

**DECISION OF REGIONAL TRANSPORT AUTHORITY ,ERNAKULAM DTD  
14/05/2013**

*Present:-Chairman-Sri.Sheik Pareeth,IAS, District Collector, Ernakulam  
Member:-Sri.P.A.Sainudeen,Deputy Transport Commissioner, CZ-  
II,Ernakulam.*

**Item No.01**

Heard.This is an application for fresh intra district regular permit in respect of stage carriage KL-15-9850 to operate on the route Ernakulam –Chellanam-Kakkanad.The STU is the applicant.Hence fresh regular permit granted with the proposed set of timings.

**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 suitable stage carriage to operate on the route North Paroor-High Court Jn-Chittoor Ferry having route length 35.8 kms.So many objections have been received against grant of the permit on this route.More over 1.1 kms of the route overlaps Notified schemes vide GO(p) No.42/2009/Trans dtd 14/07/2009 and 5 kms of the route overlaps Aluva-Charai complete exclusion scheme as per notification No.65598/TA4/60/PW dtd 28/08/1961.As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU.More over vide judgment of Hon'ble Supreme Court in Case No.1341 of1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010,this authority is prevented from the grant of a permit on the notified routes . Hence rejected.

**Item No.03**

1.Perused the Judgment of Hon'ble STAT in MVAA No.69/2010,wherein the Hon'ble Court has directed this authority to consider the application for fresh regular permit afresh in accordance with the provisions of Act and rules.

2.Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of suitable stage carriage to operate on the route Kunjithai-North Paroor-Cheranelloor having route length 21 kms.So many objections have been received against grant of the permit on this route.More over 5 kms of the route overlaps Aluva-Vadakkumpuram and Aluva-Kuriappilly complete exclusion schemes as per notification No.27106/95/PW dtd 17/06/1965. As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU. More over vide judgment of Hon'ble Supreme Court in Case No.1341 of1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010,this authority is prevented from the grant of a permit on the notified routes . Hence rejected.

**Item No.04**

Heard. The Learned counsel Adv.P.Deepak appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of suitable stage carriage on the route Infopark Phase II to Tripunithura having route length 27.4 kms

.There is no objectionable overlapping on notified routes.The enquiry officer reported that the portion of the route from Member Jn to Ration Kada Jn is a virgin one.Hehas also reported that the proposed service will be beneficial to the traveling public including students. Hence fresh regular permit granted subject to the settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA on production of road fitness certificate from PWD authorities.

**Item No.05**

Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of a suitable vehicle to operate on the route Chathanad-North Parur-Munambam having route length 20.9 kms .There is no specific enquiry report regarding the overlapping on notified schemes.Secretary,RTA is directed to call for specific report from the field officer and place the matter before this authority. Hence adjourned.

**Item No.06**

1.Perused the Judgment of Hon'ble High Court of Kerala in WP© No.691 of 2013 wherein,the Hon'ble Court has directed this authority to reconsider the application for fresh permit .

2.Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district regular permit on the route Aluva-Amrutha Hospital having route length 36.3 kms. This authority in its sitting dtd 27/09/2012 was already granted regular permit to the applicant subject to settlement of timings since there is no objectionable overlapping on notified schemes. There was a stay for the above decision and settlement of timings for ascertaining the objectionable overlapping. Vide judgment in 690 of 2013,the Hon'ble High court vacated the stay and directed to reconsider the application for fresh permit after verification of the overlapping on the route. This authority reconsidered the matter in detail and it reveals that actual over lapping in the proposed route is 1.15 kms.But due to the traffic regulations implemented at Aluva town, the stage carriages are compelled to conduct service through within the city to pick the passengers and thereby distance of overlapping increases to 3.2 kms. Therefore at present there is no such circumstances to reject the application for fresh permit on the proposed route. Hence fresh regular permit granted subject to settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA,TVM..

**Item No.07**

Heard. The Learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of KL-07-AN-2566 or suitable vehicle to operate on the route Mulavukad-High Court Jn having route length 7.2 kms .There is no objectionable overlapping on notified routes.The enquiry officer has reported that the portions of the route are very narrow and hence heavy passenger vehicles are not capable of conducting service on the route. He has also reported that the proposed service will be beneficial to the traveling public including students. Hence fresh regular permit granted to LMV stage carriage subject to the settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA.Thiruvananthapuram

**Item No.08**

Heard. The Learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of suitable vehicle to operate on the route Wellington Island-Pallithode having route length 26.5 kms .There is no objectionable overlapping on notified routes.The enquiry officer has reported that the proposed service will be beneficial to the traveling public including students. Hence fresh regular permit granted subject to the settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA.Thiruvananthapuram

**Item No.09**

Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of suitable vehicle to operate on the route Vypin –Munambam with Extension from Kalamukku Jn to Collectors Square having route length 31 kms .There is no overlapping on notified routes.The enquiry officer has reported that the proposed service will be beneficial to the traveling public including students. Hence fresh regular permit granted subject to the settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA.Thiruvananthapuram

**Item No.10**

Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of stage carriage KL-07-AG-3972 or suitable vehicle to operate on the route Manjanakkad-Vypin-High Court Jn with Extension from Kalamukku Jn to Collectors Square in the vacant timings of KL-07-AM-2353 .The proposed route having length of 14.6 kms There is no overlapping on notified routes.The enquiry officer has reported that the proposed service will be beneficial to the traveling public including students.There is no vacant timings exist. Hence fresh regular permit granted subject to the settlement of timings as per the order No.D3/875/STA/2005 dtd 04-11-2011 of STA.Thiruvananthapuram

**Item No.11**

Heard. The Learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of Stage Carriage KL-07-AN-5503 to operate on the route Kizhakkepanangattu-Vypin in the vacant timings of stage carriage KL-07-AB-8578.The proposed route having length of 15.5 kms.The enquiry officer has reported that the route is well served area and there is no need for the grant of permit.But frequency of the stage carriage services on the proposed route is not mentioned in the enquiry report.Secretary RTA is directed to specify the frequency of the service on the proposed route and to enquire whether the route is well served area.Hence Adourned.

**Item No.12**

Heard. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of Stage Carriage KL-09-J-693 or Suitable vehicle to operate on the route Narakkal –High Court Jn in the vacant timings of stage carriage KL-42-1573.The proposed route having length of 16.6

kms. The enquiry officer has not reported the need for the grant of permit on the proposed route. More over objection has been received against the present condition of the road at the Vypin area. Secretary RTA is directed to place the matter in the next RTA after conducting a detailed enquiry for ascertaining the necessity and obtaining a report from the PWD authorities regarding the condition of the road .Hence Adourned.

**Item No.13**

Heard. The Learned counsel Adv.P.Deepak appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of stage carriage KL-04-D-6222 or suitable stage carriage to operate on the route Vettilappara-Ernakulam High Court Jn in the vacant timings of KL-07-AJ-9711. The proposed route having length of 95.3 kms. So many objections and a recommendations have been received regarding the grant of the permit on this route. This authority considered the matter in detail. The portion of the route from Karayamparambu to Telk Angamaly and from Vedimara to North Paravoor which are 5.7 kms in length objectionably overlaps notified schemes vide GO(p) No.42/2009/Trans dtd 14/07/2009. There is no vacant timings are exist as sought by the applicant. As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU. More over vide judgment of Hon'ble Supreme Court in Case No.1341 of1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010, this authority is prevented from the grant of a permit on the notified routes . Hence rejected.

**Item No.14**

Heard. Reconsidered. The Learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of Stage Carriage KL-18-A-1561 or Suitable vehicle to operate on the route North Paravoor –High Court Jn in the vacant timings of stage carriage KL-07-AQ-5343. The proposed route having length of 28.5 kms. The enquiry officer has reported that the proposed route objectionably overlaps Aluva-Cherai complete exclusion scheme. But report is not specific. Secretary RTA is directed to place the matter in the next RTA after conducting a detailed enquiry for ascertaining the actual overlapping . Hence Adourned.

**Item No.15**

Heard. The Learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of stage carriage KL-42-6641 to operate on the route Edappally Toll-Neendakara in the vacant timings of KL-04-T-4530. The proposed route having length of 31.6 kms. So many objections have been received regarding the grant of the permit on this route. This authority considered the matter in detail. The enquiry officer has reported that the portions of the route from Eramalloor to Aroor Jn and Edappally Toll to Ernakulam South and Ernakulam South to Vyttila which are 18.6 kms in length objectionably overlaps notified schemes Trivandrum-Palakkad and Aleppey-Ernakulam and Ernakulam –Thekkady notified scheme vide GO(p) No.42/2009/Trans dtd 14/07/2009. There is no vacant timings are exist as sought by the applicant. This authority is prevented from the grant of a permit on the notified routes or its portions as per clause 19 of the above said notification and judgments of Hon'ble Supreme Court of India and Hon'ble High Court of Kerala in case

No.1341 of 1990 and.25905 of 2010 respectively.More over vide in its earlier sitting this authority was already prevented the service of the Moffusil stage carriages from Kaloor to the requested portions. Hence rejected.

