

DECISION OF REGIONAL TRANSPORT AUTHORITY ,ERNAKULAM
DTD 06/01/2014

Present:-Chairman-Sri.Sheik Pareeth,IAS, District Collector, Ernakulam

Member:-.Sri.P.A.Sainudeen,Deputy Transport Commissioner, CZ-II,Ernakulam.

Item No.01

Heard.The learned counsel Adv.Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of stage carriage KL-07-AE-5084 or suitable vehicle to operate on the route Kottayil Kovilakom-North Paravur-Vyttila as ordinary moffusil service.This authority considered the application in detail.While submitting the application for the grant of permit the applicant offered a stage carriage KL-07-AE-5084.But thereafter the vehicle sold to another person and hence at present the offered vehicle is not owned by the applicant .The applicant has not offered another vehicle even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description.The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority Moreover the proposed route objectionably overlapping on Aluva-Vadakkumpuram complete exclusion scheme. Hence the application for fresh regular permit is hereby rejected.

Item No.02

Heard.The learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of stage carriage KL-18-A-1561 or suitable vehicle to operate on the route North Parur-Ernakulam High Court Jn via Cherai,Njarakkal and Kalamukku Jn as ordinary moffusil service in the vacant timings of stage carriage KL-07-AQ-5343. This authority considered the application in detail.While submitting the application for the grant of permit the applicant offered a stage carriage KL-18-A-1561.But thereafter the vehicle sold to another person and hence at present the offered vehicle is not owned by the applicant .The applicant has not offered another vehicle even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description.The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.03

Heard. The learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of stage carriage KL-09-J-693 or suitable vehicle to operate on the route Njarakkal-Ernakulam High Court Jn via Vypin,Light House,Beach and Gosree Bridges as ordinary moffusil service in the vacant timings of stage carriage KL-42-1573.This authority reconsidered the application in detail. The route on which

regular permit applied is well served and stage carriages including KSRTC are operating service without sufficient time gap. More over time schedule had not issued to stage carriage KL-42-1573 to operate up to High Court Jn and hence no vacant timings of stage Carriage KL-42-1573 are available. The applicant has failed to propose a time schedule which does not clash with other stage carriages. Hence rejected.

Item No.04

1.Perused the Judgment of Honøble High Court of Kerala in WP© No.22451/2013 wherein this authority is directed to consider the application for fresh regular permit filed by the petitioner and pass appropriate order within a period of 3 months

2.Heard.The learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for fresh intra district regular permit in respect of stage carriage KL-07-AB-1989 to operate on the route Panangad-Cheranelloor in the vacant timings of stage carriage KL-07-BC-7318 as city service.This authority considered the application in detail.The enquiry officer has reported that the portion of the route from Edappally to Vyttila which is 15 km in length objectionably overlapping on Trivandrum-Kannur notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. Vide judgment in WP© No12864 of 2013 and W.A No.1953/2012 &1957/2012 this authority is prevented from the grant of a regular permit on notified routes or its portions thereof violating the scheme of nationalization. Moreover KSRTC strongly objected the grant of regular permit on notified route. Hence rejected.

Item No.05

Heard.The learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of suitable stage carriage to operate on the route North Parur-Ernakulam High Court Jn via Cheriapilly,Varappuzha Bridge,Manjummel Jn,Container Road,North Mulavukad,Bolgatty and Gosree Bridges as Ordinary moffusil service. This authority considered the application in detail. The applicant has not offered description of the offered vehicle even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression 'specified description' is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.06

Heard.The learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of suitable stage carriage to operate on the route North Parur-Ernakulam High Court Jn via Cheriapilly,Varappuzha Bridge,Manjummel Jn,Container Road,North Mulavukad,Bolgatty with tree trips between Mulavukad North and High Court Jn as Ordinary moffusil service. This authority considered the application in detail.The applicant has not offered description of the offered vehicle even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description.The expression 'specified description' is very wide and it shall be brought to the

notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.07

Heard. The learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of suitable stage carriage to operate on the route High Court Jn-North Parur-Thalappally via Cherai, Nayarambalam, Kalamukku, Gosree Bridges with three trips via Vypin as Ordinary moffusil service in the vacant timings of stage carriage KL-42-5400. This authority considered the application in detail. The applicant had not furnished registration number of the offered vehicle in the application for the grant of permit. The applicant offered a stage carriage KL-08-Z-5913 before this authority at the time sitting. On further verification it reveals that the offered vehicle is not owned by the applicant. As per Para 6 in 2010(4) KLT 597(SC) it was cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.08

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for fresh intra district regular permit in respect of stage carriage KL-08-AF-4500 or suitable stage carriage to operate on the route Panambukad-High Court-Chathiath Church as Ordinary moffusil service. This authority considered the application in detail. The offered stage carriage KL-08-AF-4500 is not owned by the applicant. The offered vehicle is covered by another valid regular permit on another route. It cannot be allowed. The applicant has failed to offer another stage carriage even at the meeting of this authority. As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Moreover the applicant proposed a time schedule in such a manner that 12 termini timings with one minute gap or in same timings. Hence the crews will be forced to operate service throughout day time without any rest. It will lead to dangerous driving. It cannot be allowed. Hence the application for fresh regular permit is hereby rejected.

Item No.09

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for fresh intra district regular permit in respect of Suitable Stage carriage to operate on the route Trippunithura-HMT Jn-Infopark Main Gate as Ordinary moffusil service. This authority considered the matter in detail. The applicant has failed to offer a suitable stage carriage even at the meeting of this authority. As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant

has not offered description of the suitable vehicle before this authority. This authority feels that as per the time schedule proposed, the focus of operation of the proposed service is in between Kakkanad and Trippunithura which amounting to City Service. It cannot be allowed since it will defeat the notification relating to limiting the city permit stage carriage. Hence the application for fresh regular permit is hereby rejected.

Item No.10

Heard. The learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for fresh inter district regular permit in respect of Suitable Stage carriage to operate on the route Andhakaranazhy-Vyttila Hub as Ordinary moffusil service. This authority considered the matter in detail. The applicant has failed to offer a suitable stage carriage even at the meeting of this authority. As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression specified description is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. As per the time schedule proposed the applicant provides one two trips to Andhakaranazhy. Remaining trips are scheduled to operate between Chellanam and Vyttila, which will amounts to a city service. The focus of operation within the city limit cannot be allowed since it will defeat the notification relating to limiting the city permit stage carriage. Hence the application for fresh regular permit is hereby rejected.

Item No.11

Heard. The learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for fresh inter district regular permit in respect of Suitable Stage carriage to operate on the route Anappara-Angamaly-Annamanada with trips to Mookkannur, Munnurpilly and Elavoor as Ordinary moffusil service. This authority considered application in detail. The applicant has offered a stage carriage KL-02-P-5805 owned by himself before this authority. The enquiry officer had reported that the portion of the route from Yudapuram Church to Vadakke Kidangoor is virgin one. The LSG Department has reported that the above portion is fit for stage carriage operation. The enquiry officer has also reported that the proposed service is beneficial to the travelling public. There is no objectionable overlapping on notified route. The Secretary, RTA, Thrissur has reported that there is no objectionable overlapping on the portions of the route lies under the jurisdiction of RTA, Thrissur. Hence fresh regular permit granted subject to settlement of timings in compliance of Order No.D3/875/STA/2005 dtd 08/11/2011 of the STA, Tvm.

Item No.12

Heard. The learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for fresh inter district regular permit in respect of Stage carriage KL-07-BA-1044 to operate on the route Perumbalam-Edappally Railway Gate as Ordinary moffusil service. This authority considered the application. The enquiry officer has reported that 9.7 kms of the route length lies under the jurisdiction of RTA, Alappuzha. Hence Secretary RTA is directed to seek concurrence of RTA, Alappuzha with specification of exact route length and Overlapping in that district. Hence adjourned.

Item No.13

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for fresh intra district regular permit in respect of Stage Carriage KL-07-AR-7741 or Suitable Stage carriage to operate on the route Pampakuda-Trippunithura-HMT Jn as Ordinary moffusil service. This authority considered the matter in detail. The offered vehicle is not owned by the applicant. The applicant is failed to offer a suitable stage carriage even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.14

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for fresh intra district regular permit in respect of Stage Carriage KL-07-BA-5593 to operate on the route North Parur-Ernakulam South via Koonammavu, Pathalam, Anavathil, Kalamassery, Edappally and MG Road as Ordinary moffusil service. This authority considered the matter in detail. The portion of the proposed route from Ernakulam South to Kalamassery which is 13 kms in length objectionably overlapping on Thrissur-Ernakulam notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. As per Clause 19 of the above notification, the right to operate a new service on a notified route or its portions thereof are exclusively reserved for State Transport Undertaking. Moreover vide judgments in Vide judgment in WP© No12864 of 2013 and W.A No.1953/2012 &1957/2012 this authority is prevented from the grant of a regular permit on a notified schemes violating the scheme of nationalization. Hence the application for regular permit is hereby rejected.

Item No.15

Heard. The learned counsel Adv. Gopinathan Nair appeared for the applicant. This is an application for fresh intra district regular permit in respect of Stage carriage KL-07-AF-9172 to operate on the route Vyttila Hub-North Paravoor as Ordinary moffusil service. This authority considered application in detail. The offered vehicle is owned by the applicant. The enquiry officer had reported that there is no objectionable overlapping on notified schemes. The proposed service is beneficial to the travelling public .Hence fresh regular permit granted subject to settlement of timings in compliance of Order No.D3/875/STA/2005 dtd 08/11/2011 of the STA,Tvm.

Item No.16

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for fresh inter district regular permit in respect of Suitable Stage Carriage to operate on the route Kizhakkambalam-Edappally-Kunnumpuram-Aroor Jn as Ordinary moffusil service. This authority considered the matter in detail. The applicant has failed to offer a suitable stage carriage at the time of application or even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression

“Specified description” is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Moreover there is no necessity to grant a permit on proposed route. Hence the application for fresh regular permit is hereby rejected.

Item No.17

Heard.The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for fresh intra district regular permit in respect of Suitable Stage Carriage to operate on the route HMT Jn-Aluva-Vyttla Hub via Medical College, Manalimukku, Compara, Cochin Bank Jn,Thottakkattukara Jn,Kadungalloor, Alangad, Kongorpilly,Koonammavu,Chettibhagam, Varappuzha Bridge, Kunnumpuram,Edappally Jn and Byepass as Ordinary mofussil service. This authority considered the application . The applicant has offered a stage carriage KL-07-AH-8595 owned by himself before this authority. Details of all the overlapping on notified schemes are not specifically reported by the enquiry officer. Hence Secretary, RTA is directed to furnish a specific report regarding the overlapping on notified schemes. Hence adjourned.

Item No.18

Heard.The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for fresh inter district regular permit in respect of Suitable Stage Carriage to operate on the Thoppil Jn-Aroor Jn as Ordinary mofussil service. This authority considered the application in detail. The enquiry officer has reported that the portion of the route from Thrikkakkara Temple to Thoppil Jn which is 2 km in length is virgin one.Secretary,RTA is directed to seek fitness certificate from PWD authority. Hence adjourned.

Item No.19

Heard.The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for fresh intra district regular permit in respect of Stage carriage KL-12-C-549 or Suitable Stage Carriage to operate on the route Thammanimattom-Kolencherry-Kakkanad-Co-operative medical college-Trippunithura and Maradu Market as Ordinary mofussil service. This authority considered the application in detail. The offered vehicle is not by the applicant. The applicant is failed to offer a suitable stage carriage at the time of application or even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression “specified description” is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Item No.20

Heard.The learned counsel Adv.Jithesh Menon appeared for the applicant. This is an application for fresh intra district regular permit in respect of Suitable Stage Carriage to operate on the route Aluva-Infopark Phase-II-Trippunithura as Ordinary mofussil service. This authority considered application in detail. The applicant has offered stage carriage KL-07-AT-4410 owned by himself before this authority. The enquiry officer has reported that the overlapping on Aluva-Vadakkumpuram for a distance of 1.6 km from Aluva to Pump Jn is inevitable due to the traffic

regulations implemented in the Aluva Town. As per the time schedule proposed the applicant is focusing to operate service between Aluva and Kizhakkambalam. The applicant is directed to furnish a modified time schedule provide additional trips to Padathikarathuruth. Hence adjourned.

Item No.21

Heard. Learned counsel Adv. Gopinathan Nair appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-17-C-690 operating on the route Padathikkara-Kakkanad as ordinary moffusil service. The permit holder has applied to vary the permit so as to operate 6th trip from Kadavanthara to Kakkanad via Subhash Chandra Bose Road, Vyttila Hub, Kundannur, Maradu New Bypass, Trippunithura and Irumbanam instead of Ernakulam South, Palarivattom. This authority considered the application in detail. The enquiry officer has reported that the proposed variation is beneficial to the travelling public and students. There is no objectionable overlapping on notified scheme. Hence variation of permit granted subject to settlement of timings .

