temporary permit for a duration of 4 months in respect of stage carriage KL-02-M-9794 to operate on the route Velloor HNL-Kaloor via Cherukara, Vattappara, Edakkattuvayal, Aarakkunnam, Mulamthuruthy, Nadakkavu, Puthiyakavu, Trippunithura, Vyttila and MG Road as Ordinary Moffusil Service in the vacant timings of stage carriage KL-05-A-8275. The vehicle is operating service on the proposed route for long years with issued temporary permit. The route is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The modification of the above scheme is under processing. Hence temporary permit for a duration of 4 months is granted on the proposed route subject to the result consequent to the modification of above notification .

Item No.70

Heard Adv.Stalin Peter Davis, the learned counsel represented the applicant. This is the application for the grant of temporary permit for a duration of 4 months in respect of stage carriage KL-36-363 to operate on the route Srampillikkavala-Nilampathinjamugal via Ezhakkaranad, Maneed, Vettickal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road and Vyttila as Ordinary Moffusil Service. The applicant is operating service on the proposed route for long years with issued temporary permit. The enquiry officer has reported that there exist necessity for the grant of proposed permit. Hence temporary permit for a duration of 4 months is granted to stage carriage KL-36-363 operate on the route Srampillikkavala-Nilampathinjamugal as ordinary moffusil service.

Item No.71

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant. This is the application for the grant of temporary permit for a duration of 4 months in respect of stage carriage KL-05-S-8010 to operate on the route Thalayolapparambu-Kaloor via Kanjiramattam, Chottanikkara, Thiruvankulam and Trippunithura as Ordinary Moffusil Service. The applicant is operating service on the proposed route for long years with issued temporary permit. The enquiry officer has reported that there exist necessity for the grant of proposed permit. Hence temporary permit for a duration of 4 months is granted to stage carriage KL-05-S-8010 operate on the route Thalayolapparambu-Kaloor as ordinary moffusil service.

Item No.72

Heard Adv.Stalin Peter Davis, the learned counsel represented the permit holder of stage carriage KL-39-G-9091 and KL-39-G-9191. This is the request of the Secretary RTA Idukki seeking concurrence for the renewal of permits to operate on the route Konnakkad-Pooppara as Super Express Service. The law prevents the renewal of

Super Class Stage Carriage Services in the private sector, but allowed the conversion of such super class services as Limited Stop Ordinary Services. In this case the counsel the letter of sister authority seeking concurrence not specified whether the application for the conversion of class of service is received or not. The Secretary RTA is directed to obtain remarks from the primary authority. Hence adjourned.

Item No.73

Heard. This is the request of the Secretary, RTA, Thrissur for the concurrence of this authority for the grant of a regular permit in respect of suitable stage carriage on the route Angamaly-Kochukadavu-Poopathy-Mala-Kodungallur-Chalakkudy-Koratty as Ordinary moffusil service. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority from Telk Jn to Angamaly town which is 2.2 km in length overlaps Kottayam-Kozhikode notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the grant of fresh regular permit on the proposed route is granted to operate service as Ordinary moffusil service subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 .

Item No.74

Heard. This is the request of the Secretary, RTA, Thrissur for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-47-B-9990 operating on the route Guruvayoor-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Trivandrum-Kannur, Trivandrum-Palakkad and Ernakulam-Thrissur notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS 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.75

Perused the judgment of Hon'ble High Court of Kerala in WPC No.35811/2015 dtd 09/12/2015. This is the request of the Secretary, RTA, Thrissur for the revised decision of this authority regarding the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-06-C-7627 to operate on the route Guruvayoor-Ernakulam High Court Jn via gosree Bridges, Vypin, Njarakkal, Cherai and North Parur as LSOS. This authority considered the matter in detail.. Concurrence for the renewal of permit as LSOS is granted as LSOS 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.76

Heard. This is the request for the sanctioning of new bus shelter at Hormis Nagar on Karukutty Azhakam Road. In view of the resolution passed by the Mookkannur Grama Panchayath and the recommendation from the Pratheeksha Bus Shelters Kerala Ltd, the proposal submitted before this authority for the approval. The enquiry officer of the

Motor Vehicles Department reported that there exist sufficient space and recommended the proposed bus shelter by shifting the existing bus stop at FISAT College Jn . Considering the advantage of public ,the proposal for shifting of existing bus stop from FISAT Jn to Hormis Nagar and construction of new bus shelter is sanctioned subject to the concurrence of PWD Authority.

Item No.77

Heard. This is the request for the transfer of granted regular permit in the name of father of the grantee since the grantee was expired after the grant of regular permit on the route North Parur-High Court Jn as Ordinary moffusil service. The applicant Sri.Abdul Hakkim has produced all legal documents proving the succession of the deceased grantee Mr.Mujeeb Rahman.Hence transfer of the granted regular permit is allowed subject to the production of vehicle not older than 5 years from the date of its original registration within a period of one month,failing which the sanction and the grant of regular permit are liable to be revoked.

Item No.78

Heard. This is the recommendation of the Circle Inspector of Police, Traffic West for taking action against the stage carriage KL-41-A-1188 for the violation of time schedule issued to the vehicle to operate on the route Glass Factory Colony – Panangad.The counsel Adv.Jithesh Menon represented the permit holder has requested to take a decision in a lenient manner considering the heavy congestion in the roads of Ernakulam District. Considering the representation, the permit holder is punished for remitting Rs.5000/- toward the compounding fee within 15 days from the receipt of this order in lieu of suspension of the permit,failing which the regular permit will be suspended for 30 days with effect from 01/07/2016.Secretary RTA is directed to issue communication and take action accordingly.

Item No.79

Heard. This is the recommendation of the Assistant Commissioner of Police, Traffic West for taking action against the stage carriage KL-39-A-2335 for the rash and negligent and dangerous driving on 03/11/2015. Considering the gravity of offence,

1. The permit holder is punished for remitting Rs.5000/- toward the compounding fee within 15 days from the receipt of this order,failing which the regular permit will be suspended for 30 days with effect from 01/07/2016.
2. Driving licence of the person who was engaged in the duty of a driver of stage carriage KL-39-A-2335 on 03/11/2015 is hereby disqualified for one month from 01/07/2016.