**Item No.16**

Heard. The Learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of stage carriage KL-43-3544 to operate on the route Aluva-Fort Kochi in the vacant timings of KL-07-AW-6240 as city service.The proposed route having length of 36 kms which comes under the city limit.So many objections have been received regarding the grant of the permit on this route. This authority considered the matter in detail.The enquiry officer has reported that the portions of the route from Aluva to Thoppumpady which is 30 kms in length objectionably overlaps Alleppey-Ernakulam and Trivandrum-Thrissur notified scheme as per SRO No.271/1986. There is no vacant timings are exist as sought by the applicant. This authority is prevented from the grant of a permit on the notified routes or its portions as per clause 19 of the above said notification and judgments of Hon'ble Supreme Court of India and Hon'ble High Court of Kerala in case No.1341 of 1990 and.25905 of 2010 respectively. More over there is a restriction for the grant of city permits. Hence rejected.

**Item No.17(A)**

Heard. The Learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for fresh intra district Moffusil regular permit in respect of stage carriage KL-42-3122 to operate on the route Kottayil Kovilakom-Cheranallloor in the vacant timings of KL-07-AJ-9685 .This authority reconsidered the matter in detail.The proposed route having length of 18 kms. The enquiry officer has reported that the overlapping on notified routes is not objectionable .The enquiry officer has reported that the proposed service will be beneficial to the traveling public including students. There is no vacant timings exist. Hence fresh regular permit granted on public interest subject to the settlement of timings in compliance of order No.D3/875/STA/2005 dtd 04-11-2011 of STA. Thiruvananthapuram

**Item No.17(B)**

1.Perused the judgment of Hon'ble High Court of Kerala in WP© No.5758 of 2013,Whrein the Hon'ble Court has directed to consider the application for temporary permit for 4 month within a time limit.

2. Heard. This is an application for temporary permit for 4 mont u/s 87(1)c in respect of Stage Carriage KL-04-K-5411 to operate on the route Kottayil Kovilakom-Cheranallloor in the vacant timings of KL-07-AJ-9685.This authority considered the matter in detail.This authority vide decision in item No.17(a) is already granted fresh regular permit to stage carriage KL-42-3122 to operate on the same route on consideration of the application filed during the year 2010 .In this case the application is filed during the year 2013.On verification of the relevant records this authority reveals that the almost vacant timings of the stage carriage KL-07-AJ-9685 is already issued to the other stage carriages on settlement of timings consequent to the grant fresh or variation of permits by the RTA. This authority feels that there is no temporary need or sustainable grounds exist on the requested route for the grant of temporary permit u/s 87(1)c. Hence rejected

**Item No.18**

Heard. This is the request of the Secretary, RTA, Kottayam for concurrence for renewal of the regular permit in respect of stage carriage KL-05-AA-3932 to operate on the route SN Puram Temple-Ernakulam. The portion of the route from Neerpara to Kaloor which is 30.5 kms in length comes under the jurisdiction of this authority. The portion of the route from Puthenkavu to Kaloor which is 24.3 km in length objectionably overlaps Ernakulam-Thekkady, Trivandrum-Palakkad and Trivandrum- Cannanore notified schemes in Ernakulam district. 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.19**

Heard. This is the request of the Secretary, RTA, Alappuzha for concurrence for the renewal of the regular permit in respect of stage carriage KL-05-L-4782 to operate on the route Alappuzha Railway Station-Ernakulam. The enquiry officer has reported that 15 kms in length comes under the jurisdiction of this authority. The portion of the route from Vytila to Kadavanthra which is 2 km in length objectionably overlaps Ernakulam-Thekkady and Ernakulam-Muvattupuzha notified schemes in Ernakulam district. 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.20**

Heard. This is the request of the Secretary, RTA, Kottayam for concurrence for the renewal of the regular permit in respect of stage carriage KL-05-U-6811 to operate on the route Kaippuzhamuttu-Ernakulam. The portion of the route from Poothotta to Kaloor which is 25 kms in length comes under the jurisdiction of this authority. The entire portion in Ernakulam district objectionably overlaps Ernakulam-Thekkady, Trivandrum-Palakkad and Trivandrum- Cannanore notified schemes in Ernakulam district 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.21**

Heard. This is the request of the Secretary, RTA, Kottayam for concurrence for the renewal of the regular permit in respect of stage carriage KL-09.K-402 to operate on the route Kaippuzhamuttu-Chottanikkara. The enquiry officer has reported that 15 kms of the route comes under the jurisdiction of this authority. There is no objectionable overlapping on notified routes. 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.22**

Heard. This is the request of the Secretary, RTA, Thrissur for concurrence for the renewal of the regular permit in respect of stage carriage KL-13-H-779 to operate on the route Guruvayoor-Ernakulam. The enquiry officer has reported that 40 kms of the route comes under the jurisdiction of this authority. The portion of the route from Moothakunnam to Thekkenaluvazhy which is 7.6 km in length and the portion of the route from Edappally to Ernakulam South which is 8.4 kms in length are objectionably overlaps notified schemes in Ernakulam district. 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.23**

1. Perused the Judgment of Hon'ble High Court of Kerala in WP© No.4089 of 2013.

2. Heard. This is the request of the Secretary, RTA, Kottayam for concurrence for the variation of the regular permit in respect of stage carriage KL-34-B-7081 so as to operate service from Kottayathupara to Vyttila Bus terminal via Tripunithura, Maradu by curtailing the service through Thiruvankulam and Kakkanad. The enquiry officer has reported that 36.4 kms of the route comes under the jurisdiction of this authority. The curtailment of service will adversely affect the traveling public. The portion of the proposed route from Puthiyakavu-Tripunithura which is 2kms in length objectionably overlaps Ernakulam-Thekkady notified scheme vide GO(p) No.42/2009/Trans dtd 14/07/2009. As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU. More over vide judgment of Hon'ble Supreme Court in Case No.1341 of 1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010, this authority is prevented from the grant of a permit on the notified routes. Hence rejected.

**Item No.24**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-06-A-9244 to operate on the route Kottappuram-Kaloor. This authority feels that there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.25**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-AG-1311 to operate on the route Aluva-Edakochi-Kakkanad in the vacant timings of stage carriage KL-07-AY-8755. This authority elaborately considered the scope and applicability of provisions of section 104 of MV Act. The private operator is entitled for a temporary permit under proviso to section 104 of MV act in respect of notified routes or its portions thereof, where State Transport Undertaking fails to make an

application for a permit on the notified route meant for exclusive operation by STU. The provision of the proviso to section 104 of MV Act has no application at all in cases of a route other than a notified route. In this case the applicant has applied for a temporary permit on a non nationalized route Aluva-Edakochi-Kakkanad, but the portion of the route from Aluva to Edakochi objectionably overlapping the approved schemes under notification No.42/2009/Tran dtd 14/07/2009. The overlapping on notified route hit by the scheme of nationalization and no permits either temporary or regular can be granted to private operator because of the objectionable overlapping. The KSRTC(STU) is not under any obligation to make an application for permit on route chosen by the private operator from time to time which are non notified route. Hence due to the objectionable overlapping on the notified route ,the RTA cannot grant temporary permit as per chapter VI of MV Act. In the light of above discussion, the application for temporary permit u/s 104 is rejected .

**Item No.26**

1. Perused the Judgment of Hon'ble STAT in MVAA N.401/2013 wherein the Hon'ble STAT has directed to consider the application for temporary permit u/s 104 of MV act for 4 months afresh.

2. Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. Reconsidered the application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-AG-5687 to operate on the route Cheranelloor-Fort Kochi in the vacant timings of stage carriage KL-07-BF-7737. This authority elaborately considered the scope and applicability of provisions of section 104 of MV Act. The private operator is entitled for a temporary permit under proviso to section 104 of MV act in respect of notified routes or its portions thereof, where State Transport Undertaking fails to make an application for a permit on the notified route meant for exclusive operation by STU. The provision of the proviso to section 104 of MV Act has no application at all in cases of a route other than a notified route. In this case the applicant has applied for a temporary permit on a non nationalized route Aluva-Edakochi-Kakkanad, but the portion of the route from Edappally to Thoppumpady which is 24 kms in length objectionably overlapping the approved schemes under notification No.42/2009/Tran dtd 14/07/2009. The overlapping on notified route hit by the scheme of nationalization and no permits either temporary or regular can be granted to private operator because of the objectionable overlapping. The KSRTC(STU) is not under any obligation to make an application for permit on route chosen by the private operator from time to time which are non notified route. Hence due to the objectionable overlapping on the notified route ,the RTA cannot grant temporary permit as per chapter VI of MV Act. In the light of above discussion, the application for temporary permit u/s 104 is rejected .

**Item No.27**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-BE-1281 to operate on the route Eloor Ferry-Wellington Island in the vacant timings of stage carriage KL-07B-4887. This authority feels that there exist a necessity for the grant of temporary permit on that route .KSRTC has not filed objection

for issuing temporary permit on the above route.Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route

**Item No.28**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant.Reconsidered the application for temporary permit for 4 month in respect of stage carriage KL-41-6262 to operate on the route Anappara-Perumbavoor in the vacant timings of stage carriage KEE 8787.This authority considered the matter in detail.The portion of the route from Angamaly to Perumbavoor objectionably overlaps notified scheme as per the GO(p) No.42/2009/rans dtd 14/07/2009.KSRTC vehemently objected the grant of temporary permit on the notified route. As per clause 19 of the above said notification the right to operate service on the notified route or on its portions are exclusively reserved for STU. This authority feels that there is no necessity warranting at present for the grant of temporary permit on the above route. More over this authority is prevented from the grant of regular or temporary permits on the notified routes or its portion as per judgments of Hon'ble Supreme Court of India and Hon'ble High Court of Kerala in case No.1341 of 1990 and.25905 of 2010 respectively . Hence rejected

**Item No.29**

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AN-1971 operating on the route Manjummal-Kadavanthara via HM Jn, S.Kalamassery, Edappally, Palarivattom, Kaloor and Boat Jetty.The applicant is desired to vary the permit so as to operate trips from Manjummel to Kadavanthra via Muttar Bridge and Edappally Signal and FACT.This authority considered the application in detail.The enquiry officer has reported that the curtailment of service from FACT to Edappally Signal Jn will adversely affect the travelling public and students.While considering the application for variation of permit,the need and convenience of public shall be the prime criteria.In this case there is no public convenience enlightened. Hence application for variation of permit rejected.