Item No.22

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-39-A-1040 operating on the route Arookkutty Ferry-Kaloor-Kakkanad as ordinary moffusil service. The permit holder is desired to vary the permit so as to extend the service up to Poochakkal via K K Road. The proposed variation includes extension and curtailment. This authority considered the application in detail. The existing service contains 12 trips. By the proposed variation intention of the applicant is only to revise the timings of all trips except a single trip. Necessity for the revision of timings is not requested in the application for variation. No urge of time revision under Rule 145(7) is reported by the field officer. No public interest reported for the variation of permit or revision of existing timings as contemplated in Section 83. This authority feels that elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. Hence the application for variation of permit is hereby rejected.

Item No.23

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AS-226 operating on the route Cheranelloor-Kumbalam North as ordinary City Service. The permit holder has applied to vary the permit so as to operate 3rd trip from Edappally Signal Jn to Vyttila via Bypass instead of Jetty and South and to operate 4th trip from Kadavanthara to Kaloor via KK Road instead of South and Jetty. This authority considered the application in detail. The enquiry officer has reported that the proposed variation is beneficial to the travelling public and students. The curtailed portion is well served hence it will. There is no overlapping on notified scheme. Hence variation of permit granted subject to settlement of timings .

Item No.24

Heard.Learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-42-B-496 operating on the route Eloor Depot-Thevara Ferry as ordinary City Service. The permit holder has applied to vary the permit so as to start service from Eloor Depot and thereby providing one additional trip between Eloor Depot and Thevara Ferry in the morning and to curtail last trip between Thevara Ferry and Eloor Depot. This authority considered the application in detail. The proposed variation is beneficial to the travelling public and students. There is no additional overlapping on notified scheme. The objection filed by the registered owner of stage carriage KL-42-333 is not maintainable since he is not an aggrieved person in this case. Hence variation of permit granted subject to settlement of timings.

Item No.25

Heard.Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-41-A-1251 operating on the route Chottanikkara-Kaloor as ordinary City Service. The permit holder is desired to vary the permit so as to operate two trips from Kaloor to Chottanikkara via KK Road and Vyttila. This authority considered the application in detail. The enquiry officer has reported that the proposed service through KK Road will reduce the traffic congestion in the Kochi City and which is beneficial to the travelling public .There is no overlapping in the variation portion. Hence variation of permit granted subject to settlement of timings .

Item No.26

Heard. The learned counsel Adv. G. Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-44-A-299 operating on the route Elavoor-Kadappara-Manjikkad as ordinary City Service. The permit holder is desired to vary the permit so as to start and halt service at Kadappara instead of Elavoor market by avoiding morning and night trips to Elavoor. This authority considered the application in detail.The proposed variation includes curtailment and deviation. Enquiry report furnished by the field officer is not specific. Hence Secretary, RTA is directed to conduct a detailed enquiry .Hence adjourned.

Item No.27

Heard.Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-40-B-429 operating on the route Poothotta-Kaloor as ordinary Service. The permit holder is desired to vary the permit so as to operate 6th trip from Eloor to Poothotta via Edappally and Bypass instead of M.G Road and

Ernakulam South without changing the timings of other trips. This authority considered the application in detail. The enquiry officer has reported that the proposed service through KK Road will reduce the traffic congestion in the Kochi City and which is beneficial to the travelling public. There is no objectionable overlapping in the variation portion. Hence variation of permit granted subject to settlement of timings.

Item No.28

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BF-1615 operating on the route Cheranelloor-Trippunithura as ordinary city service. By the proposed variation, the permit holder is desired to operate 1st trip to Trippunithura via KK Road with 2 minute halt at Kallor and to operate 4th trip from Trippunithura to Cheranelloor via Mini Bypass instead of Petta with 5 minute stay at Kallor and to operate 7th trip from Cheranelloor to Trippunithura through Edappally Bypass, Vyttila, Kundannoor and Maradu. This authority considered the application in detail. By the proposed variation intention of the applicant is only to revise the timings of certain trips. No urge of time revision under Rule 145(7) is reported by the field officer. This authority feels that elimination of settled position of public transport facility of the travelling public on the sector will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.29

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BB-1801 operating on the route Poothotta-Perumbavoor as ordinary mofussil service. Enquiry report furnished by the field officer is not specific. Hence Secretary, RTA is directed to conduct a detailed enquiry and ascertain whether the proposed variation adversely affect the travelling public. Hence adjourned.

Item No.30

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-06-D-2578 operating on the route Pooyappilly-North Parur-Ernakulam High Court Jn as ordinary mofussil service. By the proposed variation, the permit holder is desired to operate 3rd trip up to Cherai Beach avoiding trips between Ernakulam and North Parur. He is also desired to operate trip between Ernakulam-Narakkal. This authority considered the application in detail. By the proposed variation the applicant is intended to revise the timings of certain trips. This authority feels that the elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. Curtailment of trips to Elamkunnappuzha and High Court Jn will adversely affect the existing passengers. 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. The proposed timings are not viable due to change in trips. There is no sufficient space for parking stage carriages at Cherai Beach. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.31

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AH-2709 operating on the route Poothotta-University Centre as ordinary city service. By the proposed variation, the permit holder is desired to operate 2nd and 4th trips from university centre Bypass by deviating the service from Edappally to Vyttila avoiding service through Kaloor and Jetty. This authority considered the application in detail. By the proposed variation the applicant is intended to revise the timings of certain trips. This authority feels that the elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. In the 2nd trip from University Centre to Poothotta the applicant has proposed a halting time of 48 minutes at Vyttila which results in inconvenience to the direct passengers to Poothotta and nearest places. 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. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.32

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AM-3871 operating on the route Fort Kochi-Wellington Island as ordinary City Service. The permit holder is desired to vary the permit so as to operate service up to Trippunithura by extending the service from BOT Bridge. This authority considered the application in detail. The proposed variation included extension and curtailment. The enquiry officer has reported that the extension of service up to Trippunithura Bus Stand is beneficial to the travelling public. He has also reported that the curtailment of trips to Wellington Island will not affect the passengers since most of the offices at Wellington Island are shifted to Vallarpadam. Further the extension of service is more than curtailment. There is no objectionable overlapping in the variation portion. Hence variation of permit granted subject to settlement of timings.

Item No.33

Heard.Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BJ-3339 operating on the route Kombara-Eramalloor as ordinary moffusil Service. The permit holder is desired to vary the permit so as to limit the 2nd trip from Eramallur only up to Medical College by avoiding the service up to Kakkanad.He is also desired to limit 5th trip from Kakkanad only up to Vyttila and to deviate 12th trip via THOSHIBA and Seaport óAirport Road. This authority considered the application in detail. The proposed variation includes deviation and curtailment. The enquiry officer has reported that the curtailment portion is well served and hence it will not affect the existing passengers .He has also reported that the proposed deviation in 12th trip is beneficial to the travelling public. There is no objectionable overlapping in the variation portion. Hence variation of permit granted subject to settlement of timings .

Item No.34

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for variation of regular permit in respect of stage carriage KL-32-4140 operating on the route Kaloor-HPC Velloor via MG Road, Trippunithura, Puthiyakavu, Chottanikkara, Mulamthuruthy, Vettickal, Mulakkulam,Peruva as ordinary Moffusil service.The applicant is desired to vary the permit so as to operate all trips from Trippunithura via Karingachira,Thiruvankulam by curtailing service through Puthiyakavu and Kureekad. This authority considered the application in detail. The proposed variation includes deviation and curtailment. This authority feels that the curtailments of service through Puthiyakavu and Kureekad will adversely affect the travelling public and school going students since no sufficient stage carriage services on the curtailment portion. So many objections have been received against the curtailment 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 through an ill serviced cannot be allowed. More over the proposed route directly connecting two intermediate points at Trippunithura and Thiruvankulam of Ernakulam-Muvattupuzha notified scheme published vide notification No.65598/TA4/60/PW dtd 28/08/1961.This authority is prevented from the grant of a permit on a notified route violating the provisions of section 98 of MV Act,the scheme of nationalization. There is no necessity under rule 145(6) of KMV Rule warranting for the grant of proposed variation .Hence the application for variation of permit is rejected.

Item No.35

Heard. Learned counsel Adv. P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-38-2596 operating on the route Eloor Ferry-Munambam as ordinary moffusil service. By the proposed variation,the permit holder is desired to change the starting and halting place to SNM College by extension and to curtail service from Eloor Ferry to North Paravoor via Koonammavu and Thekkenaluvazhy and from Eloor Ferry to KMK Jn.This authority considered the application in detail. The enquiry officer

has reported that the curtailment of service 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. There is no additional advantage to the existing passengers. Moreover there is no necessity under rule 145(6) of KMV Rule warranting for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.36

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-39-B-4329 operating on the route Chottanikkara-Aluva as ordinary city Service. The permit holder is desired to vary the permit so as operate 6th trip from Aluva to Chottanickara via Edappally Bypass instead of Ernakulam South. This authority considered the application in detail. The enquiry officer has reported that the proposed deviation through Edappally bypass will reduce the traffic congestion in the Kochi City especially Kochi Metro Rail Project and is beneficial to the travelling public. There is no objectionable overlapping in the variation portion. Hence variation of permit granted as applied subject to settlement of timings .

Item No.37

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-60-4255 operating on the route Aluva-Eramalloor as ordinary moffusil service. By the proposed variation, the permit holder is desired to extend the service up to Nuval College and to curtail trips between Thoshiba to HMT and trips from Aroor Temple and Trippunithura. This authority considered the application in detail. The proposed timings are not feasible for the students. The enquiry officer has reported that the curtailment of trips especially the last trip at night will adversely affect the travelling public. Interest of the travelling public is the prime consideration for the grant of a variation. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit. Hence curtailment of service cannot be allowed. Hence the application for variation of permit is hereby rejected

Item No.38

Heard. The learned counsel Adv. Stalin Peter Davis appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AJ-2853 operating on the route Poothotta- Kakkannad as ordinary city service. In the proposed variation the permit holder is intended to operate 3rd trip from Poothotta only up to Kaloor by curtailing service to Kakkannad from Kaloor. He is also intended to four trips to Kaloor from High Court Jn and to deviate service of 7th and 8th trips via KK Road instead of Menaka. This authority considered the application in detail. The proposed variation includes curtailment and deviation. The enquiry officer has reported that the curtailment of existing trips to Kakkannad and Kaloor will adversely

affect the existing travelling public .Interest of the travelling public is the prime consideration for the grant of a variation. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit. Hence curtailment of service cannot be allowed. There is no parking place at High Court Jn.Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.Hence the application for variation of permit rejected.

Item No.39

Heard.The learned counsel AdvG.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-17-B-5276 operating on the route Koothattukulam-Kaoor via MG Road,Trippunithura,Puthiyakavu,Chottanikkara with two trips via Kureekad,Kandanad,Vezhaparambu as ordinary moffusil service.In the proposed variation the permit holder is intendes to operate 2nd,3rd,and 5th trips are also through Kureekad,Kandanad,Vezhaparambu,Mulamthuruthy and Pallithazham. This authority considered the application in detail.The proposed variation included deviation and curtailment.The enquiry officer has reported that the proposed deviation is beneficial to the travelling public and curtailment will not affect existing passengers. There is no overlapping on proposed variation portion. Hence the variation granted as applied subject to settlement of timings.

Item No.40

Heard.The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AU-5040 operating on the route Kumbalangy-Cheranelloor as ordinary service. In the proposed variation the permit holder is desired to change starting and halting place from Kumbalangy to Konam .He is also desired to extend the trip from Chittoor to Perumpadappu up to Kumbalangy and to operate one trip up to Chittoor Ferry.This authority considered the application in detail.The proposed variation includes extension and curtailment. The enquiry officer has reported that the curtailment of trips from Kacherippady Jn to Ayyappankavu and Kumbalangy Vazhy to Kumbalangy via Perumpadappu especially the curtailment of last trip to Perumpadappu from Ernakulam South at 9.08 PM will adversely affect travelling public. Interest of the travelling public is the prime consideration for the grant of a variation. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit. Hence curtailment of service cannot be allowed.In this case no public interest reported. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation. Hence the application for variation of permit is hereby rejected

Item No.41

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant.This is an application for variation of regular permit in respect of stage carriage KL-45-D-5200 operating on the route Vynthala-Perumbavoor with halting and starting at Annamanada as ordinary city service. By the proposed variation, the permit holder is desired to change the starting and halting place to Vynthala and operate service up to Vappalassery. This authority considered the application in detail. By the proposed variation the applicant is intended to revise the timings of certain trips especially in the morning trip and night trips. This authority feels that the elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. There is no necessity under rule 145(7) warranting for revising the existing timings.

