

DECISION OF RTA,MUVATTUPUZHA HELD ON 06-01-2014

Present :Chairman Sri P.I.SHEIKH PAREETH I.A.S , District Collector Ernakulam

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

Item No.1

This is an application by Managing Director,KSRTC for fresh regular permit in respect of stage carriage **KL 15 5073** to operate on the route Muvattupuzha- Perumbavoor- Aluva Via Pezhakkappilly, Cheruvattoor, Kallil Kshetram , Methala, Kuruppampady as ordinary service. Heard.Regular permit granted with proposed timings.

Item No.2

This is an application by Managing Director,KSRTC for fresh regular permit in respect of stage carriage **KL 15 4884** to operate on the route Muvattupuzha- Cherumthadam Via Pandappilly, Palakuzha, Koothattukulam and Elanji as ordinary service. Heard. Regular permit granted with proposed timings.

Item No.3

This is an application by Managing Director,KSRTC for fresh regular permit in respect of stage carriage **KL 15 5146** to operate on the route Muvattupuzha- Koothattukulam Via Pandappilly and Palakuzha as ordinary service. Heard. Regular permit granted with proposed timings.

Item No.4

This is an application by Managing Director,KSRTC for fresh regular permit in respect of stage carriage **KL 15 5119** to operate on the route Muvattupuzha- Koothattukulam Via Pandappilly, Palakuzha, Marika as ordinary service. Heard. Regular permit granted with proposed timings.

Item No.5

This is an application for fresh regular permit in respect of Stage carriage [2002 Model Tata Benz] with seating capacity 36 in all to operate on the route Perumbavoor- Kothamangalam Via Kuruppampadi, Odakkali and Thankalam as Ordinary service. The Counsel appeared for the applicant offered Stage Carriage KL 17 2158. The overlapping on the route is within the permissible limit. Heard. Regular permit granted with a direction to settle the timings in accordance with letter No D3/875/STA/2005 of the STA.

Item No.6

This is an application for fresh regular permit in respect of Stage carriage KL 07 AK 4007 Or suitable vehicle with seating capacity 33 in all to operate on the route Panamkuzhy- Perumbavoor Via Kuruppampadi, Vengoor and Kombanad as Ordinary service. The overlapping from Perumbavoor Bus Stand to MC Road Jn is within the permissible limit. Heard. Considered the matter in detail. There is another application vide

item No 7 for the same route with the same set of timings. This authority feels that application for grant of regular permit with the same set of timings will not be beneficial to the travelling public and may lead to unhealthy competition. Hence the Secretary RTA is directed to obtain revised proposal with changed timings considering the frequency of services on the route for fresh consideration. Hence adjourned.

Item No.7

This is an application for fresh regular permit in respect of Stage carriage KL 40 C 1906 Or suitable vehicle with seating capacity not less than 38 in all to operate on the route Panamkuzhy- Perumbavoor Via Kuruppampadi, Vengoor as Ordinary service. The overlapping from Perumbavoor Bus Stand to MC Road Jn is within the permissible limit. Heard. Considered the matter in detail. There is another application vide item No 6 for the same route with the same set of timings. This authority feels that application for grant of regular permit with the same set of timings will not be beneficial to the travelling public and may lead to unhealthy competition. Hence the Secretary RTA is directed to obtain revised proposal with changed timings considering the frequency of services on the route for fresh consideration. Hence adjourned.

Item No.8

This is an application for fresh regular permit in respect of Stage carriage carriage KL 03 J 7587 or later model vehicle with seating capacity 33 in all to operate on the route Kottappady- Kothamangalam- Muvattupuzha-Perumbavoor Via Thrikkariyoor, Kothamangalam, Puthuppady, Erumalappady, Odakkaly, Kuruppampady, Return Kothamangalam, Odakkaly, Panichayam, Nedungapra, Ayakkad one trip Perumbavoor- Kothamangalam Via Kuruppampady, Thuruthy, Nedungapra, Kottappady, Ayapra, Panipra and Erumalappady one trip via Valachira, Kuthukuzhy, Nellimattom 2nd trip Kannakkada Via Kottappady as Ordinary service. The overlapping on the route is within the permissible limits. Heard. Regular permit granted with a direction to settle the timings in accordance with letter No D3/875/STA/2005 of the STA.