Item No.80

Heard the affected parties and KSRTC. This is the recommendation of the District Scheduled Caste Development Officer Ernakulam for the grant of vacant reserved city stage carriage permits to the eligible persons belongs to SC/ST community.This authority perused the file and connected orders in this regard. Due to the existence of

GO(P) No.42/2009/Tran dtd 14/07/2009, no city stage carriage permits can be granted on the city roads violating the scheme of nationalization. This authority has no jurisdiction to interfere on the Government decision. Hence the petitioner is directed to approach the Government of Kerala for taking a further orders in this regard.

Item No.81

Heard ;Adv.O.D.Sivadas,the learned counsel represented the permit holder of stage carriage KL-07-BP-6696. This is the recommendation of the Secretary RTA to take action against stage carriage for the curtailment of night trip to Kadavanthara. The action on check report is adjourned to next sitting. Secretary RTA is directed to depute one field officer to verify the service of the vehicle and ensure that the time schedule is clearly exhibited in the vehicle in accordance with law and a collect a detailed trip vice report of 30 days from 01/06/2016 and the place a detailed report in the next sitting.

Item No.82

Heard ;Adv.O.D.Sivadas,the learned counsel represented the permit holder of stage carriage KL-17-A-6989. This is the recommendation of the Secretary RTA to take action against stage carriage for the curtailment of night trip to Edakochi. The action on check report is adjourned to next sitting. Secretary RTA is directed to depute one field officer to verify the service of the vehicle and ensure that the time schedule is clearly exhibited in the vehicle in accordance with law and a collect a detailed trip vice report of 30 days from 01/06/2016 and the place a detailed report in the next sitting.

Item No.83

Heard ;Adv.O.D.Sivadas,the learned counsel represented the permit holder of stage carriage KL-07-AN-6762. This is the recommendation of the Secretary RTA to take action against stage carriage for the curtailment of night trip to Puthukkalavattom. The action on check report is adjourned to next sitting. Secretary RTA is directed to depute one field officer to verify the service of the vehicle and ensure that the time schedule is clearly exhibited in the vehicle in accordance with law and a collect a detailed trip vice report of 30 days from 01/06/2016 and the place a detailed report in the next sitting.

Item No.84

Heard ;Adv.G.Prabhakaran,the learned counsel represented the grantee of transfer of permit in respect of stage carriage KL-08-AD-1800 operating on the route Aluva-Kalamassery Premier Jn. This authority is satisfied with the reason for the delay in production of current records of stage carriage for endorsing the transfer of permit.Hence delay is condoned.

Item No.85

Heard;Adv.Gopinathan Nair, the learned counsel represented the permit holder of stage carriage KL-42-333. The counsel represented the permit holder has intimated that the Police Authority intentionally registered the cases and requested not to take

any action without hearing the concerned police authority. This authority considered the matter in detail. Though notice was issued, the concerned police authority not appeared before this authority to hear and verify the facts and cases related to the issue. Secretary RTA is directed to issue notice to the concerned police authority with direction to submit detailed report on pending 48 cases against the permit holder urgently for detailed perusal. Hence adjourned to next sitting.

Item No.86

Heard ;Adv.Gopinathan Nair, the learned counsel represented the grantee of renewal of permit in respect of stage carriage KL-42-333 operating on the route Eloor-Thevara Ferry. This authority is satisfied with the reason for the delay in production of current records of the vehicle. Hence delay is condoned. The grantee is directed to submit current records within 30 days failing which the sanction of renewal of permit is liable to be revoked without further notice.

Item No.87

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-5971 on the route Munambam- Cheranelloor, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.88

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-A-5888 on the route Panangad-Cheranelloor, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.89

Heard ;Adv.O.D.Sivadas, the learned counsel represented the permit holder of stage carriage KL-07-BK-2665. This is the recommendation of the Secretary RTA to take action against stage carriage for the curtailment of night trip to Chellanam. The action on check report is adjourned to next sitting. Secretary RTA is directed to depute one field officer to verify the service of the vehicle and ensure that the time schedule is clearly exhibited on the vehicle in accordance with law and a collect a detailed trip vice report of 30 days from 01/06/2016 and the place a detailed report in the next sitting.

Item No.90

Heard ;Adv. Jithesh Menon, the learned counsel represented the permit holder of stage carriage KL-42-3006. This is the recommendation of the Secretary RTA to take action on pending check reports booked against stage carriage KL-42-3006 for various offences including curtailment of service. On perusal of the file, this authority felt that even after the acknowledgment of charge memo issued, the permit holder has failed to compound the offence in lieu of suspension of permit. Considering the request of the learned counsel represented the permit holder, the permit holder is given an option to compound the offences in the following way considering the gravity of each cases.

1. Check report dtd 18/06/2014- Rs.3000/-
2. Check report dtd 05/06/2013- Rs.5000/-
3. Check report dtd 10/04/2015- Rs.2000/-

If the permit holder has failed to compound the offence before 30/06/2016, the Secretary RTA is directed to issue proceedings suspending the regular permit for 30 days with effect from 01/07/2016.

Item No.91

Heard ;Adv. G.Prabhakaran, the learned counsel represented the permit holder of stage carriage KL-44-2755. This is the recommendation of the Secretary RTA to take action on pending check reports booked against stage carriage KL-44-2755 for various offences including curtailment of service. On perusal of the file, this authority felt that even after the acknowledgment of charge memo issued, the permit holder has failed to compound the offence in lieu of suspension of permit. Considering the request of the learned counsel represented the permit holder, the permit holder is given an option to compound the offences in the following way considering the gravity of each case.

1. Check report dtd 20/05/2014- Rs.5000/-
2. Check report dtd 02/07/2014- Rs.2000/-
3. Check report dtd 19/02/2015- Rs.2000/-
4. Check report dtd 10/07/2015-Rs. 5000/-

If the permit holder has failed to compound the offence before 30/06/2016, the Secretary RTA is directed to issue proceedings suspending the regular permit for 30 days with effect from 01/07/2016.

Item No.92

This is the request of the Secretary RTA to take a decision to include all ambulances registered in Ernakulam district in the Project RAKSHA and implementation of GPS/GPRS in all ambulance services. This authority considered the matter in detail. The District Disaster Management Authority already has decided to implement GPS facility in all ambulance services in Ernakulam District and thereby constitute a string of ambulance under section 33 of Disaster Management Act. Hence this authority is decided to implement the decision of the District Disaster Management Authority. The Secretary RTA will entrust to initiate action in accordance with the decision of the District Disaster Management Authority Ernakulam in this regard.