No additional advantages are offered to the travelling public in the requested variation. 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. In this case no public interest reported. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.42

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AJ-6440 operating on the route Vellarappally-Aluva-Angamaly-Manjapra as ordinary service. By the proposed variation, the permit holder is desired to change the starting and halting place to Marampilly from Neduvannur and to operate 3rd trip as Aluva-Kalady via Piraroor avoiding trip to Angamaly. He is also desired to limit 10th trip at Angamay. This authority considered the application in detail. The proposed variation includes deviation, extension and Curtailment. This authority revealed that the curtailment of trips from Nayathode Shappukavala to Mattoor and from MC Road Jn to Manjapra will adversely affect the existing 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. In this case no public interest reported for the variation. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.43

Heard. Learned counsel Adv. G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AD-6682 operating on the route Chellanam-Fort Kochi with starting and halting place at Fort Kochi as ordinary service. By the proposed variation, the permit holder is desired to change the starting and halting place to Chellanam from Fort Kochi and to operate an additional trip between Chellanam and Thoppumpady in the morning. This authority considered the application in detail. The enquiry officer has reported that the curtailment of last night trip to Fort Kochi will adversely affect the existing night passengers. By the proposed variation the applicant is intended to revise the timings of certain trips. This authority feels that the elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. 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. In this case no public interest reported for the variation. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.44

Heard. Learned counsel Adv. Gopinathan Nair appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-43-5618 operating on the route Kumbalangy-Perumpadappu-Fort Kochi as ordinary service. By the proposed variation, the permit holder is desired to operate 1st trip from Kumbalangy up to Vyttila Hub and return and to avoid trip to Fort Kochi in the 2nd trip. He is also intended to operate 11th trip from Perumpadappu to Mundamveli and to Vyttila and then to Fortkochi avoiding Perumpadappu. This authority considered the application in detail. The enquiry officer has reported that the curtailment of existing trip will adversely affect the existing passengers. By the proposed variation the applicant is intended to revise the timings of certain trips also. This authority feels that the elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. 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. In this case no public interest reported for the variation. Moreover there is no necessity under rule 145(6) for the grant of proposed variation. Hence the application for variation of permit is hereby rejected.

Item No.45

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-40-A-6675 operating on the route Cheranelloor-Trippunithura as ordinary City service. In the proposed variation the permit holder is intended to operate service of 3rd,5th and 7th trip through Trippunithura Mini bypass and return via Irumpupalam and to operate 1st trip via Petta without changing the existing timings. This authority considered the application in detail. The proposed variation includes deviation and curtailment. The enquiry officer has reported that the proposed deviations are beneficial to the travelling public and school going students and it will reduce the traffic congestion. In this case no alteration in existing timings required in the proposed variation. There is no overlapping on proposed variation portion. Hence the variation granted subject to settlement of timings .

Item No.46

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-05-U-6402 operating on the route Aluva Bus Stand-Poothotta as ordinary service. In the proposed variation the permit holder is intended to operate two trips through Thoshiba Jn instead of going through S Kalamassery, Cusat and Thrikkakkara temple and curtailing trip to Aluva. The enquiry report furnished by the field officer is not specific. Hence Secretary,RTA is directed to ascertain the effect of curtailment and frequency of stage carriages on that sector and furnish a detailed report with intermediate points in the varied portion in consultation with the applicant. It is also directed to furnish the details of overlapping in the existing and proposed route. Hence adjourned.

Item No.47

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-43-B-5429 operating on the route Cheranelloor-Chellanam as ordinary service. In the proposed variation the permit holder is intended to operate 2nd trip from Cheranelloor to Chellanam via P.T Jacob Road instead of RC Road without changing the existing timings. This authority considered the application in detail. The proposed variation includes deviation and curtailment. The enquiry officer has reported that the proposed deviations are beneficial to the travelling public and school going students. The curtailment of trip through RC Road will not affect passengers since that portion is well served. In this case no alteration in existing timings required in the proposed variation. There is no overlapping on proposed variation portion. Hence the variation granted subject to settlement of timings .

Item No.48

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AF-7476 operating on the route Poothotta-Kakkanad as ordinary service. In the proposed variation the permit holder is intended to operate 2nd trip from Kakkanad to Poothotta via Palarivattom and Vyttila Hub via Bypass avoiding Menaka. This authority considered the application in detail. The proposed variation includes deviation and curtailment. The enquiry officer has reported that the curtailment of existing service will adversely affect the travelling public. Interest of the travelling public is the prime consideration for the grant of a variation. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit. Hence curtailment of service cannot be allowed. In this case no public interest reported. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation. Hence the application for variation of permit rejected.

Item No.49

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AL-6932 operating on the route Kalamassery-Kannamaly as ordinary service. In the proposed variation the permit holder is intended to operate service as Kannamaly-Vyttila Hub via Kaloor and Kathrikkadavu except one round trip. This authority considered the application in detail. The proposed variation includes deviation and curtailment. The enquiry officer has reported that the curtailment of existing two trips to Kannamaly and 4 trips to Kalamassery will adversely affect the travelling public. Interest of the travelling public is the prime consideration for the grant of a variation. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit. Hence curtailment of service cannot be allowed. In this case no public interest reported. The portion of the proposed route from Kadavanthara to Vyttila objectionably overlapping on Ernakulam-Thekkady notified scheme and the portion from Madhava Pharmacy Jn to KPCC Jn via Jetty overlapping on Trivandrum-Palakkad and Trivandrum-Canannoor notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The grant of additional trip on a notified route or its portion will be a clear violation of the clause 19 above said notification. As per sub

section 3 of section 80 of MV Act 1988, any application for variation by increasing the number of trips, extension or curtailment of the route shall be treated as an application for the grant of a new permit. This authority is prevented from the grant of a permit on a notified route violating the provisions of section 98 of MV Act, the scheme of nationalization. There is no necessity under rule 145(6) warranting for the grant of proposed variation. Hence the application for variation of permit is rejected.

Item No.50

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AW-6998 operating on the route South Chittoor-Thevara-W/Island-Perumpadappu as ordinary city service. In the proposed variation the permit holder is intended to avoid trip to Wellington Island since the operation of service through the Naval Base is not allowed at present. This authority considered the application in detail. The enquiry officer has reported that the curtailment of service to W/Island will adversely affect the travelling public and students, the service to Wellington Island through Naval Base is restricted by the concerned authority at present. The proposed variation is necessary to maintain the existing service. Hence the variation granted subject to settlement of timings .

Item No.51

Heard. The learned counsel Adv.G.prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-06-B-8473 operating on the route Perumbavoor-Kalady-Aluva as ordinary moffusil service. In the proposed variation the permit holder is desired to vary the permit as Kalady-Aluva avoiding service to Perumbavoor through MC Road. This authority considered the application in detail. The enquiry officer has reported that the curtailment of service to Perumbavoor will not affect travelling public since the route from Kalady to Perumbavoor is well served and sufficient stage carriages are operating on that route with a time gap of one or minute. Hence the variation of permit granted without changing the existing timings.

Item No.52

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AE-7755 operating on the route Wellington Island-Pallithode as ordinary moffusil service. In the proposed variation the permit holder is desired to vary the permit so as to operate service only up to Thoppumpady avoiding the portion through Palluruthy, Kumbalangy Vazhy and deviating via Kannamaly, Kandakadavu, Pazhangattukavala, Perumpadappu, Kumbalangy Vazhi and Palluruthy Veli and return. This authority considered the application in detail. By the proposed variation the intention of the permit holder is only to alter the existing timings which were settled only few months before consequent to the grant of permit. The settled position of timings of other stage carriage services will be disturbed consequent to the proposed variation. It cannot be allowed. Moreover the applicant has not furnished a time at Palluruthy Veli. Hence the applicant is directed to furnish a modified time schedule without disturbing the timings of other services. Hence adjourned.

Item No.53

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BJ-9452 operating on the route Wellington Island-Aluva as ordinary City service. In the proposed variation the permit holder is desired to vary the permit so as to changing the starting and halting place to Medical College from Aluva and to operate 2nd,4th, and 7th trips via Kendreeya Vidyalaya, Kalamassery Railway Station, He is also desired to operate 3rd trip to Santhinagar after curtailing trip to W.Island and to limit the 5th trip at Thevara Jn and then to Aluva by curtailing trip to W.Island. This authority considered the application in detail. The proposed variation includes curtailment deviation and extension. The enquiry officer has reported that the curtailed portions are well served and hence the withdrawal of trips will not affect travelling public. The deviation through Co-Operative medical College, Santhinagar and Kendreeya Vidhyalaya is beneficial to the travelling public including students. There is no additional overlapping on notified routes. Hence proposed variations granted subject to settlement of timings.

Item No.54

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-06-E-39 operating on the route Pukkattupady-Eramallur-Perumbavoor-Chemaraky-Kangarappady, Navodaya, Kakkanad, Kaloor, Padma, Vyttila and Kumbalam as Ordinary Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. He has also requested to condone delay in filing application for renewal of permit. This authority considered the application in detail. The route having length of 22 kms and in which 7.5 kms lies under the jurisdiction of the RTA, Alappuzha. There exist a general concurrence of RTA, Alappuzha for a distance up to 10 kms. This authority satisfied with the explanation offered the permit holder for the delay occurred in filing of application. The route objectionably overlapping on notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This permit was issued before 09/05/2006. There is a stay for clause(4) of the above said notification. Hence the delay condoned and renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.55

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of intra district regular permit in respect of stage carriage KL-07-BF-2070 operating on the route Gothuruth-Ezhikkara as Ordinary Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. This authority considered the application in detail. This vehicle has been operating service since 2004. KSRTC objected the renewal of regular permit in view of the alleged violation of approved scheme Aluva-Vadakkumpuram (No.27106/TA2/65/PW dtd 17/06/1965). It is noted that KSRTC is not providing adequate service on the portions of the route from Naluvazhy to Vadakkumpuram area. Abrupt withdrawal or stopping of service by the private stage carriages is sure to cause tremendous inconvenience to the travelling public. This may also affect the settled travelling facility of the travelling public of that sector which may lead to law and order problem also. Revival of parallel stage carriage operation of minibuses or other mode are likely to occur under such circumstances.

With a view to make a proper assessment of the situation, before considering the application for renewal of permit in detail, the Secretary, RTA is directed to submit a study report containing all the facts and circumstances in the case and place the matter before RTA without delay, with similarly placed applications for an objective consideration by this authority. Adjourned.

Item No.56

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for renewal of intra district regular permit in respect of stage carriage KL-17-B-635 operating on the route Aluva-Thoppumpady-Shipyard as Ordinary Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. This authority considered the application in detail. The route having length of 26 kms. The route objectionably overlapping on Trivandrum-Palakkad and Trivandrum-Canannore notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This permit was issued before 09/05/2006. There is a stay for clause(4) of the above said notification. Hence the renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.57

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-07-BM-1413 operating on the route Thuthiyoor-Fort Kochi as Ordinary Service. He has also filed application for replacement of the vehicle with a later model stage carriage KL-07-BV-34 owned by another person under lease agreement. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. He has also requested to condone delay in filing application for renewal of permit. This authority considered the application in detail. The route having length of 30 kms. This authority satisfied with the explanation offered the permit holder for the delay occurred in filing of application. The route objectionably overlapping on Trivandrum-Palakkad notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This permit was issued before 09/05/2006. There is a stay for clause(4) of the above said notification. Hence the delay condoned and renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009. Replacement of the vehicle is also granted subject to the compliance of Rule 174 of KMV Rules 1989.

Item No.58

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-07 AQ-1085 operating on the route Munambam-North Parur-Kodungallur Ordinary moffusil Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. He has also requested to condone delay in filing application for renewal of permit. This authority considered the application in detail. The route having length of 24 kms in which the portion of the route from Moothakunnam Bridge to Kodungallur which is 4 kms in length lies under the jurisdiction of RTA, Thrissur. There exist general concurrence of RTA, Thrissur for a distance up to 10 kms. This authority satisfied with the explanation offered

the permit holder for the delay occurred in filing of application. There is no objectionable overlapping on nationalized schemes . Hence delay condoned and renewal of permit granted .

Item No.59

Heard the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-36-C-2025 operating on the route Vazhamana-Vaikom-University Centre as Ordinary moffusil Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.This authority considered the application in detail.The route having length of 46 kms inwhich 17 kms lies under the jurisdiction of RTA,Kottayam .RTA,Kottayam granted concurrence for renewal of permit.The route objectionably overlapping on Trivandrum-Palakkad and Ernakulam-Thekkady notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 .This permit was issued before 09/05/2006. There is a stay for clause(4) of the above said notification . Hence the renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.60

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-05-V-4141 operating on the route Kaippuzhamuttu-Kaloor as LSOS. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.This authority considered the application in detail.The route having length of 68.8 kms inwhich 26.1 kms lies under the jurisdiction of RTA,Kottayam and 2.5 kms lies under the jurisdiction of RTA,Alappuzha .There exist general concurrence of RTA,Kottayam and RTA,Alappuzha for a distance up to 10 kms.The route objectionably overlapping on Kottayam-Ernakulam and Alappuzha-Ernakulam notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 .This permit was issued before 09/05/2006. There is a stay for clause(4) of the above said notification . Hence the renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.61

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-07 BD-3408 operating on the route Cherthala-Thoppumpady as Ordinary Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.This authority considered the application in detail.The route having length of 37.5 kms inwhich 17.5 kms lies under the jurisdiction of RTA,Alappuzha.Hence Secretary,RTA is directed to seek concurrence of RTA,Alappuzha.Hence Adjourned.

Item No.62

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for renewal of intra district regular permit in respect of stage carriage KL-04-Y-4533 operating on the route Aluva- Thoppumpady as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. He has also filed a request for condonation of delay in filing of application. This authority considered the application in detail. The route having length of 27 kms. The vehicle is under

hire purchase agreement with Shriram Transport Finance Co.Ltd,Alappuzha. The produced NOC was issued by Shriram Transport Finance Co.Ltd,Ernakulam.Genuineness of the NOC issued by the financier has to be ascertained. A communication issued to the permit holder in this regard was returned undelivered. Hence genuineness of the address of the applicant is also to be verified. Hence Secretary,RTA is directed to ascertain the authenticity of the NOC received and address of the permit holder. Hence adjourned.