Item No.9

Heard. This is an application for fresh regular permit in respect of Stage carriage [2002 Model or suitable vehicle] with seating capacity 33 in all to operate on the route Kothamangalam-Muvattupuzha Via Kuzhipilly, Inchoor, Varappetty, Anchalpetty, Kalampoor and Ayavana as Ordinary service. The Counsel appeared for the applicant offered Stage Carriage KL 17 C 3530. The total route length is 23 Kms and the route overlaps from BOC Junction to P.O Junction Muvattupuzha for 1.4 Kms in the Aluva-Kattappana

Scheme which is more than 5% of the total route length and hence objectionable as per G O [P] No 42/2009/Tran dtd 14-07-2009. Hence rejected .

Item No.10

Heard. This is an application for fresh regular permit in respect of Stage carriage KL 03 G 639 or suitable vehicle with seating capacity 48 in all to operate on the route Muvattupuzha- Kothamangalam Via Puthuppady, Mathirappally, Sub Station JN, Venduvazhy, M M Kavala and Mulavoor as Ordinary service. The total route length is 23.5 Kms and the route overlaps from BOC Junction to P.O Junction Muvattupuzha for 1.5 Kms in the Aluva-Kattappana Scheme which is more than 5% of the total route length and hence objectionable. as per G O [P] No 42/2009/Tran dtd 14-07-2009. Hence rejected .

Item No.11

This is an application for fresh regular permit in respect of Stage carriage suitable vehicle [not less than 2002 model] with seating capacity not less than 33 in all to operate on the route Inchathotty- Perumbavoor Via Neriamangalam, Oonnukal, Nellimattom, Kothamangalam, Odakkaly and one trip as Avolichal, Charupara, Palamattom, Punnekkad Via Kothamangalam as Ordinary service. Heard. Considered the matter in detail. The applicant has not offered the description of vehicle even at the meeting of this authority. As per Para 6 of 2010 (4) KLT 597 (SC) it is clarified that the RTA may grant permit under Section 72 (2) of MV Act 1988 for a stage carriage of a specified description. The expression ``specified description'' is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered the description of vehicle before this authority. Hence the application for fresh regular permit is rejected.

Item No.12

This is an application for fresh regular permit in respect of Stage carriage KL 07 AG 1861 with seating capacity 30 in all to operate on the route Muvattupuzha-Kothamangalam touching Cheruvattoor Via Kizhakkekara, Chalikkadavu Bridge, Keecherippady , Attayam , Ponnirikkaparambu, Munippara and Venduvazhy as Ordinary service. There is no objectionable overlapping . Heard. Regular permit granted with a direction to settle the timings in accordance with letter No D3/875/STA/2005 of the STA.

Item No.13

This is to revoke the earlier decision of grant of permit vide item no 36 of RTA dtd 07-02-2013 to operate on the route Vadattupara- Kothamangalam- Nadukani Via Bhoothathankettu, Cheladu and Oonjappara as Ordinary service on the request of the grantee . Heard.Revoked the grant of permit vide item no 36 of RTA dtd 07-02-2013.

Item No.14

This is to revoke the earlier decision of grant of permit in respect of stage carriage KL 05 M 6420 [or later model vehicle] in the surrendered vacant timings of stage carriage KL 07 AK 2237 to operate on the route Chathamattom- Perumbavoor Via Thrippally Jn, Paingottoor, Pothanicadu, Adivadu, Kuthukuzhi, Kothamangalam, Odakkaly and Kuruppampady as LSOS. Since the decision was taken by this Authority in its meeting held on 07-02-2013 as item No 3. The grantee has not offered the vehicle till date, instead asked for more time to produce the vehicle. Heard.Revoked the grant of permit vide item no 3 of RTA dtd 07-02-2013.

Item No.15

This is an application for variation of regular permit in respect of Stage Carriage **KL-40-3355**. The permit is intend to vary only one trip from Perumbavoor at 8.22 AM to Kaloor as Perumbavoor –Kaloor [via Vyttila and K K Road] instead of Bypass and Palarivattom without disturbing other trips . The variation involves curtailment of 8 Kms from Vyttila to Kaloor Via Palarivattom and a deviation of 6 Kms from Vyttila to Kaloor Via K K Road. The variation portion overlap Notified route for 2 Kms from Vyttila to Kadavanthra in the Ernakulam-Thekkady Scheme. As per Clause 19 of Notification No 42/2009 dtd 14-07-2009 no additional overlapping is permitted. Hence rejected.