Item No.93

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt. Kunjumol Paul and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 temporary permit was issued to S/C KL-17-F-5159 to operate on the modified route Mulakkulam

-Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988.

Now the temporary permit holder has filed two applications for the grant of further temporary permit on the modified route and on the previous route by connecting Trippunithura and Thiruvankulam, two intermediate points on the Ernakulam- Muvattupuzha complete exclusion scheme with exceptional clause. The grant of permit connecting two or more intermediate points on above notified scheme is the clear violation of scheme of nationalization. The Counsel has filed a request requesting withdrawal of the application for the grant of temporary permit connecting Trippunithura and Thiruvankulam. Request for the withdrawal of the above application is allowed.

Considering the public interest ,temporary permit for a duration of 4 months U/S 87[1]C is granted to operate on the route Mulakkulam-Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road and SN Jn as ordinary moffusil service.

Item No.94

Heard the applicant. This is the application for the renewal of autorickshaw permit in respect of the vehicle KL-07-BQ-4729 and request for the condonation of delay in filing application. This authority is satisfied with the reason offered for the delay. Hence delay condoned and renewal of permit is granted.

Item No.95

Heard the affected operators. This is the representation filed by the auto taxi drivers at Thrikkakkara municipality for permitting them to park their vehicles in the space allotted by the Thrikkakkara Municipality in view of the judgment of Hon'ble High Court of Kerala in WP© No.30807/2015. This authority considered the representation in detail. The Thrikkakkara Municipality has submitted a proposal noting four parking place for the parking of auto taxis which comes under the classification of Moto Cabs. There is no provision in the MV Act and Rules for the sanctioning of parking place to the vehicles coming under the classification of contract carriages. In this case ,in view of the judgment of Hon'ble High Court of Kerala, the Thrikkakkara municipality has furnished following places for the parking of auto taxis.

1. Near Muthoot Finance in Seaport-Airport road
2. Near reliance Pump in Seaport Air-Air port Road.
3. Near Rajagiri Trans Asia Building in Seaport-Airport road
4. Near Police Aid Post at Kakkanad Infopark road.

But the number of vehicles that can be parked at the proposed places are not mentioned by the authority concerned. Moreover, the concurrence of the concerned authority is not seen received in this regard.

Considering the public interest, a preliminary sanction is accorded for the above places subject to the availability of concurrence from the concerned authority. The Secretary RTA is directed to place a detailed report along with the report of PWD or concerned authority and Motor Vehicles Department in the next sitting for final approval.

Item No.96

Heard all concerned. The Government of Kerala have directed to intimate the additional number of auto rickshaw city permits required to be sanctioned in the Kochi City. This authority perused the connected files and report regarding grant of additional autorickshaw city permits .At present 4000 number of city permits were already granted and issued in the Kochi City based on the Government Order No.189/95/PW&T. But study reports shows that the above number of city permits are not sufficient to cater the need of public and hence the autorickshaws with parking place out of the Kochi Clity limit are habiting unauthorized operation in the Kochi City,which resulting so many law and order problems. The Kochi Corporation already proposed 3000 additional number of city autorickshaw permits in Kochi City. In this circumstances,this authority is hereby decided to infom the Government of Kerala for sanctioning additional 3000 number of autorickshaw city permits in Kochi City on public interest and to eliminate unauthorized plying of other autorickshaws.

Item No.97

Heard the affected operators. This is the proposal submitted by the Kalamassery Municipality allotting parking place for the parking of auto taxis which comes under the classification of Moto Cabs. There is no provision in the MV Act and Rules for the sanctioning of parking place to the vehicles coming under the classification of contract carriages. In this case ,in view of the judgment of Hon'ble High Court of Kerala, the Kalamassery municipality has identified a place at Eastern side of Medical College bus stop in the opposite of existing auto stand near Kinfra for the parking of auto taxis.

The enquiry officer has reported that five vehicles belongs to the category of auto taxi can be parked at the proposed place. But concurrence of the PWD authority is not seen received in this regard.

Considering the public interest, a preliminary sanction is accordrded for the above places subject to the availability of concurrence from the PWD authority. The Secretary RTA is directed to place a detailed report along with the report of PWD in the next sitting for the verification and final approval.

Item No.98

All actions taken by the Secretary RTA on behalf of this authority are hereby ratified.

Item No.99

Items Admitted by the Chairman

A.Applications related to the stage carriage permits- Direction to hear the applicants in person before placing before the RTA.

To avoid the filing of applications without the permission of the permit holder or the applicant and to avoid fraud representation on behalf of the permit holders/applicants before the RTA, the Secretary RTA is directed to hear all applicants in person not by authorized representative before placing the applications before RTA .

B.Application for the replacement of stage carriages with older model vehicle

Now a days so many application for the replacement of the stage carriages with older model vehicles with intention to sell the old vehicle for huge amount and intended to operate old vehicle depriving the existing benefits enjoyed by the public. Rule 174[2][C] of KMV Rules clearly stipulates that the RTA may in his discretion, ***reject the application, if new vehicle proposed is older than the one sought to be replaced.*** But vide various judgments, the Hon'ble High Court of Kerala has directing the Secretary RTA to effect replacement with old vehicle without considering the merits of application and provisions of law. Hence this authority is decided to file review petition/appeal against such orders. The Secretary RTA is directed to take necessary steps to comply the order of this authority in all such cases.

Item No.100

Next sitting of the RTA is proposed to be held on

Supplementary Item No.01

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Dane Shome. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act to operate on the route Panangad - Cheranelloor as City Service in the vacant timings of stage carriage KL-07-BC-7318. This authority considered the application in the light of order of Hon'ble High Court of Kerala . On perusal of the file,it revealed that the State Transport Undertaking already applied and availed temporary permit on the same route in the same vacancy. Hence the proposed temporary permit cannot be allowed. Hence rejected.

Supplementary Item No.02

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Ratheesh. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act to operate on the route Poothotta-Aluva as City Service in the vacant timings of stage carriage KL-07-AL-1975. This authority considered the application in the light of order of Hon'ble High Court of Kerala . On perusal of the file,it revealed that the State Transport Undertaking already applied and temporary

permit granted in favour of KSRTC to operate on the same route in the same vacancy. Hence the proposed temporary permit cannot be allowed. Hence rejected.