Item No.63

Heard. The learned counsel Adv.M.Jithesh Menon appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-07-AJ-3579 operating on the route Vaikom-Kaloor-Amrutha Hospital-Kizhakkambalam as LSOS.The regular permit of the vehicle was expired on 11-11-2013.This authority revealed that the vehicle was under non use intimation for a long period from 06/07/2004.That is the vehicle is not operating service for 10 years. The permit holder denied the travelling facilities of the general public for a long term. It cannot be allowed. The applicant has not produced No Objection Certificate from the finance company which is a mandatory requirement for the grant of renewal of permit. The applicant is failed to produce the NOC even at the meeting of this authority as agreed in the Hon'ble Chief Ministers Janasamparka Paripady 2013.Renewal of permit granted subject to the production of NOC within 60 days failing which the sanction is liable to be revoked and that will be attracted to the cancellation of regular permit.

Item No.64

Heard. The learned counsel Adv. Stalin Peter Davis appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-07-AN-4820 operating on the route Puthukkalavattom-Fort Kochi as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application. This authority considered the application in detail..The regular permit was expired on 27/05/2011.The vehicle is under hire purchase agreement with Shriram Transport Finance Co.Ltd, Chittoor. The applicant has not produced NOC from the financier for renewal of permit. Even though the registered owner applied for NOC under Sub Section(6) of Section 51 the financier failed to issue necessary certificate or communication stating the reason for refusal to issue the certificate to the applicant within a stipulated period. Hence the permit can be renewed under sub section (9) of Section 51 of MV Act 1988.The route having length of 23 kms and is objectionably overlapping on Trivandrum-Palakkad,Trivandrum-Kannur and Ernakulam - Thrissur notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The permit was issued after 9/05/2006.Clause(4) of the above cited notification is stayed by the Hon'ble High Court of Kerala. Hence delay condoned and renewal of permit granted under subsection (9) of Section 51 of MV Act 1989 subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.65

Heard. The learned counsel Adv. Gopinathan Nair appeared for the applicant. This is an application for renewal of inter district regular permit in respect stage carriage KL-35-E-7065 operating on the route Teekoy-Ernakulam as Fast Passenger Service. This authority considered the application in detail.The route length is 85 km in which 38 kms lies under the jurisdiction of

RTA,Kottayam.RTA,Kottayam granted concurrence for renewal of permit as Fast Passenger Service.The regular permit was issued prior to 09/05/2006.The route objectionably overlapping on Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. Vide notification No. GO(P) No.73/2013 dtd 16/07/2013 the operation of Fast Passenger service is exclusively reserved only for STU. Vide interim order in WP(c) No.18959/2013&18813/2013,the Hon'ble High Court of Kerala has ordered that the status co shall be maintained in the case of stage carriage permit issued prior to the date of notification till the disposal of the writ petition.The Order of Honøble High Court is awaited.Hence renewal of permit adjourned till the orders passed in WP(c) No.18959/2013.The vehicle can operated as Fast Passenger Service on temporary permit.Hence temporary permit granted for 4 months or till the result of judgment in WP(c) No.18959/2013 and connected matters whichever is earlier.

Item No.66

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant. This is an application for renewal of inter district regular permit in respect stage carriage KL-35-A-4383 operating on the route Mannadissala-Ernakulam as Fast Passenger Service. This authority considered the application in detail. The route length is 140 km in which 73 kms lies under the jurisdiction of RTA,Kottayam, and 7kms lies under the jurisdiction of RTA,Pathanamthitta. RTA,Kottayam granted concurrence for renewal of permit as Fast Passenger Service and there exist general concurrence of RTA,Pathanamthitta for a distance up to 10 kms.The regular permit was issued prior to 09/05/2006.The route objectionably overlapping on Ernakulam-Thekkady,Trivandrum-Palakkad and Trivandrum-Canannore notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. Vide notification No. GO(P) No.73/2013 dtd 16/07/2013 the operation of Fast Passenger service is exclusively reserved for STU. Vide interim order in WP(c) No.18959/2013&18813/2013,the Hon'ble High Court of Kerala has ordered that the status co shall be maintained in the case of stage carriage permit issued prior to the date of notification till the disposal of the writ petition. The Order of Honøble High Court is awaited.Hence renewal of permit adjourned till the orders passed in WP(c) No.18959/2013.The vehicle can operated as Fast Passenger Service on temporary permit. Hence temporary permit granted for 4 months or till the result of judgment in WP(c) No.18959/2013 and connected matters whichever is earlier.

Item No.67

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-48/5948 as ordinary moffusill service.The route having length of 31 km in which the portion of the route from North Parur to Vedimara which is 1.5 kms in length objectionably overlapping on Aluva-Vadakkumpuram complete exclusion scheme and the route objectionably overlapping on Trivandrum-Palakkad,Trivandrum-Canannore and Ernakulam-Thrissur notified schemes. This permit was issued prior to 09/05/2006.This authority is prevented from the grant or renewal of a permit on the Aluva-Vadakkumpuram complete exclusion scheme violating the scheme of nationalization.Vide judgment in 4435/2011 and connected cases the Hon'ble High Court of Kerala has also directed this authority to callback the regular stage carriage permits granted on Aluva-Vadakkumpuram Scheme on the basis of the order of STAT. This vehicle has been operating service since 2004.KSRTC objected the renewal of regular permit in view of the alleged violation of approved scheme Aluva-Vadakkumpuram(No.27106/TA2/65/PW dtd

17/06/1965).It is noted that KSRTC is not providing adequate service on the portions of the route from Vedimara to Naluvazhy area. Abrupt withdrawal or stopping of service by the private stage carriages is sure to cause tremendous inconvenience to the travelling public. This may also affect the settled travelling facility of the travelling public of that sector which may lead to law and order problem also. Revival of parallel stage carriage operation of minibuses or other mode are likely to occur under such circumstances.

With a view to make a proper assessment of the situation,before considering the application for renewal of permit in detail, the Secretary,RTA is directed to submit a study report containing all the facts and circumstances in the case and place the matter before RTA without delay, with similarly placed applications for an objective consideration by this authority.Adjourned.

Item No.68

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-07-BE-5032 operating on the route Malayattoor-Manjaly as ordinary moffusill service.The route having length of 38 km in which the portion of the route from North Parur to Vedimara which is 1.5 kms in length objectionably overlapping on Aluva-Vadakkumpuram complete exclusion scheme and the route objectinably overlapping on Trivandrum-Palakkad,Trivandrum-Canannore and Ernakulam-Thrissur notified schemes.This permit was issued prior to 09/05/2006.This authority is prevented from the grant or renewal of a permit on the Aluva-Vadakkumpuram complete exclusion scheme violating the scheme of nationalization. Vide judgment in 4435/2011 and connected cases the Hon'ble High Court of Kerala has also directed this authority to callback the regular stage carriage permits granted on Aluva-Vadakkumpuram Scheme on the basis of the orders of STAT. This vehicle has been operating service since 2004.KSRTC objected the renewal of regular permit in view of the alleged violation of approved scheme Aluva-Vadakkumpuram (No.27106/TA2/65/PW dtd 17/06/1965).It is noted that KSRTC is not providing adequate service on the portions of the route from Vedimara to Naluvazhy area. Abrupt withdrawal or stopping of service by the private stage carriages is sure to cause tremendous inconvenience to the travelling public. This may also affect the settled travelling facility of the travelling public of that sector which may lead to law and order problem also. Revival of parallel stage carriage operation of minibuses or other mode are likely to occur under such circumstances.

With a view to make a proper assessment of the situation,before considering the application for renewal of permit in detail, the Secretary,RTA is directed to submit a study report containing all the facts and circumstances in the case and place the matter before RTA without delay, with similarly placed applications for an objective consideration by this authority.Adjourned.

Item No.69

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-42-D-6992 operating on the route Muttinakom Depot Kadavu-Aluva as Ordinary Moffusil Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under

Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application. This authority considered the application in detail. The regular permit was expired on 06-11-2013.The route having length of 18 kms and the route objectionably overlapping on Trivandrum-Palakkad,Trivandrum-Canannore and Kottayam-Kozhikode notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009.This permit was issued prior to 09/05/2006.This authority satisfied with the explanation offered the permit holder for the delay occurred in filing of application. Hence delay condoned and renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.70

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-41-F-5711operating on the route Kombara-Aluva as Ordinary Moffusil Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.This authority considered the application in detail. The route having length of 25 kms and the route objectionably overlapping on Aluva-Kattappana notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009.This permit was issued after to 09/05/2006.There is a stay for clause (4) of above said notification. Hence the renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.71

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-07-AP-5125 operating on the route Chathamma-Aluva as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.The applicant has requested to condone delay in filing application. This authority considered the application in detail. The route having length of 37 kms and the route objectionably overlapping on Trivandrum-Palakkad, Trivandrum-Canannore, and Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This permit was issued prior to 09/05/2006.There is a stay for clause (4) of above said notification. Hence delay in filing applicaion is condoned and renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.72

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-05-S-2795 operating on the route Gothuruth-Cheranelloore as ordinary moffusill service.The route having length of 25 km in which the portion of the route from North Parur to Vadakkumpuram which is 4.4 kms in length objectionably overlapping on Aluva-Vadakkumpuram complete exclusion scheme .This permit was issued during the year 2002.This authority is prevented from the grant or renewal of a permit on the Aluva-Vadakkumpuram complete exclusion scheme violating the scheme of nationalization. Vide judgment in 4435/2011 and connected cases the Hon'ble High Court of Kerala has also directed this authority to callback the regular stage carriage permits granted on Aluva-Vadakkumpuram Scheme on the basis of the order of STAT. This vehicle has been

operating service since 2002. KSRTC objected the renewal of regular permit in view of the alleged violation of approved scheme Aluva-Vadakkumpuram(No.27106/TA2/65/PW dtd 17/06/1965).It is noted that KSRTC is not providing adequate service on the portions of the route from Vedimara to Naluvazhy area. Abrupt withdrawal or stopping of service by the private stage carriages is sure to cause tremendous inconvenience to the travelling public. This may also affect the settled travelling facility of the travelling public of that sector which may lead to law and order problem also. Revival of parallel stage carriage operation of minibuses or other mode are likely to occur under such circumstances.

With a view to make a proper assessment of the situation,before considering the application for renewal of permit in detail, the Secretary,RTA is directed to submit a study report containing all the facts and circumstances in the case and place the matter before RTA without delay, with similarly placed applications for an objective consideration by this authority.Adjourned.

Item No.73

Heard. The learned counsel Adv. Stalin Peter Davis appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-07-X-7882 operating on the route Fort Kochi-Kumbalangy as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application. This authority considered the application in detail. The route having length of 16 kms and the route objectionably overlapping on Trivandrum-Palakkad and Trivandrum-Canannore notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009.This permit was issued prior to 09/05/2006. This authority satisfied with the explanation offered by the permit holder for the delay occurred in filing of application. Hence delay condoned and renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009.

Item No.74

Heard. This is an application for renewal of inter district regular permit in respect of stage carriage KL-08-AM-8537 operating on the route Mala-Manjapra as Ordinary Moffusil Service. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. This authority considered the application in detail. The route having length of 43 kms in which the portion from Poovathussery to Mala which is 15.2 kms lies under the jurisdiction of RTA,Thrissur. Secretary,RTA is directed to seek concurrence of RTA,Thrissur with details of overlapping. Hence Adjourned.

Item No.75

Heard. This is an application for renewal of intra district regular permit in respect stage carriage KL-39-A-7580 operating on the route Nettoor North-Kakkanad as Ordinary Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application. This authority considered the application in detail. The route having length of 20 kms .There is no objectionable overlapping on notified schemes. This authority satisfied with the

explanation offered the permit holder for the delay occurred in filing of application. Hence delay condoned and renewal of permit granted.

Item No.76

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-06-E-237 operating on the route North Parur-Chalaky. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

Item No.77

Heard. The learned counsel Adv.P.Deepak appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AJ-1952 operating on the route Manjaly-North Parur. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

Item No.78

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AL-617 operating on the route Oliva Mount-Ayyampuzha. One check report is pending against the vehicle.Hence the 1st applicant is directed to clear the pending check report. Hence adjourned.

Item No.79

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AZ-1527 operating on the route Kodungalloor-Vypin with Extn to Collectors Square. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

Item No.80

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-42-D-3166 operating on the route Kottuvally South-Kodungallur.The permit holder is failed to produce the NOC from the financier, which is a mandatory requirement for the grant of transfer of permit. Hence the application for Transfer of permit is hereby rejected.

Item No.81

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AR-4754 operating on the route Kakkanad-Fort Kochi. Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.82

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AT-4678 operating on the route Elamakkara-Chottanikkara. The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit.Hence the application for Transfer of permit is hereby rejected.

Item No.83

This is an application for transfer of permit in respect of stage carriage KL-07-AG-4057 operating on the route Panangad-Aluva.Applicants are absent.Hence adjourned

Item No.84

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AV-3318 operating on the route Gothuruth-Vypin.Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.85

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BC-4026 operating on the route North Parur-Ernakulam High Court Jn.Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.86

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-17-A-3814 operating on the route Mecherimugal-Ernakulam.Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.87

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-42-4970 operating on the route Munambam-Kodungalloor.The permit holder has failed to produce the NOC from the

financier,which is a mandatory requirement for the grant of transfer of permit.Hence the application for Transfer of permit is hereby rejected.