Item No.16

This is an application for variation of regular permit in respect of Stage Carriage **KL-40-A-7776**. The permit is intend to vary as Kavumpuram-Ernakulam Via Tripunithura, Kadavanthara onwards K K road and return on the same route avoiding MG Road and Ernakulam South. There is no overlapping of any Notified Scheme. Heard. Variation granted with a direction to settle the timings in accordance with letter No D3/875/STA/2005 of the STA.

Item No.17

This is an application for renewal of regular permit in respect of Stage Carriage **KL-40-7479** operating on the route Perumbavoor- Kothamangalam Via Kuruppampady, Odakkaly, Nellikkuzhy and Thankalam. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.18

This is an application for renewal of regular permit in respect of Stage Carriage **KL-17-E-4851** operating on the route Velloorkkunnam Temple- Thodupuzha Via Randar, Thattamchery, Ayavana, Kalloorkkad, Vazhakulam, Nagapuzha, Painkulam, Palakuzhy with a cut trip as Muvattupuzha- Pandappilly as ordinary service. This is an inter district permit lying 30 Kms in Ernakulam District and 7 Kms in Idukki district . The portion in Idukki district is coming under general concurrence . Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.19

This is an application for renewal of regular permit in respect of Stage Carriage KL 40 E 7889 operating on the route Panikkankudy- Aluva Via Kambilikandam, Adimali, Cheeyappara, Neriya Mangalam, Kothamangalam, Odakkali, Kuruppampady, Perumbavoor and South Vazhakulam as Fast Passenger Service. As per Rule 2 (ea) of Kerala Motor Vehicles (Amendment) Rules ,2013 “Fast Passenger Service” means a service which is operated by a State Transport Undertaking with limited stops on a route having a distance of not less than seventy kilometers covering at least one district or connecting two district headquarters and having a seating capacity of at least fifty excluding its staffs”.Vide Clause 3 of the G.O [P] No 73/2013/Tran. Dtd 16-07-2013 the permit issued in the private sector on or before the date of this notification shall be allowed to continue till the dates of expiry of the respective permits. Thereafter no permits, shall be renewed and no permit regular or temporary shall be issued . But the Hon’ble High Court of Kerala considered the Notification in WP[C] 18959/2013 and connected matters , and the Order of Hon’ble High Court is awaited. Renewal of permit adjourned till the orders passed in the said Writ petition. The vehicle can be operated as Fast Passenger on temporary permits. Hence temporary permit granted for 4 months or till the result of Judgment in WP[C] No 18959/2013 and connected matters whichever is earlier.

Item No.20

This is an application for renewal of regular permit in respect of Stage Carriage KL 17 F 5022 operating on the route Avolichal- Thodupuzha Via Neriya Mangalam, Thalacode, Kuthukuzhy, Kothamangalam, Puthuppady , Muvattupuzha, Anicad, Vazhakkulam and Vengalloor as ordinary service. This is an inter district permit lying 48 Kms in Ernakulam District and 4 Kms in Idukki district . The portion in Idukki district is coming under general concurrence. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.21

This is an application for renewal of regular permit in respect of Stage Carriage KL 17 G 1233 operating on the route Kaliyar- Muvattupuzha Via Njarakkad, Pothanikkad, Kakkadassery as ordinary service. This is an inter district permit lying 26 Kms in Ernakulam District and 4 Kms in Idukki district . The portion in Idukki district is coming under general concurrence. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.22

This is an application for renewal of regular permit in respect of Stage Carriage KL 17 K 3168 operating on the route Vadakkumbhagam- Thodupuzha Via Kothamangalam and Muvattupuzha as ordinary service. This is an inter district permit lying 32 Kms in Ernakulam District and 4 Kms in Idukki district . The portion in Idukki district is coming under general concurrence. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.23

This is an application for renewal of regular permit in respect of Stage Carriage KL 40 45 operating on the route Perumbavoor- Muvattupuzha Via Vengola, Valayanchirangara, Mannoor, Thrikalathoor and Pezhakkapilly as ordinary service. The delay in submitting the application for renewal of regular permit was condoned earlier through circulation. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.24

This is an application for renewal of regular permit and transfer of permit in respect of Stage Carriage KL 17 F 644 operating on the route Chundakuzhy- Perumbavoor Via Mudakkuzha and Kuruppampady as ordinary service. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009. Allowed joint application for transfer of permit in respect of stage carriage KL 17 F 644 subject to clearance of Government dues if any.

Item No.25

Heard.