Supplementary Item No.03

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv.Stalin Peter Davis, the learned counsel represented the applicant Sri.T.J.Raju. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act to operate on the route Poothotta-Aluva as City Service in the vacant timings of stage carriage KL-40-A-6031. This authority considered the application in the light of order of Hon'ble High Court of Kerala . On perusal of the file,it revealed that the State Transport Undertaking already applied and temporary permit granted in favour of the KSRTC to operate on the same route in the same vacancy. Hence the proposed temporary permit cannot be allowed. Hence rejected.

Supplementary Item No.04

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv. O.D Sivadas, the learned counsel represented the applicant Sri.Bijumon.P.C. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act in respect of stage carriage KL-07-BB-9809 to operate on the route Kalloochira-Eloor Depot as City Service in the vacant timings of stage carriage KL-07-K-4753. This authority considered the application in the light of order of Hon'ble High Court of Kerala . The counsel represented the KSRTC intimated that that the proposed route is overlaps notified schemes and sufficient stage carriages of State Transport Undertaking is operating on the same portion with issued permit . Hence there is no scope to consider the application under proviso to section 104 of MV Act. Hence rejected.

Supplementary Item No.05

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv.O.D.Sivadas, the learned counsel represented the applicant Smt.Beevi Meetheen. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act in respect of stage carriage KL-07-AH-3484 to operate on the route Aluva-Thevara Jn as City Service in the vacant timings of stage carriage KL-07-AG-1472. This authority considered the application in the light of order of Hon'ble High Court of Kerala . The counsel represented the KSRTC intimated that that the proposed route is overlaps notified schemes and sufficient stage carriages of State Transport Undertaking is operating on the same portion with issued permit . Hence this authority felt that there is no scope to consider the application under proviso to section 104 of MV Act. Hence rejected.

Supplementary Item No.06

1.Perused the Order of Hon'ble High Court in WPC No.5827/2016 and connected cases.

2.Heard;Adv.Stalin Peter Davis, the learned counsel represented the applicant Sri.K.S.Venugopalan. This is the application for the grant of temporary permit Under proviso to Section 104 of MV Act in respect of stage carriage KL-07-AH-6107 to operate on the route Kothad Ferry-Chittoor as City Service in the vacant timings of stage carriage KL-07-BJ-1878. This authority considered the application in the light of order of Hon'ble High Court of Kerala . On perusal of the file,it revealed that the State Transport Undertaking already applied and temporary permit granted in favour of the KSRTC to operate on the same route in the same vacancy. Hence the proposed temporary permit cannot be allowed. Hence rejected.

Supplementary Item No.07

1.Perused the judgment of Hon'ble High Court in WPC No.35356/2015 .

2.Heard all affected parties. This is the issue related to the unauthorized parking of autorickshaws in front of shops at Angamaly. The Angamaly Merchants Association has filed a writ petition before the Hon'ble High Court of Kerala seeking prevention of unauthorized parking of autorickshaws in front of the shops.Vide judgment, the Hon'ble Court has directed this authority to take remedial steps to prevent the unauthorized parking by providing sufficient space for autorickshaw parking in consultation with municipal authority. In view of the judgment of Hon'ble High Court, an all party meeting was convened by the Secretary RTA on 12/02/2016 and unanimously arrived at following suggestions and submitted for the approval of this authority.

1. The right side of the road from KSRTC bus stand towards the Municipal Office shall be marked for the parking of autorickshaws.
2. "NO PARKING" board shall be erected at the rest portion of the above road and police authority will take stringent action against illegal parking.
3. Direction may be issued to BSNL to remove the telephone post which stands in the centre of the above road.
4. Municipality authorities shall take immediate steps to evacuate illegal encroachments in the above road so as to prevent any traffic congestions in future.

Considering the public interest and aspect of road safety, above proposal is approved. The Secretary RTA is directed to communicate the matter to all concerned for necessary action and the strict compliance.

Supplementary Item No.08 & 30

1.Perused the judgment of Hon'ble High Court in WPC No.6638/2016 dtd 22/02/2016

2.Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant.This is the application for the grant of fresh regular permit in respect of a suitable stage

carriage to operate on the route North Parur- vyttala Hub as ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.The applicant has not furnished in his application the details of the vehicle to which the permit is sought for,such as registration mark,type of vehicle,Seating Capacity and Maximum Ladden Weight etc. required by item No.6 to 8 in Form P.St.S.A in terms of section 70[1] Clause[f] of Motor Vehicles Act 1988. Instead he has offered a non-existent "Suitable" stage carriage in his application.He has not offered any such suitable vehicle even at the time of consideration of the application.

The counsel would contend that the applicant is entitled for the grant of a permit,even without the availability of a suitable vehicle and it would be sufficient to furnish such details within the time frame specified in Rule 159[2] of the KMV Rules 1989.But this contention is not applicable since an applicant who has furnished all the required details concerning the vehicle in his application in Form P.St.S.A and his application has been duly granted alone is facilitated to produce the registration certificate of the vehicle within the period specified in Rule 159[2] of KMV Rules.This rule obviously visualizes a situation where the applicant is unable to produce the certificate of registration of the vehicle for want of registration Under Section 41 of MV Act or for similar circumstances.The provisions of this rule does not absolve the applicant from furnishing the particulars of the vehicle in his application itself. In the absence of a ready vehicle,the details of which have not been furnished in the prescribed application,the application for permit is no application at all and this authority is of the view that grant of a stage carriage permit in respect of a non existent "Suitable " stage carriage would not serve any public interest.

This authority has already resolved that no stage carriage other than those of five years or less alone shall be entitled for fresh stage carriage permit in this region, especially in view of road safety aspects and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010. Hence this authority is bound to look in to the age of every stage carriage seeking permit before a grant is made.

Under the above circumstances, the applicant is not entitled for a fresh stage carriage permit and hence the application is rejected.

Supplementary Item No.09

1.Perused the judgment of Hon'ble High Court of Kerala in WPC No.6622/2016.

2.Heard the learned counsel Adv.Gopinathan Nair represented the applicant . This is the application for variation of regular permit in respect of stage carriage KL-05-Y-4050 operating on the route Cheranelloor-High Court Jn as ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer,objections raised by the public and connected file.