**Item No.30**

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-03-J-2332 operating on the route Kumbalangy-Ferry-Elamakkara via Eramalloor,Vyttila and MG Road.The applicant is desired to vary the permit so as to operate all trips through K.K Road instead of MG Road .This authority considered the application in detail.The enquiry officer has reported that there is no overlapping in the variation portion and the curtailment will not affect the traveling public and proposed variation will beneficial to the traveling public including students. Hence variation of regular permit granted subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.31**

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-39-A-1040 operating on the route Arookkutty Ferry-Kaloor-Kakkanad via M G Road..The applicant is desired to vary the permit by extending the service from Perumbalam to Poochackal

which is 3.7 kms in length and by conducting all trips via KK Road .This authority considered the application in detail. A portion of the proposed variation is lying under the jurisdiction of RTA,Alappuzha. Concurrence of that RTA is necessary for considering the proposed variation. Secretary RTA is directed to seek concurrence of RTA,Alappuzha.Hence adjourned.

**Item No.32**

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-40-C-1577 operating on the route Edakochi-Cheranellloor.The applicant is desired to vary the permit by changing the starting and Halting place to Cheranellloor .This authority considered the application in detail. The enquiry officer has reported that there is no overlapping in the variation portion and the curtailment will not affect the traveling public and proposed variation will beneficial to the traveling public including students. There is no violation of Sn.80(3) of MV act. Recommendations have been received from Local bodies of Cheranellloor and corporation of Cochin regarding the necessity for variation .objections filed by the other operators are not sustainable. Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.33**

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-02-U-1909 operating on the route Aluva-Chellanam as Chellanam-vyttila.This authority considered the application in detail. The existing route having length of 46 kms. The enquiry officer has reported that the curtailment of service from KPCC to Aluva will adversely affect the existing traveling public including students. There is no necessity under rule 145(6) of KMV rules warranting for the grant of variation of regular permit.The portion of the proposed route from Vyttila to Pallimukku which is 3.4 kms in length objectionably overlaps notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009.KSRTC vehemently objected the proposed variation. As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU.More over vide judgment of Hon'ble Supreme Court in Case No.1341 of1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010,this authority is prevented from the grant of a permit on the notified routes . Hence rejected.

**Item No.34**

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-BK-2665 operating on the route Chellanam-Island via Thoppumpady.The permit holder is desired to vary the permit by operating certain trips via P.T.Jacob road. This authority considered the application in detail.The existing route having length of 25 kms.The enquiry officer has reported that the curtailment of service from Rajiv Gandhi Jn to Thoppumpady via RC road will adversely affect the existing traveling public including students.There is no necessity under rule 145(6) of KMV rules warranting for granting the proposed

variation. Interest of the public is the prime consideration for granting a permit. In this case no public interest reported. Hence rejected.

**Item No.35**

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-3888 operating on the route Chottanikkara-Aluva via Menaka. The permit holder is desired to vary the permit by operating certain trips via Bypass, Amrutha Hospital and Kunnumpuram. This authority considered the application in detail. The existing route having length of 38 kms. The enquiry officer has reported that the curtailment of service from Edappally Signal Jn to Aluva and from Vyttila to Edappally Signal Jn will adversely affect the existing traveling public including students. There is no necessity under rule 145(6) of KMV rules warranting for granting the proposed variation. Interest of the public is the prime consideration for granting a permit. In this case no public interest reported. Hence rejected.

**Item No.36**

1. Perused the judgment of Hon'ble STAt in MVARP No.508/2012 wherein the Hon'ble STAT directed this authority to fix a reasonable time to the petitioner to make available a new vehicle of required specification for endorsing the granted renewal of permit and replacement of the vehicle.

Heard. The learned counsel Adv. Dinesh Menon appeared for the applicant. The matter is relating to the renewal of permit on the route Uthimoodu-Ernakulam South as super fast service which was granted by this authority in its sitting dtd 04/04/2012 and replacement of the vehicle. This authority considered the matter in detail. This authority in its sitting dtd 04/04/2012 granted renewal of permit in respect of stage carriage KL-38-A-3477 operating on the route Uthimoodu-Ernakulam South as Super fast service subject to the production of NOC from the financier. But the grantee had not produced current records of suitable vehicle to be operated as Super Fast service and NOC from the financier for within the prescribed time for availing the granted renewal of permit. Vide Judgment in MVARP No.508/2012 the Hon'ble STAT directed this authority to fix a reasonable time to the petitioner to make available a new vehicle of required specification for endorsing the granted renewal of permit and replacement of the vehicle. Secretary RTA has stated that the grantee has produced current records of suitable vehicle on 19.03.2013. Hence Secretary RTA is directed to condone delay in production of current records of suitable vehicle for endorsing the granted renewal of permit on request of the grantee. It is also directed to endorse renewal of permit and replacement as super Fast service if the produced vehicle is complies with the provisions of rules 260 and 283 of KMV rules .

**Item No.37**

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-AP-3456 operating on the route Kalady-Angamaly. The applicant is desired to vary the permit by changing the starting and Halting place to Manjikad and by deviating the service to Angamaly via Devagiri. This authority considered the application in detail. The enquiry officer has reported that there is no overlapping in the variation portion and the

curtailment certain trips to Manjapra will not affect the traveling public and proposed variation will be beneficial to the traveling public including students of ill served areas like Devagiri and Manjikad. There is no violation of Sn.80(3) of MV act. Objections filed against the grant of this variation are not sustainable. Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.38**

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AU-786 operating on the route North Paravoor-Kaloor.The permit holder is intended to vary the permit by operating all trips between North Paravoor and Kaloor by avoiding the cut trip between Kaloor and Koonammavu.This authority reconsidered the application in detail.The existing route having length of 25 kms.The enquiry officer has reported that the curtailment of service to the ill served area like Koonammavu will adversely affect the existing traveling public including students. There is no necessity under rule 145(6) of KMV rules warranting for granting the proposed variation. Interest of the public is the prime consideration for granting a permit. In this case there is no public interest for the proposed variation. Hence rejected.

**Item No.39**

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-BU-3430 operating on the route Thuthiyoor-Kadavanthra. The applicant is intended to vary the permit by operating certain trips via Menaka instead of K K road and by deviating the service from Eachamukku jn to CSEZ. This authority considered the application in detail.The enquiry officer has reported that proposed deviation to CSEZ will be beneficial to the traveling public. There is no violation of Sn.80(3) of MV act .Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.40**

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-BB-3567 operating on the route Manjaly- Aluva.The applicant is desired to vary the permit by changing the starting and Halting place to Vattapparambu by extending the service from Manjali via Kurumassery which is 11.4 kms in length.This authority considered the application in detail. The enquiry officer has reported that there is no overlapping in the variation portion and the curtailment of last trip to Aluva from Manjali will not affect the traveling public and proposed variation by extension will be beneficial to the traveling public including students of ill served areas like Chalackal,Kurumassery and Moozhikunnam. There is no violation of Sn.80(3) of MV act.Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.41**

Heard. This is an application for variation of regular permit in respect of stage carriage KL-05-N-3858 operating on the route Kanjiramattam-Piravom-Ernakulam via Padma. The applicant is desired to vary the permit so as to operate 3<sup>rd</sup> trip from Kaloor to Kadavanthra via K.K.Road to reach Piravom. This authority considered the application in detail. The enquiry officer has reported that the proposed variation includes curtailment and deviation. The curtailment of service from Kaloor to Kadavanthra in 3<sup>rd</sup> trip will not affect the traveling public since that portion is well served. There is no overlapping in the variation portion. The proposed deviation is beneficial to the traveling public. There is no violation of Sn.80(3) of MV act. Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.42**

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-BD-3408 operating on the route Cherthala-Thoppumpady. The applicant is desired to vary the permit so as to operate 1<sup>st</sup> and last trip to Vyttila Mobility Hub via Kundannoor by extension of service from Thoppumpady which is 11 kms in length. This authority considered the application in detail. The enquiry officer has reported that the proposed variation includes extension only. There is no objectionable overlapping in the variation portion. The proposed deviation is beneficial to the traveling public since there is no direct service from Thoppumpady to Vyttila. There is no violation of Sn.80(3) of MV act. Hence variation of regular permit granted on public interest subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.43**