1. Transfer of permit allowed by the RTA, Muvattupuzha held on 18-11-2008 in respect of Stage Carriage KL 17 6029 from the name of Sri Bhaskaran Nair, Kolangattil [H], Enanalloor P O, Ayavana to the name of Sri Bino Paul, Kochukudiyil [H], Mudavoor P O, Muvattupuzha is not effected so far due to the death of permit holder. The application submitted for renewal of permit of the vehicle as well as for the grant of temporary permit by the grantee reveals the possession and control of the vehicle from the death of permit holder. Hence unauthorized possession and delay in effecting transfer of permit is compounded to Rs.5000/.

[1] In the matter of effecting transfer of permit , the Secretary, RTA Muvattupuzha will verify the genuineness including the possession/control of the vehicle , handing over of documents related to the vehicle to the grantee etc by hearing the legal heirs of deceased, and materialize the transfer of permit accordingly.

[2] Delay condoned for the late submission of renewal of permit application . Renewal of regular permit granted subject to [1] above

[3] As the renewal of permit was considered no need of grant of temporary permit U/s 87[1]d . Hence rejected.

Item No.26

This is an application for renewal of regular permit in respect of Stage Carriage KL 06 B 8635 operating on the route Edakkattuvayal- Thodupuzha Via Piravom, Pampakuda, Muvattupuzha and Vazhakulam as ordinary service. This is an inter district permit and the portion in Idukki district is coming under general concurrence. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.27

This is an application for renewal of regular permit and for delay condonation in respect of Stage Carriage KL 07 AH 637 to operate on the route Kolenchery- Koothattukulam Via Thammanimattom, Ramamangalam, Kottappuram, Kizhumury, Kavumkada, Kakkad, Piravom, Palachuvadu, Kalluvettamada, Painkutti, Ilanji, Chelakkal, Nettoppadam, Chempumala and Valappu as ordinary service. This is an inter district permit in which 3 Kms lies in Kottayam district . The portion in Kottayam district is coming under general concurrence. Heard. Delay condoned subject to compounding of Rs.5000/. Renewal of regular permit granted subject to Notification No 42/2009 and to the disposal of WP[C] Nos.20520/2009 and 22196/2009. Since renewal of permit is granted application for temporary permit is rejected.

Item No.28

This is an application for renewal of regular permit and for delay condonation in respect of Stage Carriage Carriage KL 07 AK 2237 operating on the route Vettampara- Kothamangalam- Thodupuzha Via Mathirapilly, Kakkadassery, Muvattupuzha and Vazhakkulam as ordinary service. This is an inter district permit lying 41 Kms in Ernakulam District and 5 Kms in Idukki district . The portion in Idukki district is coming under general concurrence. Heard. Renewal of regular permit granted subject to Notification No 42/2009 and subject to the disposal of WP[C] Nos.20520/2009 and 22196/2009.

Item No.29

Heard.Allowed joint application for transfer of permit in respect of stage carriage **KL-06-C-2252** subject to clearance of Government dues if any.

Item No.30

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 05 V 9000 subject to clearance of Government dues if any.

Item No.31

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 40 B 5040 subject to clearance of Government dues if any.

Item No.32

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 05 U 2628 subject to clearance of Government dues if any.

Item No.33

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 07 AQ 1697 subject to clearance of Government dues if any.

Item No.34

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 17 G 1039 subject to clearance of Government dues if any.

Item No.35

Heard.Allowed joint application for transfer of permit in respect of stage carriage KL 17 F 8866 subject to clearance of Government dues if any.

Item No.36

Heard.The route length under the jurisdiction of RTA,Muvattupzha is 46 kms from Neriamangalam to South Vazhakulam and in the said portion there is an overlapping of 1.5 Kms from Perumbavoor [Kalady Jn] to Palakkattuthazham in the Aluva –Kattappana notified scheme.Concurrence for renewal of regular permit as LSOS granted in respect of Stage Carriage **KL 06 E 1414** subject to Notification no .42/2009 and to the disposal of WP[C] 22196/2009.

Item No.37

Heard.The route length under the jurisdiction of RTA,Muvattupzha is 22 kms from Perumankandom to Neriamangalam. Concurrence for renewal of regular permit as LSOS granted in respect of Stage Carriage **KL 38 C 1285** subject to Notification no .42/2009 and to the disposal of WP[C] 22196/2009.

Item No.38

Heard.The route length under the jurisdiction of RTA,Muvattupzha is 11 kms Kaloor and Kalloorkkad [Payyavu to Vazhakulam] in the said portion there is an overlapping touching Vazhakulam in the Aluva – Kattappana notified scheme.Concurrence for renewal of regular permit as Ordinary Service granted in respect of Stage Carriage **KL 06 D 2312** subject to Notification no .42/2009 and to the disposal of WP[C] 22196/2009.