1. The curtailment of existing trips to Cheranelloor will adversely affect the travelling public. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public

shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.

2. This authority felt that by the proposed variation, main intention of the permit holder is that only to revise the entire timings in the existing trips. Since there is no necessity Under Rule 145[7] warranting for the revision of timings, it cannot be allowed.
3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public. In this case this authority granted permit for the convenience of the travelling public to Kakkannad. The proposed variation will not give any additional advantage to the travelling public. This authority feels that the consequence of curtailment of trips is much higher than the other variations sought by the permit holder.

In view of the afore said fact and circumstances, the application for the variation of permit is hereby rejected.

Supplementary Item No.10

Heard the learned counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-15-8397 operating on the route Ernakulam-Mattancherry-Aluva-Perumbavoor. There is delay in filing application for the renewal of permit. Considering the representation of applicant delay is condoned and renewal of the regular permit is granted. Secretary RTA is directed to endorse the renewal of permit without realizing the fee and specifying the validity in compliance to the order of the Government since the entire route lying on notified scheme.

Supplementary Item No.11

Perused the decision of State Transport Authority. This authority is decided to implement the order of the STA. Secretary RTA will entrusted to the strict compliance of the order.

Supplementary Item No.12

Perused the Order of Hon'ble High Court of Kerala in WPC No.7502 of 2016 and heard Adv. Gopinathan Nair, the learned counsel appeared for the applicant. This is the application for the grant of temporary permit under proviso to section 104 of MV Act in respect of stage carriage KL-41-A-6262 to operate on the route Anappara-Angamaly-Perumbavoor in the vacant timings of stage carriage KEE-8787. The counsel represented the KSRTC has intimated that they have operating sufficient stage carriages in between Angamaly and Perumbavoor and the grant of temporary permit in private sector is the violation of the scheme of nationalization. Considering the above facts, the application is hereby rejected.

Supplementary Item No.13

Perused the Order of Hon'ble High Court of Kerala in WPC No.7417 of 2016 and heard ,the learned counsel appeared for the applicant.This is the application for the grant of temporary permit under proviso to section 104 of MV Act in respect of stage carriage KL-07-BE-1281 to operate on the route Eloor Ferry- W/Island in the vacant timings of stage carriage KL-07-B-4887. The counsel represented the KSRTC has intimated that they have operating sufficient stage carriages on the major portion of the proposed route and the grant of temporary permit in the private sector is the violation of the scheme of nationalization. Considering the above facts, the application is hereby rejected.

Supplementary Item No.14

Perused the Order of Hon'ble High Court of Kerala in WPC No.7460 of 2016 and heard ,the learned counsel appeared for the applicant.This is the application for the grant of temporary permit under proviso to section 104 of MV Act in respect of stage carriage KL-07-BD-8080 to operate on the route Chottanikkara- Aluva in the vacant timings of stage carriage KL-17-E-7710. The counsel represented the KSRTC has intimated that they have operating sufficient stage carriages on the major portion of the proposed route and the grant of temporary permit in the private sector is the violation of the scheme of nationalization. This authority also felt that there is no necessity for the grant of permit on the proposed route. Considering the above facts, the application is hereby rejected.

Supplementary Item No.15

Perused the judgment of Hon'ble High Court of Kerala in WPC No.22609 of 2015 and heard , Adv.Gopinathan Nair represented the applicant. This is the application for the grant of a fresh regular permit on the route Manjapra-Ernakulam High Court Jn via Angamaly, Athani, Manjali, Vedimara Jn and Fire Station Road as Ordinary moffusil service. In view of the judgment of Hon'ble STAT in MVAA No.335/2010,the applicant has submitted a modified proposal. But the enquiry officer has reported that the modified route also overlaps Aluva- Vadakkumpuram complete exclusion scheme for a distance of 50 meter. If the proposed permit is granted, it will be the clear violation of scheme of nationalization. The counsel represented KSRTC has vehemently objected the grant of permit. Hence the application for the grant of permit is hereby rejected.

Supplementary Item No.16

Heard , Adv.G.Prabhakaran represented the applicant. This is the application for the grant of a temporary permit in respect of stage carriage KL-01-AS-2277 to operate on the route North Parur-Ernakulam South as Ordinary moffusil service.The portion of the proposed route from Edappally to Ernakulam South is objectionably overlaps Trivandrum-Kannur and Trivandrum- Palakkad notified schemes published vide GO(P) No. 42/2009/Tran dtd 14/07/2009. If the proposed permit is granted, it will be the clear violation of scheme of nationalization. The counsel represented KSRTC has

vehemently objected the grant of permit. Hence the application for the grant of temporary permit is hereby rejected.

Supplementary Item No.17

Heard Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-B-1321 on the route Chottanikkara- Aluva, is allowed as applied for subject to the clearance of Government dues,if any.

Supplementary Item No.18

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-45-1314 on the route North Parur- Ernakulam High courtJn, is allowed as applied for subject to the clearance of Government dues,if any.

Supplementary Item No.19

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant.This is the application for the variation of regular permit in respect of stage carriage KL-39-E-4568 operating on the route Edakkattuvayal- Piravom- Mulamthuruthy-Trippunithura-Vattappara as Ordinary Moffusil Service. Adv.Stalin Peter Davis, the counsel represented other operators has objected the variation that the vehicle is already sold to another person without prior intimation to the authority concerned. The Secretary RTA is directed to enquire the allegation and place the matter in the next sitting.Hence adjourned.

Supplementary Item No.20

Heard ;Adv.G.Prabhakaran,the learned Counsel represented the applicant and the counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-41-4990 operating on the route Mulamkuzhy- Marampilly Bridge as Ordinary moffusil Service.This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2011. The proposed route is having length of 36.5 km and the route will not objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. Hence renewal of regular permit is granted .

Supplementary Item No.21

Heard ;Adv.G.Prabhakaran,the learned Counsel represented the applicant and the counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-05-S-2880 operating on the route Aluva-Kottayam as LSOS.This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The Secretary RTA is direct to include the following details in the agenda.

- A. List of Stops
- B. Fare Stage on the route
- C. Report showing the age of the vehicle and its feasibility.