1. Perused the Judgment of Hon'ble High Court of Kerala in WP© No.4607 of 2013

2. 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-32-D-6660 operating on the route Eloor-Cherthala. The applicant is desired to vary the permit so as to operate 2<sup>nd</sup> & 3<sup>rd</sup> trips as Cherthala-AIMS via Vyttila, Bypass and Edappally. He is also desired to operate last trip as Cherthala- Vyttila by avoiding the service to Kaloor. This authority reconsidered the application in detail. The enquiry officer has reported that the proposed variation includes curtailment, deviation and extension. The curtailment of service from Kaloor to Edappally and from Kunnumpuram to Kaloor in the varied trips will not affect the traveling public. The proposed extension to Amritha Hospital is beneficial to the public. The proposed variation can reduce the traffic congestion within the city. There is no overlapping in the variation portion. The proposed deviation is also beneficial to the traveling public. There is no violation of Sn.80(3) of MV act. Hence variation of regular permit granted subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

#### **Item No.44**

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-5287 operating on the route Edachira-Kakkanad-Thevara Ferry. The applicant is desired to vary the permit so as to operate 8<sup>th</sup> trip between Infopark Gate-Boat Jetty and return via Thevara Jn. and by operating 6<sup>th</sup> trip via new road. This authority reconsidered the application in detail. The enquiry officer has reported that the proposed variation includes curtailment, deviation and extension. The curtailment of trip from Boat Jetty to Thevara will not affect the traveling public. The proposed extension and deviation to Infopark Main gate in the 8<sup>th</sup> trip is beneficial to the travelling public. There is no overlapping in the variation portion. There is no violation of Sn.80(3) of MV act. Hence variation of regular permit granted subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

#### **Item No.45**

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-AC-8754 operating on the route Fort Kochi-South Chittoor via MG Road as Fort Kochi-Kaloor with first two trips to S.Chittoor. This authority considered the application in detail. The existing route having length of 23 kms. The enquiry officer has reported that the curtailment of trips including night trips to S.Chittoor will adversely affect the existing traveling public since the curtailment portion is not well served. There sufficient stage carriages are operating to the extension portion. There is no necessity under rule 145(6) of KMV rules warranting for the grant of proposed variation. The portion of the proposed route from Kacherippady to Kaloor which is 1.5 kms in length objectionably overlaps notified schemes as per GO(P) No.42/2009/Trans dtd 14/07/2009. KSRTC vehemently objected the proposed variation. As per clause 19 of the Notification No.42/2009/Tran dtd 14/07/2009 the right to operate a new service on a notified route or its portion is exclusively reserved for STU. More over vide judgment of Hon'ble Supreme Court in Case No.1341 of 1990 and judgment of Hon'ble High Court of Kerala in WP© No.25905 of 2010, this authority is prevented from the grant of a permit on the notified routes. Hence rejected.

#### **Item No.46**

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-01-Y-7847 operating on the route Cheranelloor-Tripunithura via Edappally, Palarivattom, Menaka. The applicant is desired to vary the permit so as to operate 3<sup>rd</sup> and 9<sup>th</sup> trip via Edappally Bypass. This authority considered the application in detail. The enquiry officer has reported that the curtailment of trips to cheranelloor will adversely affect the travelling public and students. While considering the application for variation of permit, the need and convenience of public shall be the prime criteria. In this case there is no public convenience enlightened. Hence application for variation of permit rejected.

**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-07-AH-9285 operating on the route Aluva-Kumbalangi-Fort Kochi via Perumpadappu and Thoppumpady. The applicant is desired to vary the permit so as to operate 1<sup>st</sup> trip to Fort Kochi from Kumbalangi via Kandakkadavu and Kannamaly by curtailing the trip to Aluva and to operate 7<sup>th</sup> trip to Kumbalangi by extending the service from Perumpadappu. This authority reconsidered the application in detail. The enquiry officer has reported that the proposed variation includes curtailment, extension and deviation. The curtailment of trips will not affect the traveling public and students and the proposed deviation and extension is beneficial to the traveling public. There is no overlapping in the variation portion. There is no violation of Sn.80(3) of MV act. Hence variation of regular permit granted subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA, Tvm

**Item No.48**

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-36-2025 operating on the route Vazhamana-Vaikom-University Centre having route length 46 kms. 17 kms of the route lies under the jurisdiction of RTA, Kottayam. Secretary, RTA is directed to seek concurrence of RTA Kottayam with details of overlapping and Width of the road as per the order No.D3/875/STA/2005 dtd 04/11/2011 of STA, Tvm. Hence adjourned.

**Item No.49**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant. This is an application for renewal of inter district regular permit in respect of stage carriage KL-05-V-198 operating on the route Cherthala-Ernakulam Kaloor Bus stand having route length 49.5 kms in which 21.5 kms of the route lies under the jurisdiction of RTA, Alappuzha. RTA Alappuzha granted concurrence for the renewal of permit. The portion of the route from Thoppumpady to Kaloor which is 10 kms in length objectionably overlaps on Trivandrum-Kannore notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006. Hence renewal of permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

**Item No.50**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is a belated application for renewal of intra district regular permit in respect of stage carriage KL-07-AP-313 operating on the route Kakkanad-Wellington Island having route length 22 kms. This authority satisfied with the explanation filed by the permit holder for the delay. The objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006. Hence delay in filing

application 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.51**

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-47-3600 operating on the route Kumbalam-Guruvayoor as LSOS having route length 95 kms in which 46 kms of the route is lies under the jurisdiction of RTA,Thrissur .RTA Thrissur granted concurrence for the renewal of permit .The route objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009.Moreover this permit was issued prior to 09/05/2006.Hence renewal of permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

**Item No.52**

Heard.This is an application for renewal of in respect of Stage Carriage KL-05-AA-3200 on the route Nedumkandam-Thalipparambu as Super Express Service.As per Clause(3) of the draft notification No.5651/B2/2009/Tran dtd 02/08/2012 “the permits issued in the private sector on or before the date of notification will be allowed to continue till the dates of expiry of respective permits and thereafter no permits shall be renewed and no regular or temporary permits shall be issued afresh except otherwise than provided in sub section (2) of Section 99 of the MV act”. Hence the renewal of regular permit is not maintainable.

In view of the judgment of Hon’ble High court of Kerala in WP© No.3889/2013 dtd 08/02/2013, it is decided to kept the renewal application in abeyance till the finalization of the Draft Notification No.5651/B2/Tran dtd 02/08/2012.The applicant is entitled to get temporary permit U/S 99(2) of MV act as and when applied till the finalization of the Draft Notification No.5651/B2/2009/Trans dtd 02/08/2012

**Item No.53**

Heard.The learned Counsel Adv.Stalin Peter Davis appeared for the applicant.This is a belated application for renewal of intra district regular permit in respect of stage carriage KL-07-AJ-3973 operating on the route Aluva-Fort Kochi having route length 32 kms. This authority satisfied with the explanation filed for the delay occurred in filing of application. This permit was issued prior to 09/05/2006.Hence 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.54**

Heard.This is the request of Secretary RTA for the ratification of delay condoned. Request allowed and hence ratified.

**Item No.55**

Heard. The learned Counsel Adv.P.Deepak appeared for the applicant.This is an application for renewal of inter district regular permits on the route Changanassery-Konnakkad in opposite direction as LSOS. This authority perused the file in detail and

considered the application for renewal of regular permit. It reveals that both permits are kept in suspended animation as per the judgment of Hon'ble High Court of Kerala and hence there are no vehicles at present to hold the permits. Renewal of these regular permits are pending from 2007 onwards. The route covered by these permits are lying under the jurisdiction of eight Regional Transport Authorities. Concurrence of RTA Malappuram, Kannur and Kasaragode are not received till for the renewal of permit with effect from 2007. Now the permit holders have applied for the renewal of regular for a further period of 5 years from 2012. Prior Concurrence of the sister RTAs are necessary for considering the application for renewal of inter district regular stage carriage permit. Hence Secretary RTA is directed to seek concurrence of sister RTAs including previous period. Hence Adjourned

**Item No.56**

Heard. This is an application for renewal of inter district regular permits in respect of stage carriages KL-36-A-7423 and KL-36-C-7400 on the route Kottayam-Panathur in opposite direction as Super Express Service. The route having length of 550 kms, in which 442 kms lies under the jurisdiction of RTA Kottayam, Idukki, Thrissur, Malappuram, Kozhikode, Kannur and Kasaragode. Secretary, RTA is directed to seek concurrence of sister RTAs with details of overlapping and Width of the road as per the order No.D3/875/TC/2011 dtd 04/11/2011 of STA, Tvm. Hence adjourned.

**Item No.57**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant This is a belated application for renewal of intra district regular permit in respect of stage carriage KL-07-BN-6399 operating on the route Kakkanad-Panangad having route length 26.6 kms. This authority satisfied with the explanation filed by the permit holder for the delay. The objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006. Hence delay in filing application 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.58**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is a belated application for renewal of intra district regular permit in respect of stage carriage KL-07-BF-6695 operating on the route Thuthiyoor -Fort Kochi having route length 38 kms. This authority satisfied with the explanation filed by the permit holder for the delay. The objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006. Hence delay in filing application condoned and renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009 and remittance of compounding fee .Rs.10000/- for the permitless operation.

