

MINUTES OF REGIONAL TRANSPORT AUTHORITY ,ERNAKULAM HELD ON 22/12/2015

Present:- Chairman-

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

Members:-

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

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

Item No.01

Heard the Counsel represented the applicant and the objectors. This is an application for the grant of fresh intra district regular permit in respect of Stage Carriage KL-15-7743 to operate on the route Angamaly-Panamkuzhy via Kalady.Malayattoor and Kodanad as Ordinary Moffusil Service. The State Transport Undertaking is the applicant. This authority considered the application in detail after hearing the all concerned and decides the following.

1.One Mr.Ayyappan Pandala has filed an objection against the time schedule proposed stating that the applicant has proposed a same time of another private stage carriage operating on that sector.But the permit holder of the vehicle in question has not filed such objection before this authority. Hence the objection filed by Sri.Ayyappan Pandala is hereby overruled.

2.The offered stage Carriage KL-15-7743 is a 2009 model and registered on 27/05/2009.This authority in its earlier sitting decided to prevent the grant of new permits to stage carriage older than five years from the date of original registration considering the aspects of road safety in the light of judgment of Hon'ble Supreme Court of India in C.A No.5227 of 2003 dtd 04/08/2010. Hence the offered vehicle cannot be considered for the grant of fresh regular permit. If the applicant is ready to offer a suitable vehicle not older than five years, this authority will reconsider the application accordingly. Hence adjourned.

Item No.02

Heard. This is an application for the grant of fresh intra district regular permit in respect of Stage Carriage KL-15-9474 to operate on the route Perumbavoor-Mattancherry as Ordinary Moffusil Service. The State Transport Undertaking is the applicant. The major portion of the proposed route is overlaps notified routes exclusively reserved for the State Transport Undertaking alone. The offered stage

carriage KL-15-9474 is originally registered on 25/04/2012. Hence there is impediment to grant proposed permit.

Hence considering the privilege given to STU under Rule 212 of KMV Rules-1989, proposed regular permit is granted to KL-15-9474 with proposed set of timings.

Item No.03

Heard the Counsel represented the applicant. This is an application for the grant of fresh intra district regular permit in respect of Stage Carriage KL-15-8721 to operate on the route Kothamangalam- Mattancherry via Aluva,Perumbavoor and Ernakulam as Ordinary Moffusil Service. The State Transport Undertaking is the applicant. This authority considered the application in detail after hearing the all concerned and decides the following.

The offered stage Carriage KL-15-8721 is a 2009 model and registered on 11/10/2010.This authority in its earlier sitting decided to prevent the grant of new permits to stage carriages older than five years from the date of original registration considering the aspects of road safety in the light of judgment of Hon'ble Supreme Court of India in C.A No.5227 of 2003 dtd 04/08/2010. Hence the offered vehicle cannot be considered for the grant of fresh regular permit. If the applicant is ready to offer a suitable vehicle not older than five years, this authority will reconsider the application accordingly. Hence adjourned

Item No.04

Perused the judgment of Hon'ble STAT in MVAA No.189 /2015 and heard ; the learned counsel represented the applicant. This is an application for the grant of fresh intra district regular permit in respect of stage Carriage KL-04-K-3749 or a suitable stage carriage to operate on the route Kongorppilly-Kottuvally Bridge-Aluva via Koonammavu and Alangad as ordinary moffusil service. This authority in its earlier sitting dtd 26/05/2015 was rejected the application on the grounds that the the portion of the route objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Above decision was challenged by the applicant before the STAT by filing MVAA No.189/2015 and vide judgment in above appeal, the STAT has set aside the earlier order dtd 26/05/2015 rejecting the application and directed this authority to consider the application afresh in the light of judgment on Hon'ble High Court of Kerala in W.A No.62/2012. This authority considered the application afresh in the light of judgment of Hon,ble STAT and reveals the following.

1.As per the proposed time schedule, the applicant provided 12 single trips in total, but only one trip is provided to Kottuvally and Kongorppilly,the ill served areas on the proposed route.

2.The applicant provided two trips to Edappally and seeking temporary halting at there .In the present scenario of heavily congested, there is no space at Edappally for turning and parking a stage carriage, which is against the road safety aspects.