Hence adjourned to next sitting

Supplementary Item No.22

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant.This is the application for the variation of regular permit in respect of stage carriage KL-07-AW-6998 operating on the route South chittoor- Perumpadappu as Ordinary Service.By the proposed variation,the permit holder is desired to limit the 5th trip at Ayyappankavu by curtailing trip to Vaduthala. In this sitting objections have received against the proposed variation stating that there is no parking place at Ayyappankavu to terminate service as proposed. The report of the enquiry officer is not self explanatory to ascertain the objection. The Secretary RTA is directed to call detailed report from the enquiry officer and place before next sitting. Hence adjourned.

Supplementary Item No.23

Heard the learned counsel Adv.O.D.Sivadas represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-41-A-6639 operating on the route Aluva- Trippunithura as Ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer,objections raised and connected file. By the proposed variation, the permit holder is desired to curtail certain trips via Palarivattom, Kaloor and Menaka so as to deviate service via Bypass and to extend the service up to Mattammal Jn.This authority considered the matter in detail and then revealed the following facts.

1. So many objections have been received from the public stating that the curtailment of existing service through Palarivattom,Kaloor and Menaka will adversely affect them since the existence of legal impediment to grant new permits through that portion violating the scheme of nationalization.Hence requested to retain the existing services as such. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.
2. The enquiry officer has clearly reported that proposed extension from Valanjambalam to Thevara Jn objectionably overlaps Trivandrum-Kannur notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension[additional] is granted, it will be clear violation of clause[19] of above said notification.

3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public . This authority feels that the consequence of curtailment of trips is much higher than the proposed deviation sought by the permit holder.

In view of the afore said facts and circumstances,the application for the variation of permit is hereby rejected.

Supplementary Item No.24

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-D-6822 on the route Panangad- South Chittoor, is allowed as applied for subject to the clearance of Government dues,if any.

Supplementary Item No.25

Action taken by the Secretary RTA to replace the stage carriage KL-05-S-5795 with later model vehicle KL-10-N-3859 is hereby ratified.

Supplementary Item No.26

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-08-AM-7832 on the route North Parur- Vypin-High Court, is allowed as applied for subject to the clearance of Government dues,if any.

Supplementary Item No.27

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-B-9091 on the route Aluva- Kaloor, is allowed as applied for subject to the clearance of Government dues,if any.

Supplementary Item No.28

Perused the Order of Hon'ble High Court of Kerala directing this authority to consider the application for the temporary permit on the route Anappara-Angamaly-Perumbavoor.This is the application for the grant of temporary permit under proviso to section 104 of MV Act in respect of stage carriage KL-07-AP-3832 to operate on the route Anappara-Angamaly-Perumbavoor in the vacant timings of stage carriage KEE-8787. The applicant is absent.The counsel represented the KSRTC has produced a stay order from the Hon'ble High Court withdrawing the earlier order for consideration of application.The KSRTC has intimated that they have operating sufficient stage carriages in between Angamaly and Perumbavoor and the grant of temporary permit in private sector is the violation of the scheme of nationalization. This authority also felt that the applicant has no claim for obtaining proposed permit since the application for the temporary permit on the same route in the same vacancy filed by the permit

holder of stage carriage KEE 8787 is already pending. Considering the above facts, the application is hereby rejected.

Supplementary Item No.29

Perused the Order of Hon'ble High Court of Kerala in WPC No.9390 of 2016. This is the application for the grant of temporary permit U/S 87[1]C in respect of stage carriage KL-14-C-9182 to operate on the route Chittethukara Boat jetty- Infopark phase II via Infopark South Gate, Rajagiri College, CSEZ, Kakkanad, Infopark Phase I, Kinfra, Smart City and BDPP as Ordinary moffusil service. The enquiry officer has reported that there exist necessity for the grant of temporary permit U/S 87[1]C and the grant of permit is highly beneficial to the travelling public especially for the boat users in between Chittethukara Jetty and Vyttila. Considering the public interest temporary permit for a duration of 4 months is granted subject to the settlement of timings.

Supplementary Item No.30

Already decided vide supplementary Item No.08

Supplementary Item No.31

Perused the Order of Hon'ble High Court of Kerala in WPC No.7547 of 2016 and heard Adv.O.D.Sivadas, the learned counsel appeared for the applicant. This is the application for the grant of temporary permit under proviso to section 104 of MV Act in respect of stage carriage KL-43-A-2466 to operate on the route Konam-Ponekkara in the vacant timings of stage carriage KL-07-AR-5589. The counsel represented the KSRTC has intimated that they have operating sufficient stage carriages in between Angamaly and Perumbavoor and the grant of proposed temporary permit in private sector is the violation of the scheme of nationalization. Considering the above facts, the application is hereby rejected

Supplementary Item No.32

Already decided vide supplementary Item No.13

Supplementary Item No.33

Already decided vide supplementary Item No.15

Supplementary Item No.34

Heard; Adv. Stalin Peter Davis, the learned counsel represented the applicant. This is the application for the grant of reserve stage carriage permit in respect of Stage Carriage KL-08-X-1575. The Secretary RTA is directed to specifically report the nature and class of service of the vehicles mentioned in the application. Hence adjourned.

Supplementary Item No.35

1.Perused the Judgment of Hon'ble High Court of Kerala in WP© No.9050 of 2016 dtd 10/03/2016.

2.Heard;Adv.G.Prabhakaran, the learned counsel represented the applicant.This is the application for the grant of fresh temporary permit in respect of stage carriage KL-13-G-9801 to operate on the route Adivaram-Angamaly-Kalady-Kombanadu as Ordinary moffusil service. This authority considered the application in detail.

Application for the grant of regular permit is pending in this case.The enquiry officer has reported that there is a need for the grant of temporary permit under Section 87[1]C of MV Act and the Hon'ble Human Rights Commission of Kerala has directed the RTA to consider the application fot the permit through the ill served areas of the proposed route.Hence temporary permit for a duration of 4 months is granted to stage carriage KL-13-G-9801 to operate on the proposed route subject to settlement of timings.

Supplementary Item No.36

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-36-A-5758 operating on the route Kaippuzhamuttu-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS 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

Supplementary Item No.37

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-36-8787 operating on the route Ernakulam-Kottayam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS 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.

Supplementary Item No.38

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-36-505 operating on the route Kaippuzhamuttu-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS 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.

Supplementary Item No.39

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-07-BV-3725 operating on the route Ernakulam-Kottayam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS 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.