**Item No.59**

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-35-C-7431 operating on the route Ernakulam-Kanjirappally as LSOS having route length 99 kms in which 48 kms of the route is lies under the jurisdiction of RTA, Kottayam .RTA

Kottayam granted concurrence for the renewal of permit .The route objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006.Hence 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.P.Deepak appeared for the applicant This is an application for renewal of inter district regular permit in respect of stage carriage KL-07-AH-8080 operating on the route Manjaly-Kodungalloor as ordinary service having route length 16.7 kms in which 4 kms of the route is lies under the jurisdiction of RTA,Thrissur .There exist general concurrence of RTA Thrissur for a distance up to 10.kms .The route objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009.Moreover this permit was issued prior to 09/05/2006.Hence 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 a belated application for renewal of intra district regular permit in respect of stage carriage KL-07-BC-8262 operating on the route Vypin-Manjaly with Extension to High Court Jn as Ordinary moffusil service having route length 34.7 kms. This authority satisfied with the explanation filed by the permit holder for the delay. The objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued prior to 09/05/2006.Hence delay in filing application condoned and renewal of permit granted subject to notification No.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009 and remittance of compounding fee .Rs.10000/- for the permitless operation.

**Item No.62**

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-07-BJ-9797 operating on the route Kakkanad-Panangad as city service having route length 26.6 kms.This authority considered the application in detail.The vehicle KL-07-BJ-9797 is under HPA with Bank of India.The permit holder intimated that the financier is not responded for the requisition of NOC.On perusal of the file it reveals that, before filing of application for renewal of the permit and the intimation of the permit holder, the financier filed a written objection against the renewal of permit. The applicant is failed to produce No Objection certificate from the financier till date.As per existing law,NOC from the financier is mandatory for the renewal of permit in respect of a vehicle which is under HPA.In this case the financier has filed an objection against the renewal of regular permit. As per the existing law there is no provision to renew the permit ,if there exist an objection from the financier. Hence rejected U/S 51(9)(a) of MV Act.

**Item No.63**

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-17-

A-9680 operating on the route Adivaram-Aluva as ordinary Moffusil Service having route length 30 kms. The portion of the route objectionably overlaps notified scheme as per GO(p) No.42/2009/Trans dtd 14/07/2009. Moreover this permit was issued after 09/05/2006. Hence renewal of permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

**Item No.64**

Heard. The learned counsel Adv.Smt.Sindhu.B.R appeared for the applicant.She has requested to adjourn the matter to the next sitting of RTA .Hence Adjourned.

**Item No.65**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.66**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.67**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.68**

This is an application for transfer of permit. The applicants were not appeared for the hearing. Hence Adjourned.

**Item No.69**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is the request for condonation of delay in production of current records for endorsing the transfer of permit U/S 82(2) of MV Act which was granted by this authority.This authority satisfied with the explanation offered.Hence delay condoned.

**Item No.70**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.71**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.72**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.73**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.74**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.75**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.76**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.77**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.78**

Heard.This is an application for transfer of permit in respect of stage carriages KL-05-U-1632 and KL-05-N-4662 operating on the route Changanassery-Konnakkad as LSOS in opposite directions.The Learned Counsel Adv.P.Deepak appeared for the applicant.This authority considered the matter in detail.The regular permits in respect of these stage carriages were expired on 2007 and application for the renewal of permit is pending for want of concurrence of the sister RTAs.The above permits are kept under in suspended animation as per the judgments of Hon'ble High Court of Kerala in WP© No.32291 of 2010 and in WP© No.34777 of 2009.This authority in its sitting dtd 02/07/2011 was rejected the application for transfer of permit filed on the ground that the applicants were only the possessors of the vehicles. Now another applications filed for the transfer of permits. Since there are no valid regular permits in respect of these vehicles the request cannot be considered at present.Hence this authority is decided to consider the matter at the time renewal of permit. Adjourned.

**Item No.79**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.80**

Heard. . This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.81**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable

**Item No.82**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.83**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable

**Item No.84**

Heard. This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable

**Item No.85**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.86**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.87**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.88**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.89**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.90**

Heard the applicants. This is an application for transfer of permit.Reconsidered the application and transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.91**

Heard. The learned counsel Adv.M.Jithesh Menon appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Item No.92**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable

**Item No.93**

Heard.The learned Counsel Adv.Gopinathan Nair appeared for the applicant.This authority considered both applications for temporary permit for 4 months u/s 104 of MV Act in respect of stage carriage KL-40-335 to operate on the route Thalayolapparambu-Kaloor. This authority feels that there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted in favour of the registered owner of the stage carriage KL-40-335 for a period of 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.94**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-05-Y-2181 to operate on the route Ramamangalam-Kaloor.This authority feels that there exist a necessity for the grant of temporary permit on that route.KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.95**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-39-C-786 to operate on the route Thalayolaparambu-Kaloor.This authority feels that there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route

**Item No.96**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-AT-3816 to operate on the route Piravom-Kaloor.This authority feels that there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route

**Item No.97**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-AQ-2977 to operate on the route Sramillikavu-Nilampathinjamugal.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route

**Item No.98**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-32-4140 to operate on the portion of the route from Tripunithura-Thiruvankulam.This authority considered the matter in detail.This authority was already issued a regular permit valid up to 09/11/2016 in respect of this vehicle to operate on the route Kaloor Bus stand-Velloor HPC via MG Road, Tripunithura, Puthiyakavu, Chottanikkara.This regular permit was issued on consideration of interest of the traveling public of Puthiyakavu area.By availing temporary permit u/s 104 of MV Act via Tripunithura and Thiruvankulam the permit holder intended to deviate the service so as to avoid the service through Puthiyakavu.This authority feels that the deviation of the service by curtailing the above portion will adversely affect the traveling public and students of Puthiyakavu area. Moreover there is no provision to allow temporary variation on a regular permit .The permit holder is not prevented from filing application for regular permit variation . Hence rejected

**Item No.99**

Heard.This is an application for temporary permit for 4 months U/S 87(1)d in respect of stage carriage KL-07-AG-5711 to operate on the route Pallithode-Ernakulam Kaloor Bus Stand as Moffusil Service.This authority considered the matter in detail.Application for renewal of permit on the above route is pending 27/11/2002 for want of concurrence of RTA,Alappuzha.Secretary RTA is directed to remind RTA ,Alappuzha for the concurrence for the renewal of regular permit.Since the application for the renewal of permit is pending, temporary permit for 4 months U/S 87(1)d is granted.

**Item No.100**

Heard. The learned counsel Adv.Gopnathan Nair appeared for the applicant. This authority considered both applications for temporary permit for 4 months u/s 104 of MV Act in respect of stage carriage KL-36-4197 to operate on the route Thalayolapparambu-Kaloor Bus stand. This authority feels that there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted in favour of the registered owner of the stage carriage KL-36-4197 for a period of 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.101**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-17-B-5665 to operate on the route Nechoorkadavu-Ernakulam Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.102**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-17-F-5159 to operate on the route Koothattukulam- Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.103**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-07-AZ-5454 to operate on the route Thalayolaparambu- Kaloor Bus stand and replacement of the vehicle by a later model vehicle.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route.Replacement of the vehicle by a suitable owned by the same person is allowed and temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.104**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-17-E-9604 to operate on the route Koothattukulam- Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.105**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-40-A-9466 to operate on the route Thalayolaparambu- Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Item No.106**

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-AQ-6107 operating on the route Thevakkal-Kumbalam Toll Gate via Kakkanad,Palarivattom,Boat Jetty,Vyttla and Kundannoor.The applicant is desired to vary the permit so as to operate 3<sup>rd</sup> and 7<sup>th</sup> trips in between Kakkanad and Panampilly Nagar by avoiding the trips to Kumbalam .This authority considered the application in detail.The enquiry officer has reported that the proposed variation includes curtailment and deviation.The curtailment of trips will not affect the traveling public and students and the proposed deviation is beneficial to the traveling public. There is no overlapping in the variation portion . There is no violation of Sn.80(3) of MV act.Hence variation of regular permit granted subject to the settlement of timings in compliance of the Order No.D3/875/STA/2005 dtd 04/11/2011 of the STA,Tvm

**Item No.107**

Heard. This is the request of the registered owner of stage carriage KL-42-3006 for the condonation of delay in production of current records of the vehicle for endorsing the transfer of permit which was granted by this authority in its sitting dtd 17/07/2012.This authority satisfied with the explanation offered by the registered owner.Hence delay condoned subject to the remittance of Rs.5000/- as compounding fee.

**Item No.108**

Heard.This is the request of the Secretary,RTA,Thrissur for concurrence for the renewal of the regular permit in respect of stage carriage KL-08-W-1683 operating on the route Guruvayoor-Ernakulam as LSOS.The enquiry officer has reported that 40 kms of the route comes under the jurisdiction of this authority.The portion of the route from Moothakunnam to Thekkenaluvazhy which is 7.6 kms and the portion of the route from Edappally to Ernakulam South which is 8.4 kms are objectionably overlaps on notified routes as per GO(P) No.42/2009/Trans dtd 14/07/2013. 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.109**

Heard.This is the request of the Secretary,RTA,Thrissur for concurrence for the renewal of the regular permit in respect of stage carriage KL-08-P-8118 operating on the route Guruvayoor-Ernakulam as LSOS.The enquiry officer has reported that 32 kms of the route comes under the jurisdiction of this authority.The portion of the route from Moothakunnam to Thekkenaluvazhy which is 7.6 kms and the portion of the route from Edappally to Ernakulam South which is 8.4 kms are objectionably overlaps on notified routes as per GO(P) No.42/2009/Trans dtd 14/07/2013. 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.110**

This is a request for refixation of existing fare stage for the portion of the route Kalady-Kadappara-Adivaram.Heard the applicant and the counsel appeared on behalf of the stage carriage operators on the sector.There are so many objections have filed by stage operators on the sector.This authority considered the matter in detail..As per the report of the enquiry officer,it reveals that for a distance of 500 meter from Kadappara to Adivaram a fare stage is fixed in the existing fare stage and it is burden to the passengers including pilgrims.He has recommended for the refixation of fare stage as Malayattoor Church-Adivaram for a distance of 2.2 kms by combining last two stages of existing stages Malayattoor-Kadappara and Kadappara-Adivaram and by eliminating the stage Kadappara on the route.On the basis of above findings it reveals that objections filed by the stage carriage operators are not sustainable. Hence this authority overruled all the objection on this matter and decided to refix the last two fare stages on the route on public interest under rule 211 of KMV Rules as follows. There is no other changes in the existing fare stage.