Item No.88

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-43-B-2554 operating on the route Perupadapp-Aluva.The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit.Hence the application for Transfer of permit is hereby rejected.

Item No.89

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-08-Z-5959 operating on the route Manjapra-Manjaly.Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.90

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-13-K-5005 operating on the route Puzhakkaredath-Manjaly.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.91

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BF-7287 operating on the route Cheranelloor-Thevara Ferry. No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.92

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BC-7114 operating on the route Aluva-Thevara Jn.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.93

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-04-T-6852 operating on the route Kumbalangy Ferry-Kakkanad.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.94

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BB-6132 operating on the route North Parur-Ernakulam High Court Jn.The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit.Hence the application for Transfer of permit is hereby rejected.

Item No.95

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AQ-5875 operating on the route Varappuzha-Aluva-Bus Stand.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.96

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BB-5347 operating on the route Vypin-Aluva.One check report is pending against the vehicle.Hence the permit holder is directed to clear the pending check report and Secretary,RTA is directed to place the matter after clearing the check report. Hence adjourned.

Item No.97

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BB-6057 operating on the route Gothuruth-High Court Jn.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.98

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-42-A-6689 operating on the route Mannamthuruth Ferry-Cheranelloor.The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit. Hence the application for Transfer of permit is hereby rejected.

Item No.99

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-09-T-5555 operating on the route Aluva-Fort Kochi.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.100

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-42-7448 operating on the route Ernakulam-High Court-Kodungalloor.NOC from the financier produced. No Checkreports are pending against the vehicle .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.101

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-05-P-8775 operating on the route Velloor HPC-Ernakulam.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.102

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AE-7681 operating on the route Pizhalakkadavu-Kottayil Kovilakom.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.103

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AH-9527 operating on the route Ponekkara-Thevara Ferry.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.104

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AK-7509 operating on the route Aluva-Fort Kochi. No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.105

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AN-9803 operating on the route Vypin-Munambam.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.106

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AP-8834 operating on the route Thuthiyoor-Fort Kochi.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.107

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AT-9151 operating on the route High Cout Jn-Puzhakkaredath.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.108

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BE-7733 operating on the route Varappuzha-Aluva.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.109

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-BF-7586 operating on the route Aluva-Ernakulam South.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.110

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-08-AH-7671 operating on the route Mannamthuruth Ferry-Kodungalloore.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.111

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-17-E-7710 operating on the route Poothotta-Kaloor.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.112

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-41-9561 operating on the route Aluva-Gandhi Nagar.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.113

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-41-A-7983 operating on the route Cheranelloor-Kattipparambu.No HPA or Check reports pending .Transfer of permit allowed subject to clearance of government dues and production of NOC,if any.

Item No.114

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 104 Of MV Act in respect of stage carriage KL-07-BB-9809 to operate on the route Kalluchira-Eloor Depot in the vacant timings of stage carriage KL-07-K-4753.The applicant has been operating stage carriage service on this route on the strength of temporary permits issued under the proviso to Section 104 of MV Act.

Judgments in W.A 1943/2012 and 1957/2012 prohibit the grant of permits whether temporary or regular so as to overlap offending the provisions of scheme. The route in question objectionably overlapping on Trivandrun-Kannur notified schemes. Vide judgments cited above the division bench of Hon'ble High Court has ordered that once a scheme in force and the overlapping is permitted only to a certain extent, it is not possible to grant temporary permits based on the proviso to section 104 of MV Act. It is also specified by the Hon'ble Court that the benefit of the proviso to Section 104 can be granted only in instances where there is scheme and no permits have been issued in such routes. In this case, the route objectionably overlapping on Trivandrum-Kannur notified scheme and permits have been issued on that route.KSRTC vehemently objected the grant of temporary permit on a notified route. Hence the proposed temporary permit under proviso to Section 104 cannot be granted. Hence the application for temporary permit is hereby rejected.

Item No.115

This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) C Of MV Act in respect of stage carriage KL-07-AH-3484 to operate on the route Aluva-Thevara in the vacant timings of stage carriage KL-07-AG-1472. The applicant was absent. Secretary RTA is directed to grant permit temporary permit for 4 month if there exist necessity on the route atpresent.

Item No.116

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) C Of MV Act in respect of stage carriage KL-07-AN-6030 to operate on the route Poothotta-Aluva in the vacant timings of stage carriage KL-07-AL-1975.The applicant has been operating stage carriage service on this route on the strength of temporary permits issued under Section 87(1)C

of MV Act. Secretary, RTA is permitted to grant temporary permit as applied after ascertaining the necessity for the grant of permit on the proposed route.

Item No.117

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 104 of MV Act in respect of stage carriage KL-17-D-9417 to operate on the route Pallissery-Perumbavoor in the vacant timings of stage carriage KL-08-K-7025. The applicant has been operating stage carriage service on this route on the strength of temporary permits issued under the proviso to Section 104 of MV Act. At present the vehicle is covered by a 4 months temporary permit which was issued in compliance of WP(C) No.31596 of 2013.

Judgments of Hon'ble High Court in W.A 1943/2012 and 1957/2012 prohibit the grant of permits whether temporary or regular so as to overlap offending the provisions of scheme. The route in question objectionably overlapping on Trivandrun-Kannur notified schemes. Vide judgments cited above the division bench of Hon'ble High Court has ordered that once a scheme in force and the overlapping is permitted only to a certain extent, it is not possible to grant temporary permits based on the proviso to section 104 of MV Act. It is also specified by the Hon'ble Court that the benefit of the proviso to Section 104 can be granted only in instances where there is scheme and no permits have been issued in such routes. In this case, the route objectionably overlapping on Kottayam-Kozhikode notified scheme and permits have been issued to the STU on the portions of that route. Therefore the proposed temporary permit under proviso to Section 104 cannot be granted. Hence the application for temporary permit is hereby rejected.

Item No.118

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-07-BA-5593 to operate on the route North Parur-Ernakulam South. The applicant was operating stage carriage service on the route Kottayil Kovilakom-North Parur-Ernakulam South on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in Was No.1943/2012 and 1957/2012 the registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route North Parur-Ernakulam South avoiding the portion from North Parur to Kottayil Kovilakom, the objectionable overlapping portion on Aluva-Vadakkumpuram complete exclusion scheme. This authority considered the application in detail. The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route in the proposed timings. KSRTC has not filed objection against the grant of temporary permit. Hence temporary permit U/S 87(1) C for 4 months granted.

Item No.119

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-07-AR-7741 to operate on the route Pampakuda-Ernakulam via Ramamangalam, Choondy, Karthedathupady, Karimugal, Ambalamugal, Hill Palace, Trippunithura,

Vyttila, KK Road and return via Chittoor Road, South Jn and Kadavanthara. The applicant was operating stage carriage service on the above route via Choondy, Puthencruz, Karimugal, Hill Palace, Trippunithura and Vyttila with issued temporary permits U/S 104 of MV Act granted by the RTA, Muvattupuzha. In view of the judgments of Hon'ble High court of Kerala in W.As No.1943/2012 and 1957/2012 the RTA, Muvattupuzha denied to grant temporary permit U/S 104 of MV Act since the proposed route directly touches two intermediate points at Puthencruz and Trippunithura of the notified route Ernakulam-Muvattupuzha. But RTA had given an opportunity to the applicant to furnish a modified proposal avoiding the objectionable overlapping. Accordingly the applicant submitted a modified proposal avoiding puthencruz one of the intermediate point and thereby objection. Since the major portion of the route lies under the jurisdiction of this authority, Secretary, RTA, Ernakulam placed the application for the consideration of this authority. On consideration of the connected records and verification of the urgency of permit this authority revealed that the applicant is being operating service with temporary permit from long years back. There exist public need for the grant of temporary permit on the modified route. The proposed route not objectionably overlapping on Ernakulam-Muvattupuzha notified scheme. KSRTC has not filed objection against the grant of temporary permit. Hence temporary permit U/S 87(1) C for 4 months granted.

Item No.120

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) C of MV Act in respect of stage carriage KL-39-C-786 to operate on the route Thalayolapparambu-Ernakulam. The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act. In view of the decision of this authority registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Thalayolapparambu-Ernakulam via Thiruvankulam, Karingachira, Seaport-Airport Road avoiding Trippunithura, one of the intermediate point of Ernakulam-Muvattupuzha notified scheme. This authority considered the application in detail. The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route. KSRTC has not filed objection against the grant of temporary permit. Hence temporary permit U/S 87(1) C for 4 months granted.

Item No.121

Heard. This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) d of MV Act in respect of stage carriages KL-05-AB-3666 and KL-05-AE-9178 to operate on the route Kumily-Konnakkad in opposite directions as Super Express Services. This authority in its earlier sitting dtd 03/10/2013 rejected the application for renewal of the regular permits in respect of the above stage carriages on the ground that sister RTAs rejected the concurrence for renewal of permits. A temporary permit under the proviso to 87(1)d can issue only in such instances where the application for renewal of permit is pending for the consideration. In this case the application for renewal of permit already rejected by this

authority.Hence temporary permits under 87(1)d cannot be granted. In the above circumstances the applications for temporary permits for both vehicles U/S 87(1)d are hereby rejected.

Item No.122

This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1)C of MV Act in respect of stage carriage KL-17-D-720 to operate on the route South Chittoor-Eroor in place of KL-40-3646. This authority considered the application in detail. The stage carriage KL-40-3646 was released from the regular permit by keeping the permit under suspended animation in compliance of the order of Hon'ble High Court of Kerala.Validity of the regular permit is not mentioned. The applicant is absent.Hence Secretary,RTA is directed to ascertain the validity and necessity for the grant of temporary permit on the proposed route.Hence adjourned.

Item No.123

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) C of MV Act in respect of stage carriage KL-40-A-5652 to operate on the route Koothattukulam-Kaloor.The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act.In view of the decision of this authority registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Koothattukulam-Kaloor via Thiruvankulam,Karingachira,Seaport-Airport Road avoiding Trippunithura,one of the intermediate point of Ernakulam-Muvattupuzha notified scheme.This authority considered the application in detail.The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route . KSRTC has filed objection against the grant of temporary permit U/S 104 of MV Act. Hence temporary permit for 4 months U/S 87(1) C granted on public interest.

Item No.124

Heard. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-17-F-5159 to operate on the route Koothattukulam-Kaloor.The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act.In view of the decision of this authority registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Koothattukulam-Kaloor via Thiruvankulam,Karingachira,Seaport-Airport Road avoiding Trippunithura,one of the intermediate point of Ernakulam-Muvattupuzha notified scheme.This authority considered the application in detail.The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route . KSRTC has filed objection against the grant of

temporary permit U/S 104 of MV Act. Hence temporary permit U/S 87(1) C for 4 months granted on public interest.

Item No.125

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-07-AV-8965 to operate on the route Angamaly-North Parur-Ernakulam High Court Jn in place of stage carriage KL-4-M-6440.This authority considered the application in detail.The validity of the regular permit in respect of route bus is continuing subject to the result of appeal in MVAA No.243/2011.The route bus was defaulted service from 7/2012.Sixteen check reports are still pending against the vehicle.Hence Secretary,RTA is directed to address the STAT for ascertaining the present position of the appeal 243/2011 and take departmental action against the route bus KL-4-M-6440 for realizing the revenue pending due to the Government and initiate action on pending check reports on the basis of gravity of offences. Considering the public interest temporary permit for 4 months granted to stage carriage KL-07-AV-8965 in place of KL-04-M-6440 subject to the judgment in MVAA N0.243/2011 and verification of overlapping on complete exclusion schemes.

Item No.126

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-06-B-6565 to operate on the route Pattimattom-Kaloor.The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act.In view of the decision of this authority registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Pattimattom-Kaloor via Thiruvankulam,Karingachira,Seaport-Airport Road avoiding Trippunithura,one of the intermediate point of Ernakulam-Muvattupuzha notified scheme.This authority considered the application in detail.The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route . KSRTC has filed objection against the grant of temporary permit U/S 104 of MV Act. Hence temporary permit U/S 87(1) C for 4 months granted to protect public interest.

Item No.127

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for a period of 4 months Under Section 87(1) C of MV Act in respect of stage carriage KL-39-E-9786 to operate on the route Thalayolapparambu-Kaloor.The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act.In view of the decision of this authority registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Thalayolapparambu-Kaloor via Thiruvankulam,Karingachira,Seaport-Airport Road avoiding

Trippunithura, one of the intermediate point of Ernakulam-Muvattupuzha notified scheme and thereby objectionable overlapping. This authority considered the application in detail. The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route. KSRTC has filed objection against the grant of temporary permit U/S 104 of MV Act. Hence temporary permit U/S 87(1) C for 4 months granted to operate on the modified route to protect public interest.