Supplementary Item No.40

Heard the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-BH-164 operating on the route Chittoor- Mattancherry as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file.The enquiry officer has specifically reported that the proposed extension of service to Aster Medicity which is 1.9 km in length is highly beneficial to the public.There is no overlapping in the extension portion. Hence proposed variation is allowed without changing the existing timings. The secretary RTA is directed to issue time schedule subject to the regularization of timings.

Supplementary Item No.41

Heard;Adv. Jithesh Menon, the learned counsel represented the applicant and heard the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-43-798 operating on the route thalayolapparambu-Kaloor as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file.The enquiry officer has specifically reported that the proposed deviation through Chottanikkara is highly beneficial to the public. There is no overlapping in the extension portion. Hence proposed variation is granted subject to settlement of timings.

Supplementary Item No.42

Heard the learned counsel Adv.Stalin Peter Davis represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AH-2322 operating on the route Kumbalangi-Aluva as Ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer,objections raised and connected file. By the proposed variation, the permit holder is desired to operate 5th trip from Palluruthy Nada to Edappally Railway station and return to perumpadappu by curtailing trip to

Ponekkara. This authority considered the matter in detail and then revealed the following facts.

1. So many objections have been received from the public stating that the curtailment of existing service to Ponekkara will adversely affect them. Hence requested to retain the existing services as such. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.
2. The enquiry officer has clearly reported that the portion of the proposed extension from Edappally High School to Edappally signal which is 1.3 km in length is objectionably overlaps Trivandrum-Kannur and Trivandrum-Palakkad notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. If the proposed extension [additional] is granted, it will be clear violation of clause [19] of above said notification.
3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public. This authority feels that the consequence of curtailment of trips is much higher than the proposed extension sought by the permit holder.

In view of the afore said facts and circumstances, the application for the variation of permit is hereby rejected.

Supplementary Item No.43

Perused the judgment of Hon;ble STAT in MVAA No.106/2015 and heard the learned counsel Adv. Stalin Peter Davis represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-39-G-6353 operating on the route Palamkadavu- University Centre as Ordinary moffusil Service. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised and connected file. By the proposed variation, the permit holder is desired to operate 4th trip only up to Poothotta curtailing service to Palamkadavu. This authority considered the matter in detail and then revealed the following facts.

So many objections have been received from the public and local bodies stating that the curtailment of existing trip to Palamkadavu will adversely affect them. Hence requested to retain the existing services as such. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. This authority also felt that the place Palamkadavu is an ill served area. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.

Hence the application for the variation of permit is hereby rejected.

Supplementary Item No.44

Heard the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AN-5859 operating on the route Chittoor- Thevara ferry as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. The enquiry officer has specifically reported that the proposed extension of service to Aster Medicity which is 700 meter in length is highly beneficial to the public and the curtailment of trips to Chittoor Ferry will not adversely affect the public. There is no overlapping in the extension portion. Hence proposed variation is allowed without changing the existing timings. The secretary RTA is directed to issue time schedule subject to the regularization of timings.

Supplementary Item No.45

Heard the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AM-8390 operating on the route Poothotta-Aluva as Ordinary City service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. Details of overlapping is not mentioned in the agenda and the enquiry officer has not reported whether there exist necessity U/R 145[6] of KMV Rules for the proposed variation. The Secretary RTA is directed to submit a detailed agenda in the next sitting itself. Hence adjourned.

Supplementary Item No.46

Heard; Adv.Gopinathan Nair, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of intra district regular permit in respect of stage carriage KL-07-AU-786 operating on the route North Parur- Kaloor as Ordinary moffusil service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2011. So many complaints have been received from the public stating that the vehicle is not operating service through Elamakkara and Punnakkal etc. Hence Secretary RTA is directed to conduct a detailed enquiry verify the service of the vehicle and place a detailed report in this regard in the next sitting. Hence adjourned

Supplementary Item No.47

This is the application for the renewal of inter district regular permit in respect of stage carriage KL-11-B-3737 operating on the route Chottanikkara-Thrissur as LSOS. The applicant is absent. Hence adjourned.

Supplementary Item No.48

This is the application for the renewal of intra district regular permit in respect of stage carriage KL-11-P-3166 operating on the route Kottuvally-Moothakunnam as Ordinary moffusil service. The applicant is absent. Hence adjourned.

Supplementary Item No.49

1.Perused the Judgment of Hon'ble High Court of Kerala in WPC No.38533 of 2015

2.This is the application for the renewal of the regular permit in respect of stage carriage KL-07-BC-4924 on the route Pukkattupady-ernakulam- Kalvathy Ferry as Ordinary City Service.This authority considered the matter in detail. This authority in its earlier sitting considered the application and renewal of permit was allowed. The decision of this authority was quashed by the Hon'ble High Court and directed to reconsider the application for the renewal of permit alone within a period of one month. This authority perused the files. The materials and documents available in the file is not sufficient to take a final decision on application for the renewal of permit within the time limit issued by the Hon;ble High Court of Kerala. Hence decision is adjourned to next sitting for detailed perusal of the records and study.

The Secretary RTA is directed to seek extension of sufficient time from the Hon'ble High Court to comply the order.

Supplementary Item No.50

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of intra district regular permit in respect of stage carriage KL-02-R-7011 operating on the route Chellanam-Perumpadappu-Fort Kochi as Ordinar service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2005. The applicant has not made application for the renewal of permit within the time limit specified under section 81 of MV Act and hence requested to condone delay in filing application.The proposed route is having length of 31 km and the route objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit for continuous operation on the proposed route. Hence delay is condoned renewal of regular permit is granted subject to the remittance of Rs.5000/- being the compounding fee .

Supplementary Item No.51

This is the application for the renewal of intra district regular permit in respect of stage carriage KL-04-M-6440 to operate on the route Angamaly- Ernakulam High court Jn as Ordinary moffusil service. The applicant is absent. Hence adjourned to next sitting with direction to clear arrears of tax and pending check reports against the vehicle and other Government dues, if any.

Supplementary Item No.52

Heard;Adv G.Prabhakaran,the kearned counsel represented the applicant.This is the application for the renewal of intra district regular permit in respect of stage carriage KL-42-C-6262 to operate on the route North Parur-Vypin as Ordinary moffusil service.On perusal it reveals that check reports are pending against the vehicle. Hence

adjourned to next sitting with direction to clear arrears of tax and pending check reports against the vehicle and other Government dues, if any.