Kottamam	Neeleswaram	2.6 kms
Neeleswaram	Malayattoor Church	3.4kms
Malayattoor Church	Adivaram	2.2 kms

Secretary RTA is directed to communicate the matter to concerned private bus operators associations and KSRTC and to ensure the strict compliance of above decision.

**Item No.111**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-07-AY-7893 along with the request for condonation of the delay..This authority satisfied with the explanation offered by the registered owner.Hence delay condoned and renewal of permit granted subject to the remittance of Rs.1000/- as compounding fee.

**Item No.112**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-07-BG-3176 along with the request for condonation of the delay..This authority satisfied with the explanation offered by the registered owner.Hence delay condoned and renewal of permit granted subject to the remittance of Rs.1000/- as compounding fee.

**Item No.113**

Ratified.

**Item No.114**

No other items

**Item No.115**

Next sitting of RTA is fixed to.....

### **Supplementary Item No.01**

1.Perused the Judgment of Hon'ble High Court of Kerala in WP© No.9739 of 2013,wherein the Houn'ble Court has directed to reconsider the application for fresh regular permit.

Heard. The Learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of suitable stage carriage to operate on the route North Paroor-Nayathode having route length 20 kms..So many objections have been received against the grant of regular permit on this route.The enquiry officer has reported that the portion of the route from Chendamangalam Jn to Vedimara via Fire Station Rd which is 1.4 kms in length is very narrow and the portion is not feasible for conducting stage carriage service since it adversely affect the movements of fire tenders . It is also reported that the entrance of this portion is very near to the traffic signal point at Chendamangalam Jn and hence service through this point will lead to the traffic congestion. There is no sustainable ground exist for granting the permit. Hence rejected.

### **Supplementary Item No.02**

1.Perused the Judgment of Hon'ble High Court of Kerala in WP© No.9739 of 2013,wherein the Houn'ble Court has directed to reconsider the application for fresh regular permit.

Heard. The Learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of suitable stage carriage to operate on the route North Paroor-Nayathode having route length 60.10 kms..So many objections have been received against the grant of regular permit on this route.The enquiry officer has reported that the portions of the route from Angamaly to Telk and from North Parur to Naluvazhy and from Cherai to Vedimara which are 7.30 kms in length objectionably overlaps Ernakulam-Thrissur notified scheme and Aluva-Vadakkumpuram Complete exclusion schemes.It is also reported that the portion of the route from Chendamangalam Jn to Vedimara via Fire Station Rd which is 1.4 kms in length is very narrow and the portion is not feasible for conducting stage carriage service since it adversely affect the movements of fire tenders . It is also reported that the entrance of this portion is very near to the traffic signal point at Chendamangalam Jn and hence service through this point will lead to the traffic congestion in that portion. More over as per clause 19 of the notification No.42/2009/Trans dtd 14/07/2009 and vide judgments of Hon'ble Supreme Court of India in No.1341 of 1990 and in judgment of Hon'ble High Court of Kerala in WP© No..25905 of 2010 this authority is prevented from the grant of a permit on the notified routes or its portions .Hence rejected.

### **Supplementary Item No.03**

Heard. The Learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of suitable stage carriage to operate on the route Munambam-Nayathode having route length 30 kms..So many objections have been received against the grant of regular permit on this route.The enquiry officer has reported that the portions of the route from Cherai Jn to Chendamangalam Jn and from North Parur to Naluvazhy and Athani to Nedumbassery which are 4.7 kms in length objectionably overlaps Ernakulam-Thrissur notified scheme

and Aluva-Vadakkumpuram and Aluva-Cherai Complete exclusion schemes. It is also reported that the portion of the route from Chendamangalam Jn to Vedimara via Fire Station Rd which is 1.4 kms in length is very narrow and the portion is not feasible for conducting stage carriage service since it adversely affects the movements of fire tenders. It is also reported that the entrance of this portion is very near to the traffic signal point at Chendamangalam Jn and hence service through this point will lead to the traffic congestion in that portion. More over as per clause 19 of the notification No.42/2009/Trans dtd 14/07/2009 and vide judgments of Hon'ble Supreme Court of India in No.1341 of 1990 and in judgment of Hon'ble High Court of Kerala in WP© No..25905 of 2010 this authority is prevented from the grant of a permit on the notified routes or its portions. Hence rejected.

**Supplementary Item No.04**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant. This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-04-K-3186 to operate on the route Eramalloor-Pukkattupady in the vacant timings of stage carriage KL-07-AX-5444. This authority elaborately considered the scope and applicability of provisions of section 104 of MV Act. The private operator is entitled for a temporary permit under proviso to section 104 of MV act in respect of notified routes or its portions thereof, where State Transport Undertaking fails to make an application for a permit on the notified route meant for exclusive operation by STU. The provision of the proviso to section 104 of MV Act has no application at all in cases of a route other than a notified route. In this case the applicant has applied for a temporary permit on a non nationalized route Eramalloor-Pukkattupady having length 35.7 kms, but the portion of the route from Eramalloor to Aroor which is 24 kms in length objectionably overlapping the approved schemes under notification No.42/2009/Tran dtd 14/07/2009. The overlapping on notified route hit by the scheme of nationalization and no permits either temporary or regular can be granted to private operator because of the objectionable overlapping. The KSRTC(STU) is not under any obligation to make an application for permit on route chosen by the private operator from time to time which are non notified route. Hence due to the objectionable overlapping on the notified route, the RTA cannot grant temporary permit as per chapter VI of MV Act. More over as per clause 19 of the notification No.42/2009/Trans dtd 14/07/2009 and vide judgments of Hon'ble Supreme Court of India in No.1341 of 1990 and in judgment of Hon'ble High Court of Kerala in WP© No..25905 of 2010 this authority is prevented from the grant of a permit on the notified routes or its portions. In the light of above discussion, the application for temporary permit u/s 104 is rejected

**Supplementary Item No.05**

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-AE-5084 or suitable vehicle to operate on the route Kottayil Kovilakam-North parur-Vyttila as moffusil service having route length 31.8 kms. The enquiry officer has reported that the portion of the route from Kunnathuthali Temple to Kottayil Kovilakom which is 2.4 kms in length is vigin one. Hence Secretary RTA is directed to seek fitness certificate from concerned PWD authority. Hence Adjourned.

### **Supplementary Item No.06**

1.Perused the Judgment of Hon'ble STAT in MVAA No.56 of 2013,wherein the Houn'ble Court has directed to reconsider the application for fresh regular permit afresh.

2.Heard. The Learned counsel Adv.P.Deepak appeared for the applicant This is an application for fresh intra district moffusil regular permit in respect of stage carriage KL-07-AJ-1350 to operate on the route Munambam-Paravoor-Kodungalloor in the vacant timings of KL-07-AT-1076.So many objections have been received against the grant of regular permit on this route.The enquiry officer has reported that the portions of the route from Kottappuram to Kodungalloor which is 4 kms in length objectionably overlaps Thrissur-Thriprayar notified scheme. KSRTC vehemently objected the grant of permit on the notified route. As per clause 19 of the notification no.42/2009/Tran dtd 14/07/2009,the right to operate any new service on the notified route or its portions are exclusively reserved for STU. More over vide judgments of Hon'ble Supreme Court of India in No.1341 of 1990 and in judgment of Hon'ble High Court of Kerala in WP© No..25905 of 2010 this authority is prevented from the grant of a permit on the notified routes or its portions .Hence rejected.

### **Supplementary Item No.07**

1.Perused the Judgment of Hon'ble STAT in MVAA No.57 of 2013,wherein the Houn'ble Court has directed RTA to remand back the application for temporary permit for fresh consideration.

2.Heard. This is an application for temporary permit for 4 months in respect of stage carriage KL-35-7111 to operate on the route Thevara Jn-Perumbavoor in the vacant timings of KL-06-5571.This authority considered the matter in detail.The proposed route having length of 34 kms.The enquiry officer has reported that the portions of the route from Palarivattom to Thevara Jn which is 9.3 km length and the portion of the route from Perumbavoor to Palakkattuthazham which is 1 kms in length are objectionably overlaps Trivandrum-Palakkad,Kottayam-Kozhikode and Aluva-Kattappana notified schemes as per notification No. 42/2009/Tran dtd 14/07/2009. KSRTC vehemently objected the grant of permit on the notified route. As per clause 19 of the above said notification, the right to operate any new service on the notified route or its portions are exclusively reserved for STU. More over vide judgments of Hon'ble Supreme Court of India in No.1341 of 1990 and in judgment of Hon'ble High Court of Kerala in WP© No..25905 of 2010 this authority is prevented from the grant of a permit on the notified routes or its portions .More over there is no sustainable ground or temporary need warranting for the grant of temporary permit u/s 87(1)C of MV Act. Hence rejected.