Item No.128

Heard. This is the request of the Secretary, RTA, Muvattupuzha for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-17-B-2200 operating on the route Kanjirappally-Ernakulam as LSOS. The enquiry officer has reported that 18.5 kms of the route comes under the jurisdiction of this authority. The portion of the route from Palarivattom to Ernakulam South which is 6.5 kms in length objectionably overlapping on Trivandrum-Canannoore and Ernakulam-Thekkady notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.129

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-2442 operating on the route Kainady-Ernakulam as LSOS. The enquiry officer has reported that 25 kms of the route comes under the jurisdiction of this authority. The portion of the route from Puthenkavu to Vyttila which is 18 kms in length objectionably overlapping on Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.130

Heard. This is the request of the Secretary, RTA, Malappuram for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-07-BU-2399 operating on the route Ernakulam-Guruvayoor-Kozhikode as LSOS. The enquiry officer has reported that 38 kms of the route comes under the jurisdiction of this authority. The portion of the route from Edappally to Ernakulam South which is 9 kms in length objectionably overlapping on Trivandrum-Canannoore and Trivandrum-Palakkad notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.131

Heard. This is the request of the Secretary, RTA, Idukki for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-06-G-1244 operating on the route

Kombayar-Ernakulam as LSOS. The enquiry officer has reported that the portion of the route from Chembarakey to Ernakulam South which is 23 kms in length comes under the jurisdiction of this authority. The portion of the route from Palarivattom to Kaloore which is 2 kms in length objectionably overlapping on Trivandrum-Canannoore, Trivandrum-Palakkad and Ernakulam-Thrissur notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.132

Heard. This is the request of the Secretary, RTA, Idukki for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-63-6322 operating on the route Kumily-Ernakulam as LSOS. The enquiry officer has reported that the portion of the route from Chembarakey to Ernakulam South which is 23 kms in length comes under the jurisdiction of this authority. The portion of the route from Palarivattom to Kaloore which is 2 kms in length objectionably overlapping on Trivandrum-Canannoore, Trivandrum-Palakkad and Ernakulam-Thrissur notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.133

Heard. This is the request of the Secretary, RTA, Malappuram for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-45-D-4449 operating on the route Kozhikode-Ernakulam as Fast Passenger Service. The enquiry officer has reported that the portion of the route from Moothakunnam to Ernakulam South which is 34.3 kms in length comes under the jurisdiction of this authority. The portion of the route from Edappally to Ernakulam South which is 8 kms in length objectionably overlapping on Trivandrum-Canannoore, Trivandrum-Palakkad and Ernakulam-Thrissur notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. As per GO(P) No.72/2013 & 73/2013 dtd 16/07/2013, the operation of stage carriage service as Fast Passenger is exclusively reserved for State Transport Undertaking. But vide interim orders in WP© No.18813/2013 and WP© No.18959/2013 the Hon'ble High Court of Kerala has ordered that the status quo shall be maintained in respect of stage carriage permits which were issued before the date of notification. Hence Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 and Judgments in WP© No.18813/2013 and 18959/2013 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.134

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-05-U-1632 operating on the route Vypin-Malampuzha as LSOS. The enquiry officer has reported that the portion of the route from Moothakunnam to Vypin which is 32 kms in length comes under the jurisdiction of this authority. The portion of the route overlapping on Aluva-Kuriappilly and Aluva-Cheri complete exclusion scheme with exceptional clause but which are not objectionable. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in

WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.135

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-02-P-5805 operating on the route Azhikode-Manjaly as Ordinary Moffusil Service.The enquiry officer has reported that the portion of the route from Moothakunnam to Manjaly which is 12 kms in length comes under the jurisdiction of this authority.The portion of the route which is 8.5 km in length objectionably overlapping on Aluva-Vadakkumpuram Complete exclusion scheme.Vide judgments in WP© No.4435/2011 and connected cases the Honøble High court of Kerala has ordered to call back several stage carriage permits issued to operate service on Aluva-Vadakkumpuram complete exclusion scheme or its portions in compliance of Order of Honøble STAT violating the scheme of nationalization. This authority is not in a position to violate Judgment of Honøble High Court of Kerala and provisions of scheme of nationalization.There is no objection to operate service avoiding the overlapping on Aluva-Vadakkumpuram scheme. Hence the concurrence for renewal of permit in respect of stage carriage KL-02-P-5805 to operate on the portions of the route comes under the jurisdiction of this authority violating provisions on scheme of nationalization is hereby rejected.

Item No.136

1.Perused the judgment of Honøble High Court of Kerala in WP© No.7578/2013 where in the earlier decision of this authority rejecting the concurrence for renewal of permit as Fast Passenger Service quashed.

2.Heard.Reconsidered the request of the Secretary,RTA,Idukki for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-06-E-203 operating on the route Ernakulam South-Kuzhitholu as Fast Passenger Service.This authority in its earlier sitting dtd 29/11/2012 rejected the concurrence of renewal of regular permit in respect of stage carriage KL-06-E-203 to operate as Fast Passenger Service on the basis of draft notification No.5651/B2/2009/Tran dtd 02/08/2012.Vide judgment in WP© No.7578/2013,the Honøble High Court has quashed the above decision of this authority with direction to keep the application in pending for the finalization of draft scheme. The above draft scheme was finalized vide GO(P) No.73/2013/Tran dtd 16/07/2013. As per GO(P) No.72/2013 &73/2013 dtd 16/07/2013,the operation of stage carriage service as Fast Passenger is exclusively reserved for State Transport Undertaking. But vide interim orders in WP© No.18813/2013 and WP© No.18959/2013 the Honøble High Court of Kerala has ordered that the status co shall be maintained in respect of stage carriage permits which were issued before the date of notification.The enquiry officer has reported that the portion of the route from Chembarakey to Ernakulam South which is 24 kms in length comes under the jurisdiction of this authority.The portion of the route from Ernakulam South to Palarivattom which is 6 kms in length objectionably overlapping on Trivandrum-Canannoore,Trivandrum-Palakkad and Ernakulam-Thrissur notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. The primary authority has reported that the permit was issued prior to 16/07/2013.Hence Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 and Judgments in WP© No.18813/2013 and 18959/2013 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.137

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-05-Y-4351 operating on the route Ernakulam-Kottayam as LSOS. The enquiry officer has reported that the portion of the route from Neerpara to Vyttila Hub which is 24.5 kms comes under the jurisdiction of this authority.The portion of the route from Puthenkavu to Vyttila which is 18 kms in length objectionably overlapping on Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.138

Heard.This is the request of the Secretary,RTA,Kannur for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-60-E-4244 operating on the route Punalur-Chittarickal as LSOS. The enquiry officer has reported that the portion of the route from Moothakunnam to Neerpara comes under the jurisdiction of this authority.The portion of the route from Edappally to Ernakulam South which is 8.4 kms in length objectionably overlapping on Trivandrum-Palakkad,Trivandrum-Kannur and Ernakulam-Thrissur notified schemes and the Portion of the route from Ernakulam South to Nadakkavu which is 15.8 km in length objectionably overlapping on Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.139

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-35-2713 operating on the route Ernakulam-Kottayam as LSOS. The enquiry officer has reported that the portion of the route from Neerpara to Vyttila Hub which is 24.5 kms comes under the jurisdiction of this authority.The portion of the route from Puthenkavu to Vyttila which is 18 kms in length objectionably overlapping on Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.140

Heard.This is the request of the holder of a stage carriage permit on the route Aluva-W.Island for the grant of additional time of 10 month for the production of current records of the suitable vehicle for replacement and necessary endorsement in the permit which is kept under suspended animation in compliance of the order of Honøble High Court of Kerala in WP© No.18375/2013.This authority considered the application in detail.In compliance of the above cited judgment the Secretary,RTA granted replacement of the vehicle KL-41-C-631 which was

covered by regular stage carriage permit valid up to 11-05-2018 with a suitable later model vehicle and issued clearance certificate in respect of the vehicle KL-41-C-631 by keeping the vehicle under suspended animation. The permit holder was directed to produce current records of the suitable stage carriage within a period of one month. Now the grantee has requested for the grant of 10 months additional time for the production of suitable vehicle for the replacement. As per Rule 159(2) of KMV Rule 1989, the applicant shall produce the records of the vehicle within a period of one month from the date of sanction. There is no provision in the Motor Vehicles Rule for the grant of additional time of 10 months as requested by the permit holder. Hence the request cannot be granted. Considering the provisions of rule 159(2) this authority granted a longer period of 4 months in aggregate for the production of current records of the vehicle for replacement. In the event of failing to produce records within the above period, the Secretary, RTA is directed to revoke the sanction accorded.

Item No.141

Heard. Perused application and the permit file in respect of stage carriage KL-06-G-4162 covered by a regular permit on the route Kambilikandam-Ernakulam South via Adimaly, Kothamangalam, Perumbavoor, Ponjassery, Chembaraky, Pukkattupady, Kakkanad with cut trip between Perumbavoor and Ernakulam as LSOS. The permit holder has requested to transfer the permit file to the Office of Secretary, RTA, Idukki stating the major portion of the route lies under the jurisdiction of RTA, Idukki. This is an inter district route having route length of 120 km and the vehicle is plying through the jurisdiction of RTA, Idukki, RTA, Muvattupuzha and RTA, Ernakulam. On perusal of the file it revealed that the regular permit was issued during the year 2002, before the formation of RTA, Muvattupuzha. Details of route length comes under the jurisdiction of each authority not specified by the enquiry officer. Hence Secretary, RTA is directed to ascertain exact route length comes under the jurisdiction of each RTA and transfer the permit file to concerned RTA which have the major jurisdiction on proper acknowledgment.

Item No.142

Heard. Perused application and the permit file in respect of stage carriage KL-63-9461 covered by a regular permit on the route Kumily-Chottanikkara via Kattappana, Cheruthony, Karimpan, Chelachuvadu, Neendapara, Neryamangalam, Kothamangalam, Perumbavoor, Pukkattupady, NGO Quarters, Padma, Vyttila, Trippunithura and Puthiyakavu as LSOS. The permit holder has requested to transfer the permit file to the Office of Secretary, RTA, Idukki since the major portion of the route lies under the jurisdiction of RTA, Idukki. This is an inter district route having route length of 200.7 km and the vehicle is plying through the jurisdiction of RTA, Idukki, RTA, Muvattupuzha and RTA, Ernakulam. Out of 200.7 km, 97 kms lies under the jurisdiction of RTA, Idukki, 69 Kms lies under the jurisdiction of RTA, Muvattupuzha and 34.7 kms lies under the jurisdiction of RTA, Ernakulam. On perusal of the file it revealed that the regular permit was issued before the formation of RTA, Muvattupuzha. Consequent to the formation of RTA, Muvattupuzha, major portion of the route went to the jurisdiction of RTA, Idukki. Hence this authority is hereby accord sanction to transfer the permit file in respect of stage carriage KL-63-9461 to the office of the Secretary, RTA, Idukki on proper acknowledgment.

Item No.143

Heard. This is the request of Ernakulam District Residents Association Apex Council (EDRAAC), Trippunithura region for the sanctioning of Stopping place for LSOS stage carriages at Valiyakulam in Udayamperoor Panchayath on Vaikom-Ernakulam route. This authority considered the matter on the basis of enquiry report furnished by the field officer. This authority reveals that the existing bus stops nearest to the Valiyakulam for LSOS stage carriages are at Nadakkavu and Kandanadu which are at distances of 2 km and 1.5 km respectively from the proposed place Valiyakulam. Large number of Government Offices, Hospital, School and Public institutions are situated at the proposed place Valiyakulam. Hence the sanctioning of proposed stopping for LSOS and Fast Passenger stage carriage services at Valiyakulam is helpful to the Travelling public. The enquiry officer has reported that there already exist a bus stop for ordinary stage carriages and provided a bus bay and Bus Shelter at that place. Hence this authority is hereby sanctioned stopping place under Rule 206 of KMV Rules at Valiyakulam for LSOS and Fast Passenger Stage Carriages on Public Interest.

Item No.144

Heard. This is the belated application for renewal of City permit in respect of Auto rickshaw KL-07-AE-3175 along with the request for condonation of delay in filing application. This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance Rs.1000/- in addition to the prescribed compounding fee for the Permitless and CF less operation if any.

Item No.145

Heard. This is an application for fresh Autorickshaw Contract Carriage Permit in respect of Auto rickshaw KL-42-H-3497 with parking place at Thonniyakavu in North Parur Municipality. This authority considered the application in detail. This authority is prevented from the grant of a new Autorickshaw contract carriage permit in municipal limit. The applicant belongs to Scheduled Tribe Category and he purchased a new autorickshaw under the Self Government Scheme of the Ministry of Tribal Welfare to earn for his livelihood. The enquiry officer has reported that there exist necessity for the grant of autorickshaw permit at Thonniyakavu and there is sufficient space available for the parking. Hence this authority is decided to grant Auto rickshaw permit to the applicant by giving a special consideration on public interest.

Item No.146

1. Perused the judgment of Honøble High Court of Kerala in WP© No.24688/2013 wherein the Honøble Court has directed this authority to consider an appropriate order on application for the grant of fresh Autorickshaw permit within the Kochi city filed by the 14 petitioners.

2. Heard. The learned counsel appeared for the applicants. This authority in its earlier sitting dtd 14/05/2013 granted 2542 fresh Autorickshaw city permits to ply on the roads of Kochi City limit in the existing vacancies on certain conditions. One of the main condition is that the applicant shall be a resident of Kochi Corporation. On the basis of decision of this authority, Secretary, RTA invited application from the eligible persons for granting the permits. Non residents of Kochi Corporation were not allowed to apply for the permit as decided by this authority. Against the above restriction 14 persons, who are not residents of Kochi Corporation filed a writ petition 24688/2013 before the Honøble High Court of Kerala. Vide judgment in above writ petition, the Honøble High Court has directed to accept applications for the grant of permit from the petitioners and this authority was directed to consider and pass appropriate orders therein.