3.As per the application submitted, the applicant offered stage carriage KL-04-K-3749 or a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-04-K-3749 is 2002 model and originally registered during the year 2002 .Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration. Moreover as per the records,the offered vehicle is not kept in Kerala State at present.

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

In view of the aforesaid facts and circumstances,the applicant is directed to

1.Propose a new time schedule avoiding rest time at Edappally and by providing entire trips to Kottuvally and Kongorppilly.

2.Submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safetywith reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.05

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Anilkumar.T.S. and the Counsel represented other private bus operators. This is an application for the grant of fresh intra district regular permit in respect of stage Carriage KL-07-AX-3128 or a suitable stage carriage to operate on the route Ernakulam High Court Jn-North Parur-Vyppin-Kalamassery Priemier Jn as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

1.As per the proposed time schedule, the applicant provided 7 single trips in total, but only one trip is provided to Kalamassery Premier Jn and FACT. Remaining trips are arranged so as to operate service between North Parur and High Court Jn, which is a well served sector.

2.The learned Counsel represented the permit holder of stage carriage KL-07-AW-4668 has objected that the applicant has proposed a time schedule with timings of his stage carriage. This authority considered the objection and verified proposed time schedule and time schedule of the objectors stage carriage and found that the objection is tenable.

3.As per the application submitted, the applicant offered stage carriage KL-07-AX-3128 or a Suitable stage carriage not less than 33 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-07-AX-3128 is 2005 model and originally registered on 15/07/2005.Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

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

In view of the aforesaid facts and circumstances, the applicant is directed to

1.Propose a new time schedule by providing more trips to FACT and avoiding clash with other stage carriages on the enroute.

2.Submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safetywith reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.06

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Ashick.C.A and the Counsel represented other private bus operators. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route North Parur-High Court Jn as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.07

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Nelson.A.J and the Counsel represented other private bus operators. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route North Parur-Kaloor as ordinary mofusil service. This authority reconsidered the application in detail in the light of judgment of Hon'ble High Court of Kerala in WP© No.23570 of 2015 dtd 12/08/2015 and reveals the following.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle

before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.08

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Prasad.P.P and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-08-AC-1636 or a suitable stage carriage to operate on the route North Parur-Vyttila Hub as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

As per the application submitted,the applicant offered stage carriage KL-08-AC-1636 or a Suitable stage carriage not less than 33 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-08-AC-1636 is not a stage carriage.As per the records available in the official web site of the Motor Vehicles Department,the offered vehicle is a Motor Cycle.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with

reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.09

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Beera Pilla and the Counsel represented other private bus operators. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route Perumbavoor-Pattimattam-Pazhamthottam-Puthencruz-Karugal-Trippunithura-Maradu Market as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.10

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Abdul Rahmankutty and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh inter district regular permit and temporary permit in respect of stage carriage KL-26-8112 or a suitable stage carriage to operate on the route North Parur-Vyttila Hub as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

1.As per the application submitted for the grant of regular permit,the applicant offered stage carriage KL-26-8112 or a Suitable stage carriage not less than 38 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-26-8112 is 2008 model and originally registered on 31-03-2008-.Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safetywith reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence the application for the grant of regular permit is adjourned.

2.There is no necessity for the grant of temporary permit U/S 87[1]C of MV Act-1988,the specified description of the vehicle for the grant of fresh regular permit is applicable also in the case of a fresh temporary permit and the RTA Trissur has not granted concurrence for the proposed new inter district permit. Hence the application for the grant of temporary permit is hereby rejected.

Item No.11

This is an application for the grant of fresh regular permit in respect of stage carriage KL-06-B-8559 or a suitable stage carriage .The applicant is absent. Hence adjourned.

Item No.12

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route Adivaram-Angamaly-Kalady-Kombanadu as Ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.13

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Shagin and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit and temporary permit in respect of stage carriage KL-07-AS-1071 or a suitable stage carriage to operate on the route North Parur-Vyttila Hub as ordinary moffusil service. This authority reconsidered the application in detail and reveals the following.

1.As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL-07-AS-1071 or a Suitable stage carriage not less than 38 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-07-AS-1071 is 2004 model and originally registered on 07/06/2004-. Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010. Hence the application for the grant of regular permit is adjourned.