### **Supplementary Item No.08**

Heard. The learned counsel Adv.Jithesh Menon appeared for the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AF-1744 operating on the route Edayar-Aluva Bus stand via Pathalam,Industrial Jn.The applicant is desired to vary the permit by extending 5 trips to Uliyannoor from Aluva and by deviating two trips via Pathalam .This authority considered the application in detail.The enquiry officer has reported that there is no overlapping in the variation portion. He has

also reported that the portion of the proposed extension from Chandakadavu to Uliyannoor which is 2.5 km is virgin one. Hence Secretary RTA is directed to seek fitness certificate from concerned PWD authority and to ascertain whether the curtailment of service to Edayar adversely affect the traveling public. Hence Adjourned.

**Supplementary Item No.09**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.10**

Heard. The learned counsel Adv.P.Deepak appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.11**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-05-P-3097 to operate on the route OOramana- Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Supplementary Item No.12**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant.This is an application for temporary permit for 4 month u/s 104 of MV act in respect of stage carriage KL-35-2648 to operate on the route Pala- Kaloor Bus stand.This authority feels that at present there exist a necessity for the grant of temporary permit on that route. KSRTC has not filed objection for issuing temporary permit on the above route. Hence temporary permit u/s 104 of MV act is granted for 4 months or till the KSRTC apply and obtain permit on the route.

**Supplementary Item No.13**

Heard.This is a request for cancellation of valid regular permit in respect of the stage carriage KL-07-AQ-4390 on the route Fort Kochi-Cheranellloor.The enquiry officer has reported that the vehicle is not in existence with effect from 23-05-2010.The vehicle is under tax arrear for the months 04/2010 and 05/2010.Hence Secretary RTA is directed to accept surrender of permit and cancel the same and issue proceedings subject to the clearance of arrears of tax.

**Supplementary Item No.14**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

### **Supplementary Item No.15**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for renewal of inter district regular permit in respect of stage carriage KL-35-A-3843 operating on the route Theekoy-Ernakulam as Fast Passenger Service having route length 85 kms.The enquiry officer has reported that 38 kms of the route lies under the jurisdiction of RTA,Kottayam .Secretary,RTA is directed to seek concurrence of RTA Kottayam with details of overlapping and Width of the road as per the order No.D3/875/STA/2005 dtd 04/11/2011 of STA,Tvm. Hence adjourned.

### **Supplementary Item No.16**

Heard. The learned counsel Adv.Stalin Peter Davis appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

### **Supplementary Item No.17**

Heard. The learned counsel Adv.Stalin peter Davis appeared for the applicant This is an application for variation of inter district regular permit in respect of stage carriage KL-05-U-6838 operating on the route Thalayolaparambu-Kallukuthukadavu-University Centre via MG Road ,Kaloor,Palarivattom and Edappally.The permit holder is desired to vary the permit by deviating the service from Puthiyakavu to Millunkal Jn via Nadakkavu,Poothotta in the last trip by curtailing the service through Kadanad and Mulamthuruthy and by deviating the service from Edappally Signal Jn to Vyttila Hub via Bye Pass by avoiding the service through Kaloor and MG Road in the two trips. . This authority considered the application in detail.The existing route having length of 60 kms.The enquiry officer has reported that the curtailment of trips from Puthiyakavu to Millunkal via Nadakkavu and Mulanthuruthy will adversely affect the existing traveling public and school going students since the portion is not well served.There sufficient stage carriages are operating on the variation portion.There is no necessity under rule 145(6) of KMV rules warranting for the grant of proposed variation.The portion of the proposed route from Puthiyakavu to Poothotta which is 9.2 kms in length objectionably overlaps Ernakulam-Thekkady notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. KSRTC vehemently objected the proposed variation.As per clause 19 of the above said notification ,the right to operate a new service or the notified route or its portions are exclusively reserved for STU. More over this authority is prevented from the grant of a permit on the notified routes or its portion as per the existing law , notifications and judgments of Hon'ble Supreme Court of India and Hon'ble High Court of Kerala in case No.1341 of 1990 and.25905 of 2010 respectively. Hence rejected.

### **Supplementary Item No.18**

Heard. The learned counsel Adv.Stalin peter Davis appeared for the applicant This is an application for variation of intra district regular permit in respect of stage carriage KL-07-AN-6767 operating on the route Poothotta-Kaloor via Tripunithura,Vyttila,South,MG Road and Kaloor.The permit holder is desired to vary the permit by extending the service from Kaloor to Vyttila Hub via Edappally Signal Jn and Bypass which is 11 kms in

length by curtailing service through MG Road. This authority considered the application in detail. The existing route having length of 26.2 kms. The enquiry officer has reported that the curtailment of 4 trips from Kaloor to Vyttila via MG Road will adversely affect the existing traveling public and school going students. There sufficient stage carriages are operating on the variation portion. There is no necessity under rule 145(6) of KMV rules warranting for the grant of proposed variation. The portion of the proposed route from Kaloor to Edappally signal Jn which is 4.2 kms in length objectionably overlaps Trivandrum-Palakkad and Trivandrum-Kannur notified scheme as per GO(P) No.42/2009/Trans dtd 14/07/2009. KSRTC vehemently objected the proposed variation. As per clause 19 of the above said notification, the right to operate a new service or the notified route or its portions are exclusively reserved for STU. More over this authority is prevented from the grant of a permit on the notified routes or its portion as per the existing law, notifications and judgments of Hon'ble Supreme Court of India and Hon'ble High Court of Kerala in case No.1341 of 1990 and 25905 of 2010 respectively. Hence rejected.

#### **Supplementary Item No.19**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC, if applicable.

#### **Supplementary Item No.20**

Heard. The learned counsel Adv.Stalin peter Davis appeared for the applicant This is an application for variation of intra district regular permit in respect of stage carriage KL-07-BH-8052 operating on the route Thoppumpady -Aluva via MG Road. The permit holder is desired to vary the permit by changing the starting and Halting place to HMT Jn and so as to operate 1<sup>st</sup> trip from Aluva to Thoppumpady via Cochin Bank, Combara, NAD and Thoshiba Jn and to operate 6<sup>th</sup> trip from Thevara Jn to Aluva via HMT Jn, Combara and to operate last trip from Aluva to HMT Jn via Combara, NAD and Cochin Bank. The enquiry officer has reported that the proposed variation includes curtailment, deviation and extension of service. He has reported that the proposed extension and deviation are beneficial to the traveling public including students of the Thoshiba, Pallilamkara area. The proposed service to NAD will more beneficial to the travelling public. The proposed variation portion is not overlaps on notified routes. Recommendations have been received from Kalamassery Municipality and public of North Pipe line area. Hence proposed variation is granted on public interest subject to the settlement of timings.

#### **Supplementary Item No.21**

Perused the Judgment of Hon'ble STAT in MVAA No.38/2013 and Judgments of Hon'ble High Court of Kerala in WP© No.22163/2012 and 10387 of 2013.

Heard. The learned Counsel Adv.P.Deepak appeared for the applicant. This authority considered the matter connected with the renewal of permit in respect of stage carriage on the route Kumily-Chottanikkara as LSOS in detail on the basis of Judgment of Hon'ble STAT in MVAA No.38 of 2013. This authority was already rejected the application for renewal of inter district permit on the route Kumily-Chottanikkara as LSOS having route

length 200.7 kms as per rule 2[uc] of KMV rules and Clause[3] of the draft notification No.5651/B2/2009/Trans dtd 02/08/2012. There is no such changes in the existing rules and orders came to effective to revise the above decision. Hence on the basis of above findings the application for renewal of permit is rejected.

Vide Judgment in WP© No.10387 of 2013, the Hon'ble High Court has directed this authority to consider the application for the grant temporary permit for 4 month and to issue temporary permit for a period at least 4 months. Hence temporary permit for 4 months u/s 87(1) c granted.

### **Supplementary Item No.22**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for variation of intra district regular permit in respect of stage carriage KL-07-AN-8931 operating on the route Panangad-Aluva via Padma and South with one trip via Menaka. The permit holder is desired to vary the permit so as to operate 1<sup>st</sup> trip from Panangad to Aluva via Vyttila, Byepass and Edappally and return to Chathamma via Menaka and to operate 3<sup>rd</sup> trip from Chathamma to Aluva via Menaka and to operate 5<sup>th</sup> trip from Panangad to Aluva via Menaka and to operate 6<sup>th</sup> trip from Aluva to Chathamma via Edappally Byepass and Vyttila and to operate 7<sup>th</sup> and last trip via Menaka. This authority considered the application in detail. The existing route having length of 40 kms. There are so many objections have been received against the proposed variation. The enquiry officer has reported that the curtailment of trips from MN Road to Panangad will adversely affect the existing traveling public and school going students. There is no necessity under rule 145(6) of KMV rules warranting for the grant of proposed variation. Hence rejected.