Accordingly the instant applications.

In view of the judgment Secretary,RTA accepted the application and placed before RTA. There is no direction in the judgment to grant city permit for respondents. However the judgment directed RTA to consider and pass appropriate orders in accordance with law. The public convenience, Necessity, Availability of vacancy of city permits, Possibility of night service by the petitioner, Specific description etc have to be considered. Secretary RTA is directed keep 14 vacancies as such and to submit an enquiry report in this regard before the RTA without delay. Hence adjourned.

Item No.147

1. Perused the judgment of Honøble High Court of Kerala in WP© No.20086/2013 dtd 20/08/2013 and 25642/2013.

2. Perused the connected records. So many complaints have been received from the stage carriage operators against the illegal operation of above contract carriage stating that the vehicle is stopping various places of their route for the purpose of picking up passengers waiting there intending to travel by stage carriage. On verification of the Check reports prepared by the field officers this authority revealed that the contract carriage KL-39-E-8802 conducted illicit stage carriage operation frequently. Since the permit holder is violated the permit condition, this authority is decided to suspend the permit in respect of the contract carriage for 10 days each for every check report (Total 60 days for 6 check reports) with effect from 01/03/2014 U/S 85 of MV Act. The permit holder is given an opportunity to remit fine of Rs.48000/- in lieu of suspension of permit for 60 days.

Item No.148

Heard. This is the belated application for renewal of City permit in respect of Auto rickshaw KL-39-D-8202 along with the request for condonation of delay in filing application. This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance Rs.1000/- in addition to the prescribed compounding fee for the Permitless and CF less operation if any.

Item No.149

Heard. This is the belated application for renewal of City permit in respect of Auto rickshaw KL-07-AJ-9633 along with the request for condonation of delay in filing application. This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance Rs.1000/- in addition to the prescribed compounding fee for the Permitless and CF less operation if any.

Item No.150

1. Perused the Judgment of Honøble STAT in MVAA No.242/2012 dtd 28/11/2013 wherein the STAT has set aside the order of the Secretary, RTA, rejecting the renewal permit in respect of stage carriage KL-17-A-6888 on the route Poothotta-University Centre and directed this authority to remand back the matter for fresh consideration.

2. Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is a request for reconsideration of renewal of permit on the route Poothotta-University Centre which was kept under suspended animation and replacement of the vehicle. This authority considered the scope and applicability of the renewal of permit and replacement of vehicle where the regular permit

was expired during the year 2011.

The applicant was a holder of regular permit valid up to 30/07/2011 and permitted to operate service on the route Poothotta-University with a stage carriage KL-17-A-6888. During 10/2010 on the basis application filed by the registered owner of the vehicle and in compliance of the Judgment of Honøble High Court of Kerala in WP© No.31028 of 2010,clearance certificate was issued in respect of the above stage carriage by keeping the valid regular permit under suspended animation for changing the ownership in to the name of another person. Subsequently on 26/05/2011,the permit holder had filed an application for renewal of the regular permit. By using delegated power under Rule 133(g) of KMV Rules 1989, the Secretary RTA was refused to renew the permit U/S 81 of MV Act and rejected the application for renewal of permit on the ground that without a valid vehicle, the permit has no existence and hence the regular permit became cancelled or suspended one. The above decision of the Secretary RTA was ratified by this authority.Now vide judgment in MVAA No.242/2012,the Honøble STAT has set aside the above order of Secretary,RTA and directed this authority to remand back the matter for fresh consideration.This authority feels that a regular permit is valid only where there is vehicle to hold it.In this case the vehicle was removed from the permit during 2010 and thereafter the permit holder had not operated service for the conveyance of public.Hence the regular permit became ineffective from the date of nonoperation of service. The permit was granted by this authority for operating a regular service for the convenience of the travelling public.The permit holder was failed to operate a regular service. There was no reason for the applicant to sell the vehicle and facilitate its operation on different route by another operator, other than selling the same for more attractive considerations. This action of the permit holder caused refusal of stage carriage service on the said route where there is lack of services and the passengers were put on to untold miseries. This intention of the permit holder cannot be allowed.Hence this authority is hereby reject the application for the renewal of regular permit which was expired during 2011.

Since this authority rejected the application for renewal of permit,there is no provision in Motor vehicle act to replace the vehicle not having a valid permit.Hence the application for replacement is rejected.

Item No.151

Heard.The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BB-5054 operating on the route Thuthiyoor-Kakkanad-Ernakulam South-Chottanikkara-Airport as ordinary service.In the proposed variation the permit holder is intended to operate 7th trip from Thuthiyoor to Ernakulam South via Palachuvadu and NGO Quarters and to operate 9th trip from Thuthiyoor to Chottanikkara via Kakkanad,Palachuvadu,NGO Quarters and Vyttila Bye pass instead of Kaloor and KK Road. This authority considered the application in detail.The proposed variation included deviation, curtailment and Extension. The enquiry report is not specific. Hence Secretary RTA is directed to ascertain whether the curtailment of service adversely affect the travelling public.Hence adjourned.

Item No.152

Heard.The learned counsel Adv.Stalin Peter Davis appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-39-F-7500 operating on the route Poothotta-Kaloor as ordinary service.In the proposed variation the permit holder is

intended to vary the permit as Poothotta-High Court Jn by curtailing the service from High court Jn to Kaloor.This authority feels that the curtailment of service to Kaloor will adversely affect the travelling public and direct passengers to Kaloor. There is no sufficient parking place at High court Jn if the service terminated at that point Interest of the travelling public is the prime consideration for the grant of a variation.The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of permit.Hence the curtailment of service cannot be allowed .So many objections have been received against the parking at High Court Jn. Hence the application for variation of permit is hereby rejected.

Item No.153

Ratified

Item No.154

No other Items

Item No.152

Date of next sitting is on-----

Supplementary Item No.01

Heard.The learned counsel appeared for the applicant. This is an application for fresh inter district regular permit in respect of suitable stage carriage to operate on the route Andhakaranazhy-Chellanam-Kumbalangi South-Mundamveli-Trippunithura-Fort Kochi as ordinary mofussil service.This authority considered the application in detail..The applicant has not offered particulars of the suitable vehicle even at the meeting of this authority .As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description.The expression specified description is very wide and it shall be brought to the notice of RTA while granting the regular permit.In this case the applicant has not offered description of the suitable vehicle before this authority. The proposed route objectionably overlapping on Trivandrum-Palakkad and Trivandrum-Kannur notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009.Hence the application for fresh regular permit is hereby rejected.

Supplementary Item No.02

1.Perused the judgment of Honøble STAT in MVAA No.184/2010

2.Heard.The learned counsel appeared for the applicant. This is an application for fresh regular permit in respect of suitable stage carriage to operate on the route Kumbalangi-Kalamassery as city service.This authority in its sitting held on 26/03/2010 rejected the application for the grant of permit on the grounds that the proposed route objectionably overlapping on notified scheme.The secretary,RTA was directed to ascertain vacancies of city permit on the proposed route. Vide judgment in MVAA No.184/2010,the Honøble STAT has set aside the above order of this authority and directed to remand back the matter for a fresh consideration.This authority considered the application in detail in view of present situation of law and notification.The portion of the proposed route from Kumbalangi Vazhy to Madhava Pharmacy which is 12 km in

length objectionably overlapping on Trivandrum-Kannur and Trivandrum-Palakkad notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. As per clause 5© of the above said notification, the right to operate a new service on a notified route or its portion is exclusively reserved for the State Transport Undertaking. Vide various judgments of Hon'ble High Court of Kerala and Supreme Court of Kerala this authority is prevented from the grant of permit on a notified route or its portion violating the scheme of nationalization. The above notifications are also applicable to city stage carriage permit also. The applicant has not offered particulars of the suitable vehicle even at the meeting of this authority. As per Para 6 in 2010(4) KLT 597(SC) it is cleared that the Regional Transport Authority may grant permit U/S 72(2) of the MV Act 1988 for a stage carriage of a specified description. The expression specified description is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered description of the suitable vehicle before this authority. Hence the application for fresh regular permit is hereby rejected.

Supplementary Item No.03

Heard. The learned counsel appeared for the applicant. This is an application for temporary permit for a period of 4 months Under proviso to Section 87(1) C of MV Act in respect of stage carriage KL-06-A-7394 to operate on the route Piravom-Kaloor. The applicant was operating stage carriage service on the above route via Thiruvankulam and Trippunithura on the strength of temporary permits issued under the proviso to Section 104 of MV Act. In view of the judgments of Hon'ble High court of Kerala in WA No.1943/2012 and 1957/2012 this authority and RTA, in its earlier sitting denied to grant temporary permits under the proviso to section 104 of MV Act. In view of the above decision of the RTA, Muvattupuzhay registered owner has furnished a modified proposal for 4 months temporary permit U/S 87(1)C to operating on the route Piravom-Kaloor via Thiruvankulam, Karingachira, Seaport-Airport Road avoiding Trippunithura, one of the intermediate point of Ernakulam-Muvattupuzha notified scheme and thereby objections. This authority considered the application in detail since the major portion of the route lies under the jurisdiction of this authority. The applicant is being operating service with temporary permit from long years back. This authority feels that there exist temporary need for the grant of temporary permit on that route. KSRTC has not filed objection against the grant of temporary permit. Hence temporary permit U/S 87(1) C for 4 months granted on modified route.

Supplementary Item No.04

Perused the connected file. Action taken by the Secretary, RTA is hereby ratified.

Supplementary Item No.05

Heard. The learned counsel appeared for the grantee and objectors. This authority considered the matter in detail. This authority in its earlier sitting dtd 03/10/2013 vide item No.4 granted fresh regular permit in respect of stage carriage KL-03-G-3096 or suitable vehicle owned by Mr. Rajesh.K.G, Kodikkattu H, Mattoor to operate on the route Kurisumudy-Elanthikkara via Malayattoor, Nayathode, Airport, Chengamanad, Chalacka Medical College, Manjaly, Cherukadappuram and Kanakkankadavu as Ordinary service subject to settlement of timings. Thereafter the grantee produced current records of the stage carriage KL-05-M-5366 owned by himself. The private Bus Operators Association, Angamaly has filed objection stating that the stage carriage KL-03-G-3096 is not owned by the applicant and they were interrupted the timing

conferences two times. This authority feels that the objection filed is unsustainable. The counsel appeared for the objector stated that a writ petition in this connection is pending with the Hon'ble High Court of Kerala. Hence adjourned for the order of Hon'ble High Court.

Supplementary Item No.06

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-34-C-1089 operating on the route Paika-Ernakulam as Ordinary Service. The enquiry officer has reported that the portion of the route from Neerpara to Vyttila Hub which is 24.9 kms comes under the jurisdiction of this authority. The portion of the route from Puthenkavu to Vyttila which is 18 kms in length objectionably overlapping on Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit granted subject to notification No.42/2009 dtd 14/07/2009 and Judgment in WP© No.23851/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Supplementary Item No.07

Heard. Learned counsel Adv. Jithesh Menon appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-41-88 operating on the route Vattapparambu-Perumbavoor as ordinary mofussil service. The permit holder is desired to vary the permit so as to change the starting and Halting place to Anappara instead of Vattapparambu avoiding last trip from Angamaly to Vattapparambu. The proposed variation includes deviation and curtailment. This authority considered the application in detail. By the proposed variation intention of the applicant is only to revise the timings of almost all trips. Necessity for the revision of timings is not requested in the application for variation. No urge of time revision under Rule 145(7) is reported by the field officer. This authority feels that elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. The curtailment of night trip to Vattapparambu 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 to ill served area cannot be allowed. More over there is an additional overlapping on notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority is prevented from the grant of additional trip on notified route violating the scheme of nationalization. Hence the application for variation of permit is hereby rejected.

Supplementary Item No.08

Heard. Learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-40-F-4758 operating on the route North Parur-Arookkutty as ordinary mofussil service. The permit holder is desired to vary the permit so as to operate 2nd, 5th and 6th trips via Vyttila Bypass and to operate 3rd and 4th trips between North Parur and Vyttila. The proposed variation includes deviation and curtailment. This authority considered the application in detail. By the proposed variation intention of the applicant is only to revise the certain timings of existing trips. Necessity for the revision of timings is not requested in the application for variation. No urge of time revision under Rule 145(7) is reported by the field officer. This authority feels that elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. The alteration of timings of night trip 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. It cannot be allowed. Hence the application for variation of permit is hereby rejected.

Supplementary Item No.09

Heard. Learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AT-3099 operating on the route Arookkutty-Poochakkal as ordinary mofussil service. The permit holder is desired to vary the permit so as to operate all trips via KK Road instead of MG Road and to change change the starting and Halting place to Poochakkal instead of Arookkutty by curtailing the last trip between Poochakkal and Arookkutty. The proposed variation includes deviation and curtailment. This authority considered the application in detail. The enquiry officer has reported that the deviation of service through KK road will reduce the present traffic congestion experiencing in the Kochi City and it is highly beneficial to the travelling public. He has also reported that the curtailment of last night trip from Poochakkal to Arookkutty will adversely affect the travelling public of Arookkutty. S many objections have been received against the curtailment of last trip to Arookkutty. Existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. It cannot be allowed. Hence the variation of permit granted except the curtailment of last trip to Arookkutty subject to settlement of timings in compliance of Order No.D3/875/STA/2005 dtd 08/11/2011 of the STA, Tvm.