2. There is no necessity for the grant of temporary permit U/S 87[1]C of MV Act-1988 and the specified description of the vehicle for the grant of fresh regular permit is applicable also in the case of a fresh temporary permit. Hence the application for the grant of temporary permit is hereby rejected.

Item No.14

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Muhammed Saffar and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route Kizhakkambalam-Perumbalam-Edappally Gate-Amrutha Hospital as ordinary mofussil service. This authority considered the application in detail. The proposed route is having length of 48.8 km, in which 9.7 km is lying under the jurisdiction of RTA Alappuzha.

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

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.15

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.M.I.Musthafa and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route Kollamkudimugal Temple Jn-Trippunithura as Ordinary Moffusil Service.This authority considered the application in detail.

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

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safetywith reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

2.The Private Bus Operators Association Ernakulam has filed objection against the grant of permit stating that the proposed route will comes under the purview of City Service. On perusal of the enquiry report, the field officer has reported that the proposed route will comes under the classification of ordinary moffusil service. Considering the nature of objection, the Secretary RTA is directed to conduct a detailed enquiry and report the genuineness of the allegation raised by the objector.

Hence adjourned.

Item No.16

Heard; Adv.P.Deepak, the learned Counsel represented the applicant and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit and temporary permit in respect of stage carriage KL-10-Y-395 or a suitable stage carriage to operate on the route Perumbavoor-Trippunithura as ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL-10-Y-395 or a Suitable stage carriage not less than 33 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-10-Y-395 is 2005 model and originally registered on 10/02/2006-. Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence the application for the grant of regular permit is adjourned.

Item No.17

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Abdul Manaf and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route North Parur-Vyttila-Infopark as ordinary moffusil service. This authority considered the application in detail.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be

granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.18

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Majeed and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route North Parur- -Infopark as ordinary moffusil service. This authority considered the application in detail.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.19

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Smt.Khadeeja and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route North Parur- -High Court Jn-Convent Beach as ordinary moffusil service. This authority considered the application in detail.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.20

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Siju.A.S and the Counsel represented other private bus operators and KSRTC.This is an application for the grant of fresh intra district regular permit in respect of a suitable

stage carriage to operate on the route Mambra Ferry-Vyttila as ordinary moffusil service. This authority considered the application in detail.

A.As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

B.In the proposed time schedule, the applicant provided only two trips to Mambra Ferry,at the same time the main focus of operation is in between Vyttila and Edappally which amounts to city service

In view of the aforesaid facts and circumstances, the applicant is directed to

1.Submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

2.Submit a modified time schedule by providing entire trips to Mambra Ferry.

Hence adjourned.

Item No.21

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Ansar and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route North Parur- -High Court Jn as ordinary moffusil service. This authority considered the application in detail.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 33 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the

aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.22

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Shaji.M.A and the Counsel represented other private bus operators and KSRTC.This is an application for the grant of fresh intra district regular permit and temporary permit in respect of stage carriage KL-08-X-2111 or a suitable stage carriage to operate on the route North Parur-Eloor Fact-Amrutha Hospital-Pathalam-Edappally-Vyttila Hub as ordinary moffusil service. This authority considered the application in detail and reveals the following.

1.As per the application submitted for the grant of regular permit,the applicant offered stage carriage KL-08-X-2111 or a Suitable stage carriage not less than 33 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-08-X-2111 is 2002 model and originally registered on 11/04/2003.Hence it cannot be considered for the fresh stage Carriage permit,as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority

in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010. Hence the application for the grant of regular permit is adjourned.

2. There is no necessity for the grant of temporary permit U/S 87[1]C of MV Act-1988, the specified description of the vehicle for the grant of fresh regular permit is applicable also in the case of a fresh temporary permit. Hence the application for the grant of temporary permit is hereby rejected.

Item No.23

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicant Sri.V.P.Jayan and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route Ernakulam High Court Jn-North Parur-as ordinary mofussil service. This authority considered the application in detail.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Hence adjourned.

Item No.24

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Shijad.P.A and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-07-AF-2693 or a suitable stage carriage to operate on the route Vyttila Hub-North Parur as ordinary moffusil service. This authority considered the application in detail and reveals the following.

As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL-07-AF-2693 or a Suitable stage carriage not less than 48 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-07-AF-2693 is 2001 model and originally registered on 29/10/2001.Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence the application for the grant of regular permit is adjourned.