Item No.39

Heard.The route length under the jurisdiction of RTA,Muvattupzha is 56 kms in the said portion there is an overlapping of 1.5 Kms in the Aluva –Kattappana notified scheme.Concurrence for renewal of regular permit as LSOS granted in respect of Stage Carriage **KL 63 6322** subject to Notification no .42/2009 and subject to the disposal of WP[C] 22196/2009.

Item No.40

Heard. The route length under the jurisdiction of RTA, Muvattupzha is 56 kms in the said portion there is an overlapping of 1.5 Kms in the Aluva –Kattappana notified scheme. Concurrence for renewal of regular permit as LSOS granted in respect of Stage Carriage **KL 06 G 1244** subject to Notification no .42/2009 and subject to the disposal of WP[C] 22196/2009.

Item No.41

Heard. MVI Kothamangalam reported that the bus stands at Thangalam and High Range does not satisfy the conditions laid down in Rule 207 of KMV Rules, 1989. Issue show cause notice to the Municipal Authority, why approval of Thangalam and High Range bus stands should not be revoked. Hence adjourned.

Supplimentary Item No.1

Heard. Replacement of vehicle KL 17 2795 with seating capacity 38 by a later model vehicle KL 05 Q 1848 with seating capacity 48 provides more facility to passengers and also increases revenue collection by way of Road tax. Hence replacement granted.

Supplimentary Item No.2

This is an application for variation of regular permit in respect of Stage Carriage KL-18-C-6041. The permit is intend to vary as

[a] 3rd trip at the time of 9.24 AM from Perumbavoor deviate from Ponjassery Via Karukulam, Thamarachal, Kizhakkambalam.

[b] At the time of 12.45PM trip extension to Tripunithura from Kakkanadu and avoid HMT

[c] At the time of 5.17PM deviate trip Pallikkara, Athani Via Kakkanad and avoid Infopark

Heard. [a] and [C] Deviation applied for is granted subject to settlement of timings as per letter No

D3/875/STA/2005

[b] MVI, Perumbavoor reported that extension of trip at 12.45PM to Tripunithura from Kakkanad avoiding HMT will adversely affect the travelling public. Hence rejected.

Supplimentary Item No.3

This is an application for fresh regular permit in respect of Stage carriage suitable vehicle with seating capacity not less than 28 in all to operate on the route Aluva-Vyttila [Mobility Hub] Via Pukkattupady,

Kizhakkambalam, Pattimattam, Kadayiruppu, Kolenchery, Pazhamthottam, Pallikkara, Kakkanad and Palarivattom Bye Pass 1st and last trips starts and halts at Pukkattupady 3rd and 4th trips in between Aluva and Kolenchery Via Pukkattupady, Pattimattam and Kadayiruppu as Ordinary service. Heard. Considered the matter in detail. The applicant has not offered the description of vehicle even at the meeting of this authority. As per Para 6 of 2010 (4) KLT 597 (SC) it is clarified that the RTA may grant permit under Section 72 (2) of MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered the description of vehicle before this authority. Hence the application for fresh regular permit is rejected.

Supplimentary Item No.4

This is an application for fresh regular permit in respect of Stage carriage suitable vehicle not less than 2003 model with seating capacity not less than 33 in all to operate on the route Nadukkara- Neendapara Via Arakuzha, Pandapilly, Parakadavu, Manakad, Thodupuzha, Vengalloor, Perumankandom, Kalloor, Oonnukal and Neriyamangalam as Ordinary service. Heard. Considered the matter in detail. The applicant has not offered the description of vehicle even at the meeting of this authority. As per Para 6 of 2010 (4) KLT 597 (SC) it is clarified that the RTA may grant permit under Section 72 (2) of MV Act 1988 for a stage carriage of a specified description. The expression "specified description" is very wide and it shall be brought to the notice of RTA while granting the regular permit. In this case the applicant has not offered the description of vehicle before this authority. Hence the application for fresh regular permit is rejected.

Sd/-

Sri.P.I.SHEIKH PAREETH I.A.S

DISTRICT COLLECTOR AND

CHAIRMAN RTA

Sd/-

Sri.P.A.SAINUDEEN

DEPUTY TRANSPORT COMMISSIONER

CZ II LAW,ERNAKULAM

MEMBER RTA

Secretary

RTA,Muvattupuzha