Supplementary Item No.10

Heard. Learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-40-3804 operating on the route Potta-Ayyampuzha-Kadappara as ordinary moffusil service. The permit holder is desired to vary the permit so as to operate 1st trip from Potta to Angamaly and from Angamaly to Anappara and to operate 2nd trip to Anappara avoiding the trip to Ayyampuzha. This authority considered the application in detail. By the proposed variation intention of the applicant is only to revise the certain timings of existing trips. Necessity for the revision of timings is not requested in the application for variation. No urge of time revision under Rule 145(7) is reported by the field officer. This authority feels that elimination of settled position of public transport facility of the travelling public will be the result of proposed variation. No additional advantages are offered to the travelling public in the requested variation. The alteration of timings of night trip will adversely affect the travelling public. The curtailment of trips to Kadappara and Ayyampuzha 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. It cannot be allowed. Hence the application for variation of permit is hereby rejected.

Supplementary Item No.11

Heard. The learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BC-6754 operating on the route Agamaly Federal Bank Jn-Ayyampuzha-Kalady Plantation as ordinary moffusil service. The permit holder is desired to vary the permit so as to operate one trip at 1.50pm from Angamaly to Anappara and return to Angamaly. This authority considered the application in detail. The enquiry report furnished by the field officer is not specific. The Secretary, RTA is directed to conduct a detailed enquiry and to verify the feasibility of the proposed timings. Hence adjourned.

Supplementary Item No.12

1. Heard. The learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-02-T-6001 operating on the route Aluva-Thevara Ferry as ordinary City service. In the proposed variation the permit holder is desired to operate additional trips to Fort Kochi via A P Palam, Santhi Nagar, Thoppumpady with slight changes in the existing timings. This authority considered the application in detail. The enquiry officer has reported that there is only one stage carriage service from Aluva to Thoppumpady via Alexander Parambithara Bridge. Hence the proposed variation is highly beneficial to the travelling public and students of Thevara College. Hence the variation granted subject to settlement of timings.

2. Perused the complaint filed by the travelling public dtd 18/06/2013 against the previous stage carriage KL-07-AR-4107 operating on the same route with same timings owned by the permit holder. The complainants stated that the crews are intended them to set down at R.T Office Jn at Aluva instead of at Zeenath Jn. The enquiry officer has reported that the complaint is genuine and there was a failure of responsibility from the part of permit holder. Hence this authority is decided

to suspend the regular permit in respect of stage carriage KL-02-T-6001 for 10(ten)days from 01/03/2014 U/S 85 of MV Act for the violation of permit condition.The permit holder is given an opportunity to remit fine of Rs.4000/- in lieu of suspension of permit .

Supplementary Item No.13

1.Heard.The learned counsel appeared for the applicant. This is an application for variation of regular permit in respect of stage carriage KL-40-A-8863 operating on the route Aluva-Chottanikkara.By the proposed variation the applicant is desired to change the starting and halting place to HMT Colony(Medical College) so as to start service from that place avoiding last trip to Aluva from Ernakulam South and First trip from Aluva.He is also desired to operate 3rd trip from Kaloor to Chottanikkara via KK Road by deviation.This authority in its earlier sitting adjourned decision in this matter for ascertaining the details of stage carriage service to Aluva after 8.00pm. Now the enquiry officer has reported that sufficient stage carriages are operating to Aluva after 8.00pm and deviation of service through KK Road is helpful to reduce the traffic congestion in the Kochi City and is beneficial to the travelling public.There is no additional overlapping in the proposed variation portion.Hence variation of permit granted subject to the settlement of timings.

Supplementary Item No.14

Heard. The learned counsel appeared for the applicant. This is an application for renewal of intra district regular city permit in respect stage carriage KL-07-BH-1481 on the route Arakkakkadavu-Kalamassery which was kept under suspended animation since 2011. This authority considered the application in detail.Stage carriage KL-07-BH-1481 was covered by a regular valid up to 12-10-2013 to operate on the route Arakkakadavu-Fort Kochi.On 28/03/2011,the vehicle was released from the the permit by keeping the permit under suspended animation as per the judgment of Honøble High Court of Kerala in WP© No.8160/2011.Thereafter, the applicant has not offered another stage carriage to operate with the regular permit.As per the existing Motor vehicles Act and Law no permit can exist without a vehicle. This authority feels that the regular permit was issued to the permit holder to operate on the above route for providing a better service to the travelling public without any break.But the permit holder is failed to maintain a stage carriage service properly and that was resulted to the lack of stage carriage facility to the public. After obtaining the clearance certificate, the vehicle sold to another person and the vehicle is operating stage carriage service on another route. This is clear that the motive of the permit holder is only to gain a profit from the sale of the vehicle and not interested in providing a service to the travelling public. It cannot be allowed. Subsequently the regular permit was expired on 12/10/2013.The applicant has not offered another stage carriage even after the laps of 3 years. It is against the provisions of law. This authority feels that the service was defaulted for a period of 3 years and hence the regular permit became ineffective. Hence the application for renewal of permit is hereby rejected.

Supplementary Item No.15

Heard. The learned counsel appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-43-B-5814 operating on the route

Cheranelloor-Mattancherry as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application.This authority considered the application in detail.The regular permit was expired on 04-12-2013.The route having length of 26 kms and the route objectionably overlapping on Trivandrum-Palakkad and Trivandrum-Canannore notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009.This permit was issued prior to 09/05/2006.This authority satisfied with the explanation offered the permit holder for the delay occurred in filing of application. Hence delay condoned and renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No .23851/2009

Supplementary Item No.16

Heard. The learned counsel appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-07-AN-6862 operating on the route Cheranelloor-Island as Ordinary City Service. The permit holder has not filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act.He has also filed a request for condonation of delay in filing of application.This authority considered the application in detail.The regular permit was expired on 12-11-2013.The route having length of 56.7 kms and the route objectionably overlapping on Trivandrum-Palakkad Trivandrum-Canannore and Ernakulam-Thrissur notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009.This permit was issued prior to 09/05/2006.This authority satisfied with the explanation offered the permit holder for the delay occurred in filing of application. Hence delay condoned and renewal of permit granted subject to the notification No.42/2009/Tran dtd 14/07/2009 dtd 14/07/2009 and Judgment in WP© No .23851/2009

Supplementary Item No.17

Heard. The learned counsel appeared for the applicant. This is an application for renewal of inter district regular permit in respect stage carriage KL-17-J-8970 operating on the route Erattupetta-Pala-Ernakulam as LSOS. The permit holder has filed application for renewal of permit within a time limit prescribed under Section 81(2) of MV Act. This authority considered the application in detail.The route having length of 80 kms in which 33 kms lies under the jurisdiction of RTA,Kottayam.Secretary,RTA is directed to seek concurrence of RTA,Kottayam.Hence adjourned.

Supplementary Item No.18

Heard. The learned counsel appeared for the applicant. This is an application for renewal of intra district regular permit in respect stage carriage KL-42-C-7698 operating on the route Vypin-Gothuruth with Extension to High Court Jn as ordinary mofussil service.The route having length of 36km in which the portion of the route from Vadakkumpuram to Chendamangalam which is 4.1 kms in length objectionably overlapping on Aluva-Vadakkumpuram complete exclusion scheme and the route overlapping on Aluva-Kuriappilly and Aluva-Chathanad schemes .This permit was issued after to 09/05/2006.This authority is prevented from the grant or renewal of a permit on the Aluva-Vadakkumpuram complete exclusion scheme violating the scheme of nationalization.Vide judgment in 4435/2011 and connected cases the Hon'ble High Court of

Kerala has also directed this authority to callback the regular stage carriage permits granted on Aluva-Vadakkumpuram Scheme on the basis of the order of STAT. This vehicle has been operating service since 2004. KSRTC objected the renewal of regular permit in view of the alleged violation of approved scheme Aluva-Vadakkumpuram(No.27106/TA2/65/PW dtd 17/06/1965).It is noted that KSRTC is not providing adequate service on the portions of the route from Vedimara to Naluvazhy area. Abrupt withdrawal or stopping of service by the private stage carriages is sure to cause tremendous inconvenience to the travelling public. This may also affect the settled travelling facility of the travelling public of that sector which may lead to law and order problem also. Revival of parallel stage carriage operation of minibuses or other modes are likely to occur under such circumstances.

With a view to make a proper assessment of the situation, before considering the application for renewal of permit in detail, the Secretary,RTA is directed to submit a study report containing all the facts and circumstances in the case and place the matter before RTA without delay, with similarly placed applications for an objective consideration by this authority. Adjourned.

Supplementary Item No.19

Heard. The learned counsel appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-42-2426 operating on the route Kodungallur-Kaloor. The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit.Moreover on verification it revealed that no such address exist as furnished by the permit holder. Hence the application for Transfer of permit is hereby rejected.

Supplementary Item No.20

Heard. The learned counsel appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AH-1961 operating on the route Aluva-Chellanam. No HPA or Check reports are pending with the vehicle.Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.21

Heard. The learned counsel appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AL-1105 operating on the route Fort Kochi-Wellington Island. The permit holder has failed to produce the NOC from the financier,which is a mandatory requirement for the grant of transfer of permit. Hence the application for Transfer of permit is hereby rejected.

Supplementary Item No.22

Heard. The learned counsel appeared for the applicant This is an application for transfer of permit in respect of stage carriage KL-07-AZ-580 operating on the route Ponekkara-Panangadu. No HPA or Check reports are pending with the vehicle.Hence the transfer of permit allowed subject to the clearance of Government dues, if any.

Supplementary Item No.23

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-08-Q-687 operating on the route Chottanikkara-Thrissur as LSOS. No HPA or Check reports are pending with the vehicle.Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.24

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-40-2419 operating on the route Poothotta-Aluva. No HPA or Check reports are pending with the vehicle.Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.25

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-02-X-4746 operating on the route Aluva-Fort Kochi. HPA and Check reports are not pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.26

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-08-AF-4500 operating on the route Chappakadappuram-Njarackal. HPA and Check reports are not pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.27

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-35-B-6957 operating on the route Pala-Kaloor. No HPA and No Check reports are pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.28

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AF-7476 operating on the route Poothotta-Kakkanad. Check reports are pending against the vehicle.The Secretary,RTA is directed to take departmental action on pending check reports.Hence adjourned.

Supplementary Item No.29

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-07-AV-9233 operating on the route Piravom -Kaloor. No HPA and No Check reports are pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.30

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-08-AJ-9095 operating on the route Manjaly-Pallissery. The permit holder has failed to produce the NOC from the financier,which is a mandatory

requirement for the grant of transfer of permit. Hence the application for Transfer of permit is hereby rejected.

Supplementary Item No.31

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-13-M-8283 operating on the route Vayalkara-Eramalloor. No HPA and No Check reports are pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.32

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-17-A-9447 operating on the route Munambam-Ernakulam. No HPA and No Check reports are pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues if any.

Supplementary Item No.33

Perused the file and decision taken by the Secretary,RTA. Ratified.

Supplementary Item No.34

Accepted.

Supplementary Item No.35

Heard. This is the belated application for renewal of City permit in respect of Auto rickshaw KL-39-C-4047 along with the request for condonation of delay in filing application. This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance Rs.1000/- in addition to the prescribed compounding fee for the Permitless and CF less operation if any.

Supplementary Item No.36

Heard. This is the belated application for renewal of City permit in respect of Auto rickshaw KL-43-D-4983 along with the request for condonation of delay in filing application. This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance Rs.1000/- in addition to the prescribed compounding fee for the Permitless and CF less operation if applicable.

Supplementary Item No.37

Perused the connected file and verified the present position of the applications received, permit issued and pending. This authority in its sitting dtd 14/05/2013 granted 2542 new auto rickshaw city permit in the existing vacancy. 5% of the granted permits (127 No) were reserved for the lady owners of autorickshaws who hold valid driving license for operating service. Only 18 applications were received from that category and 109 vacancies are still remaining. But it can see that so many applications were received from lady owners of autorickshaws who does not possess driving licenses. This authority elaborately considered the matter and it is decided to modify the earlier condition stipulated so as to accommodate all lady applicants who are the owners of autorickshaws in the remaining vacancies reserved for ladies on first come first basis and seniority in remittance of fee. It is also decided to keep 14 vacancies in the above 109 vacancies as such for consideration of judgment in WP© No.24688/2013 .

Additional Supplementary Item No.01

Heard. The learned counsel appeared for the applicant. This is an application for transfer of permit in respect of stage carriage KL-39-A-6789 operating on the route Erroor-Eroor. No HPA and No Check reports are pending with the vehicle. Hence the transfer of permit allowed subject to the clearance of Government dues, if any.

Sri. Sheik Pareeth,I.A.S

District Collector

&

Chairman,RTA,Ernakulam

Sri.P.A.Sainudeen

DeputyTransport Commissioner

&

Member,RTA,Ernakulam



B J Antony
Secretary RTA