### **Supplementary Item No.23**

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-08-R-9844 operating on the route North Parur-Ezhikkara. This authority in its sitting dtd 17/07/2012 was adjourned the decision on belated application for renewal of permit for want of NOC from the financier and clearance of pending check reports. Secretary RTA has intimated that the hire purchase agreement is terminated and no check reports are pending at present. This permit was issued prior to 09/05/2006. Hence renewal of permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

### **Supplementary Item No.24**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant. This is an application for variation of intra district regular permit in respect of stage carriage KL-41-D-3006 operating on the route Parappuram-Anappara via Kalady, Angamaly and Manjapra. The permit holder is desired to vary the permit by extending the service from parappuram to Match Factory which is 1 km in length. So many objections and recommendations are received regarding the proposed variation. This authority considered the application in detail. The enquiry officer has reported that there is no curtailment or deviation in the existing route but only a very small extension of 1 kms from Parappuram to Match Factory. He has reported that the proposed extension of service is beneficial to

the traveling public. There is no overlapping on notified route.Hence variation of permit granted subject to settlement of timings.

**Supplementary Item No.25**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.26**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant.This is an application for renewal of inter district regular permit and replacement of the vehicle in respect of stage carriage KL-05-J-3798 operating on the route Kaloor Bus stand-Thalayolaparambu.The portion of the route for a distance up to 8.5 kms lies under the jurisdiction of the RTA,Kottayam,There exist a general concurrence of RTA,Kottayam for a distance up to 10 kms for the renewal of inter district regular permit.This permit was issued prior to 09/05/2006. Hence 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 allowed on production of suitable vehicle having no material difference with the old vehicle. Secretary RTA is directed to issue clearance certificate subject to the replacement of vehicle and clearance of government dues if any.

**Supplementary Item No.27**

Heard. The learned counsel Adv.Gopinathan Nair appeared for the applicant This is an application for renewal of inter district regular permit in respect of stage carriage KL-17-E-3639 operating on the route Pallikkara-Kottayam as LSOS having route length 46 kms.The enquiry officer has reported that 17 kms of the route is lies under the jurisdiction of RTA,Kottayam .Secretary,RTA is directed to seek concurrence of RTA Kottayam with details of overlapping and Width of the road as per the order No.D3/875/STA/2005 dtd 04/11/2011 of STA,Tvm.Hence adjourned.

**Supplementary Item No.28**

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-08-AX-4100 operating on the route Thaqheed Hospital-Eramalloor having route length 36.1 kms. The portion of the route for a distance up to 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 for the renewal of inter district regular permit.This permit was issued after 09/05/2006.There is an objectionable overlapping on notified route. Renewal of regular permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009. There are so many complaints have been received against the non operation of the service to Thaqdees Hospital.Hence Secretary,RTA is directed to ascertain the genuineness of the complaint and to ensure that the stage carriage is conducting service up to Thaqdees Hospital.

**Supplementary Item No.29**

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-07-BA-3132 operating on the route Kakkanad-High Court Jn having route length 37.4 kms. The portion of the route for a distance up to 18.3 kms objectionable overlapping on notified route. This permit was issued after 09/05/2006. Renewal of regular permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

**Supplementary Item No.30**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.31**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.32**

Heard. This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.33**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit.Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.34**

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-03-P-5556 operating on the route Don Bosco Jn-Aluva-HMT Jn having route length 24.5 kms. There is no objectionable overlapping on notified route. This permit was issued after 09/05/2006. Renewal of regular permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009

**Supplementary Item No.35**

1.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-AD-1755 operating on the route Parambayam Kappela-Angamaly Bus Stand touching Manjapra having route length 25.7 kms. The portion of the route for a distance up to 5.5 kms objectionable overlapping on notified route. This permit was issued after 09/05/2006. Renewal of regular permit granted subject to notification no.42/2009/Trans dtd 14/07/2009 and Judgment in WP© No.23851/2009.

2.Replacement of the vehicle allowed by the Secretary RTA is ratified.

**Supplementary Item No.36**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.37**

Heard. The learned counsel Adv.G.Prabhakaran appeared for the applicant This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable.

**Supplementary Item No.38**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-07-BL-7332 along with the request for condonation of the delay.This authority satisfied with the explanation offered by the registered owner.Hence delay condoned and renewal of permit granted subject to the remittance of compounding fee of Rs.1000/- .

**Supplementary Item No.39**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-42-B-7359 along with the request for condonation of the delay.This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance of compounding fee of Rs.1000/-

**Supplementary Item No.40**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-42-B-2832 along with the request for condonation of the delay..This authority satisfied with the explanation offered by the registered owner. Hence delay condoned and renewal of permit granted subject to the remittance of compounding fee of Rs.1000/-

**Supplementary Item No.41**

Attached Separately

**Supplementary Item No.42**

Heard. This is the belated application for renewal of permit in respect of Auto rickshaw KL-42-C-8368 along with the request for condonation of the delay.This authority satisfied with the explanation offered by the registered owner.Hence delay condoned and renewal of permit granted subject to the remittance of compounding fee of Rs.1000/-

**Supplementary Item No.43**

Heard. This is the representation filed by Sri.Krishnan Nair,Harisree,Mountain Road,Thaikkoodam,Kochi for shifting the existing bus stop at Vyttila S.A Road to another place.

Perused the judgment of Hon'ble High Court of Kerala in WP© No.3827 of 2012 Where in the Hon'ble Court has directed this authority to consider the request within a time limit.

This authority considered the representation in detail with the connected files. This authority in its previous sitting dtd 06/12/2011 was decided to shift the bus stop which was situated in front of a flower shop so called "Pookkada" to Vyttila S.A Road which is 70 mts away from NH for reducing the road accident and traffic block within the city consequent to the functioning of Vyttila Mobility Hub. This decision of RTA was on the basis of recommendations of the traffic police authorities and local bodies and on public interest and the decision was implemented thereafter. Vide above cited representation, it is requested to shift the bus stop at Vyttila S.A Road to another place namely "Near Wel care Hospital". The enquiry officer has reported that there is no space for providing bus stop and bus bay in the suggested place and shifting of existing bus stop to proposed place lead to the heavy traffic congestion within the city and it will make hardship to the traveling public and recommended for retaining the existing bus stop as such. The traffic Police authorities and Corporation of Cochin are also recommended the same. On the basis of above findings this authority feels that there is no such circumstances warranting for the change in existing bus stop and it is decided to retain the existing bus stop at Vyttila S A Road as such on public interest. Hence request for shifting of existing bus stop is rejected.

#### **Supplementary Item No.44**

1. Perused the judgment of Hon'ble High Court of Kerala in WP© No.8001 of 2013.
2. Heard the counsel appeared on behalf of the applicants. This is a representation filed by the President and Secretary of the Thodupuzha-Ernakulam Private Bus Opeartors Association for extending the service of the limited stop stage carriage from Vyttila Hub to Kaloor. This authority considered the matter in detail. Consequent to the formation of Vyttila Hub this authority was decided to terminate the service of all moffusil stage carriage service at Vyttila Mobility Hub for reducing the traffic congestion within the Kochi city. The decision was implemented and no objections from the public were received against the decision. Implementation of the above decision reduced the traffic block and accidents within the city limit. If the request of the petitioners is allowed, all the stage carriages will intend to extend their service up to Kaloor stand without terminating their service at Vyttila Hub. It brings the traffic congestion again in the city. More over since the works relating to Kochi Metro Rail Project is going on, certain points of the city are already in a traffic congestion and blocks. Considering the aspects of road safety and life of traveling public and road commuters the request cannot be allowed. Hence rejected

#### **Additional Supplementary Item No.01**

Heard. This is the request of the Secretary, RTA, Alappuzha for concurrence for the renewal of the regular permit in respect of stage carriage KL-04-P-3339 to operate on the route Poochakkal-Ernakulam as LSOS. The enquiry officer has reported that 14 kms of the total route length comes under the jurisdiction of this authority. The portion of the route from Vyttila to Kadavanthra which is 2.2 km in length objectionably overlaps Ernakulam-Thekkady and Thrivandrum-Palakkad notified schemes in Ernakulam district as per notification No.42/2009/Tran 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

**Additional Supplementary Item No.02**

Heard the applicants. This is an application for transfer of permit. Transfer of permit allowed subject to clearance of government dues and production of NOC,if applicable

**Additional Supplementary Item No.03**

This is the opinion of Secretary RTA to accord sanction of additional parking place for the Auto rickshaws operating within the Municipal areas of Kalamassery and Thrikkakkara and to sanction for endorsing the parking place such as “Within the approved stands of concerned Municipality” in the permits for avoiding traffic blocks due to the increase of Auto rickshaws within that region. This authority considered the matter in detail. The opinion of the Secretary,RTA regarding the mentioning of parking place in the permit is allowed. The secretary RTA is directed to submit a detailed proposal for sanctioning of additional parking place in consultation with the concerned municipality and their recommendation. Hence the decision on request for sanctioning of additional parking place is adjourned.

**Additional Supplementary Item No.04**

Ratified subject to the payment of tax and fee if any till the end of the drought of the year-2013-2014.

**Sri. Sheik Pareeth,I.A.S**  
District Collector  
&  
Chairman,RTA,Ernakulam

**Sri.P.A.Sainudeen**  
DeputyTransport Commissioner  
&  
Member,RTA,Ernakulam



B.J. Antony  
Regional Transport officer  
Ernakulam