Supplementary Item No.53

Heard the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-07-CB-6676 operating on the route Cherthala-Thuthiyoor as Ordinary Moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1996. The proposed route is having length of 57.5 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Supplementary Item No.54

Heard;Adv.Stalin Peter Davis, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of intra district regular permit in respect of stage carriage KL-07-CD-5408 operating on the route Aluva Bus Stand-W/Island as Ordinary Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2000. The proposed route is having length of 38 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Supplementary Item No.55

Heard;Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-07-AH-8609 operating on the route High Court Jn-Vypin-Makinakara-Kodungalloor as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1995. The proposed route is having length of 48 km and the route will not objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit for

continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. Hence renewal of regular permit is granted.

Supplementary Item No.56

Heard the applicant. This is the application for the renewal of inter district regular permit in respect of stage carriage KL-07-AW-9730 to operate on the route Kakkanad-Poochackal as Ordinary moffusil service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1993. The proposed route is having length of 54 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Supplementary Item No.57

This is the application for the renewal of intra district regular permit in respect of stage carriage KL-08-AH-8937 to operate on the route Mulavikad-High Court Jn as Ordinary moffusil service. The applicant is absent. Hence adjourned to next sitting .

Supplementary Item No.58

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-F-250 on the route Poothotta-Palarivattom, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.59

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-05-V-682 on the route Poothotta-Aluva, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.60

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-16-E-87 on the route Kodungalloor-High Court Jn, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.61

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-2419 on the route

Panangad- Aluva, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.62

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Application for the transfer of permit in respect of S/C KL-08-AH-4131 on the route Kodungalloor-Gothuruth, is adjourned for the clearance of pending check reports and Government dues, if any.

Supplementary Item No.63

Heard Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BC-4026 on the route North Parur-High Court Jn, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.64

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-06-C-6543 on the route Kumbalangy Ferry- Ponekkara, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.65

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-A-6166 on the route South Chittoor-Kadavanthara South, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.66

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BC-5859 on the route Poothotta-Kakkanad, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.67

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BG-6148 on the route Poothotta-Chittethukara, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.68

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-5090 on the route Aluva-Mattancherry, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.69

1.Heard Adv.O.D.Sivadas, the learned counsel represented the applicant. This is the application for the transfer and renewal of the regular permit in respect of S/C KL-17-A-6056 on the route Chittoor Ferry- Arookkutty . Check reports are pending against the vehicle. Hence adjourned for the clearance of pending dues.

2.Temporary permit for a duration of 4 months is allowed to the applicant to continue operation subject to the decision on application for the renewal and transfer of permit.

Supplementary Item No.70

Heard; Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AH-8609 on the route Vypin-Maliyankara-Kodungallor with extension to collectors square, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.71

This is the application for the transfer of permit in respect of stage carriage KL-07-AJ-7765 on the route Kollamkudimugal-Eramalloor.Applicants are absent.Hence adjourned to next sitting.

Supplementary Item No.72

Heard the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AW-9730 on the route Kakkanad-Poochakkal, is allowed as applied for subject to the clearance of Government dues, if any.

Supplementary Item No.73

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant. This is the application for the grant of temporary permit for a duration of 4 months in respect of stage carriage KL-38-2752 to operate on the route Vypin- Maliyankara- Ernakulam in place of stage carriage KL-07-AW-4668. At present the vehicle operating on the same route in place of the same vehicle with issued temporary permits. The enquiry officer has reported that there exist necessity for the grant of temporary permit. Hence temporary permit U/S 87[1]c for a duration of 4 months is granted to operate in place of stage carriage KL-07-AW-4668.

Supplementary Item No.74

Perused the Judgment of Hon'ble STAT in MVAA No.01/2016. Another three check reports are still remaining pending against the stage carriage KL-07-BF-3807.Secretary RTA is directed to issue show cause notice to the permit holder of stage carriage KL07-BF-3807 and place the file before next sitting of this authority.Hence adjourned.

Supplementary Item No.75

This is the recommendation of the Secretary RTA to take action on regular permit issued to stage carriage KL-07-AE-8584 to operate on the route Kalady-Kakkanad-CSEZ as ordinary service. The regular permit is still under suspended animation. Even after direction issued, the permit holder has failed to offer a suitable vehicle for the replacement. The permit holder is absent in this sitting. The Secretary RTA is directed to issue one more notice to the permit holder by registered post with direction to report before this authority in the next sitting and place the matter in the next meeting with details of acknowledgment. Hence adjourned.

Supplementary Item No.76

Heard; Adv.Gopinathan Nair the learned counsel represented the applicant and Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-AZ-2254 operating on the route Chittethukara-Edakochi-Fort Kochi-Irumpanam as Ordinary Service. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised and connected file. By the proposed variation, the permit holder is desired to curtail the operation via New road and to deviate the service via NGO Quarters to reach Kakkannad..This authority considered the matter in detail and then revealed the following facts.

1. So many objections have been received from the public stating that the curtailment of trips via New road will adversely affect them .Hence requested to retain the existing services as such. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. This authority also felt that the place Palamkadavu is an ill served area. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed curtailment.

2. By the proposed variation, the intention of the permit holder is only to change the most of the existing timings without any sufficient reason. This authority felt that, if the proposed variation is allowed, it will adversely affect the passengers and change of timings will disturb the settled position of timings of other stage carriages in the sector. Moreover there is no necessity under Rule 145[7] of KMV Rules for the revision of existing time schedule.

3. The enquiry officer has recommended to treat the application as a fresh permit since the proposal violates the provisions of Sn. 80[3] of MV Act.

Hence the application for the variation of permit is hereby rejected.

Supplementary Item No.77

Perused the objection filed by the Secretary, Kerala Merchants Chamber of Commerce, Kochi against the grant of further city autorickshaw permit. This authority felt that the

objection to restrict the city autorickshaw permits has no merits and is against the public interest. Hence rejected.

Sri.M.G.Rajamanickam,I.A.S
The District Collector& Chairman,RTA
Ernakulam

Sri.Yathish Chandra G.H, I.P.S
The District Police Chief Ernakulam Rural &
Member RTA Ernakulam

Sri.K.G.Samuel
The Deputy Transport Commissioner
[Law] Central Zone-II,Ernakulam &
Member,RTA Ernakulam