Item No.25

Heard; Adv.Stalin Peter Davis, the learned Counsel represented the applicant Smt.Mini Binoy and the Counsel represented other private bus operators and KSRTC.This is an application for the grant of fresh inter district regular permit in respect of stage carriage KL-39-H-5897 to operate on the route Vattappara-Peruva-Kalamassery Medical College as ordinary moffusil service. This authority considered the application in detail.

The offered vehicle KL-39-H-5897 is 2015 model and the vehicle is operating on the same route with issued temporary permit and a set of settled timings. The RTA Kottayam has granted concurrence for the grant of regular permit on the proposed route. The proposed route will not objectionably overlaps notified routes and the enquiry officer has specifically reported that the proposed service is highly beneficial to the travelling public.

Hence the proposed regular permit is granted to stage carriage KL-39-H-5897 of 2015 model with seating capacity 38 in all. The Secretary RTA is directed to issue the permit with already settled set of timings .

Item No.26

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.K.K.Abu and the Counsel represented other private bus operators and KSRTC. This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-05-U-938 or a suitable stage carriage to operate on the route Kolencherry-Trippunithura-HMT Jn as ordinary mofussil service. This authority considered the application in detail and reveals the following.

As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL-05-U-938 or a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case, the offered vehicle KL-05-U-938 is 2005 model and originally registered on 29/09/2005. Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with

reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence the application for the grant of regular permit is adjourned.

Item No.27

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicant Sri.Sunil Thomas and the Counsel represented other private bus operators and KSRTC.This is an application for the grant of fresh intra district regular permit in respect of stage carriage KL-07-AJ-9909 or a suitable stage carriage to operate on the route North Parur-High Court Jn as ordinary moffusil service. This authority considered the application in detail and reveals the following.

As per the application submitted for the grant of regular permit,the applicant offered stage carriage KL-07-AJ-9909 or a Suitable stage carriage not less than 28 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-07-AJ-9909 is 2002 model and originally registered on 18/09/2002-.Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

Even though the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month U/R 159[2] of KMV Rules-1989 only for the production of current records of the vehicle from the date of grant , he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence the application for the grant of regular permit is adjourned.

Item No.28

Perused the judgment of Hon'ble High Court of Kerala in WP© No.31950 of 2015 dtd 28/10/2015, wherein this authority is directed to consider the application for the grant of regular permit within a period of one month. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage with seating capacity not less than 28 in all to operate on the route North Parur-Aluva as Ordinary moffusil service. Even though notice was issued, the applicant has failed to appear for the hearing before this authority. Hence this authority is incapable of complying the order of Hon'ble High Court within the time limit. Hence Secretary RTA is directed to conduct a detailed enquiry on application and report the financial stability of the applicant to maintain a stage carriage service. Hence adjourned.

Item No.29

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-42-A-55 operating on the route Aluva- Eramalloor as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. This authority felt that the proposed deviation of service via Cochin University in the 5th trip will provide additional advantage to the travelling public and the curtailment will not affect the travelling public. There is no additional overlapping in the variation portion. Hence the Proposed variation is granted on public interest subject to settlement of timings.

Item No.30

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-BF-918 operating on the route Nilampathinjamugal-Mattancherry-Mundamveli as Ordinary service. This authority considered the application in detail in the light of enquiry report furnished by the field officer ,Objections raised by the public and connected file.

By the proposed variation, the applicant is desired to vary the permit so as to curtail four trips to Nilampathinjamugal, an ill served area and rearrangement of last trip so as to terminate service at 8.50pm. The enquiry officer has reported that the proposed curtailment of service to Nilampathinjamugal will not adversely affect the travelling public. But so many objections have been received from the public stating that no sufficient stage carriages are operating service to Nilampathinjamugal and hence the curtailment and rearrangement of timings in the night trip will adversely affect them. But the enquiry officer has not reported the adverse effect of proposed variation and he has reported that the curtailment will not affect the public. This authority felt that the field officer has failed to report the real consequence of curtailment. Hence this authority went through the matter deeply and then revealed the following facts.

1. The curtailment of trips to Nilampathinjamugal, will adversely affect the general public. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit. Hence curtailment of existing trips cannot be allowed. Moreover there is no necessity under rule 145(6) warranting for the grant of proposed variation.
2. The rearrangement of last trip in the late night from Mundamveli to Nilampathinjamugal will adversely affect the travelling public and there is no change of circumstances U/R 145[6] and 145[7] warranting for the proposed variation and change of timings in the proposed variation .Hence it cannot be allowed
3. Regional Transport Authority is constituted to consider applications and grant permit for providing better travelling facility to the public .In this case this authority granted permit for the convenience of the travelling public. No sufficient stage carriages are operating through the curtailed portion. Hence the proposed variation is against the public interest and it will not give any additional advantage to the travelling public. This authority feels that the consequence of curtailment of trips is much higher than the benefits of variation sought by the permit holder.

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

Secretary RTA is directed to call explanation from the enquiry officer for the laps in reporting the actual facts and consequence of variation.

Item No.31

Heard; Adv.P.Deepak, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-BM-1004 operating on the route Chellanam-Cheranelloor as Ordinary city service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. This authority felt that the proposed extension of service to Kothad Ferry will provide additional advantage to the travelling public and the curtailment of trips to Cheranelloor will not affect the travelling public. There is no additional overlapping in the variation portion. Hence the Proposed variation is granted on public interest subject to settlement of timings.

Item No.32

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-BJ-1015 operating on the route Edachira-Kakkanad-Kumbalangi as Ordinary city service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation, the permit holder is desired to operate all trips touching Infopark gate without altering the existing timings. This

authority felt that the proposed variation will provide additional advantage to the travelling public. There is no additional overlapping in the variation portion. Hence the Proposed variation is granted on public interest without changing the existing timings. Secretary RTA is directed to regularise the timings, if necessary

Item No.33

1. Perused the judgment of Hon'ble STAT in MVAA No.371/2015 dtd 07/02/2015

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-BC-1521 operating on the route Aluva-Angamaly as Ordinary moffusil service. This authority reconsidered the application in the light of Judgment of Hon'ble STAT and enquiry report furnished by the field officer and connected file. The STAT has directed this authority to reconsider the application in the light of report furnished by the field officer. In the proposed variation, the permit holder is desired to terminate the service at Chowara Puthiya Road so as to operate first trip from Chowara Puthiya Road by curtailing trip to Aluva. The enquiry officer has reported that the curtailment will not affect the public adversely and the extension of service to Chowara Puthiya Road will provide advantage to the travelling public. Hence the Proposed variation is granted subject to the regularization of timings in the 1st and last trips ,if necessary.

Item No.34

Heard; Adv.M.Jithesh Menon, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-17-E-1896 operating on the route Chathanad-Kaloor as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer ,representation received from the public and connected file.. In the proposed variation, the permit holder is desired to curtail some trips of the existing service from Kaitharam Bus stop to Thirumuppam via Cheriyaipilly and Koonammavu so as to deviate the service via Arattukadavu Bridge. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed deviation of service via Arattukadavu Bridge will provide advantage to the travelling public. So many representations have been received from the public and local bodies for the proposed variation. Hence the Proposed variation is granted subject to settlement of timings.

Item No.35

Heard; Adv.M.Jithesh Menon, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-17-D-2322 operating on the route North Parur-Vyttila-Aroor as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation, the permit holder is desired to curtail two trips of the existing service from Vyttila to Aroor Temple so as to provide

additional trip in between vyttilla and North Parur. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed variation will provide additional advantage to the travelling public.. Hence the Proposed variation is granted subject to settlement of timings without affecting the existing timings in between Vyttilla and North Parur.

Item No.36

Heard;Adv.Stalin Peter Davis, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AN-2346 operating on the route Manjali-Ernakulam as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file.The proposed variation includes curtailment of service between North Parur and Manjaly so as to avoid objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme and thereby to avoid legal impediments. In addition to the above the applicant proposed trips in between North parur and Kongorppilly to change the starting and halting place. The enquiry officer has reported that the proposed curtailment of service will adversely affect the travelling public. But the judgment in WP(c) No.4435/2011 and connected cases will not allow the operation on Aluva-Vadakkumpuram complete exclusion scheme. But the regular permit is not valid at present, application for the renewal is not submitted before this authority for reconsideration. Hence both applications will be considered in the next sitting. Hence adjourned.

Item No.37

Heard; Adv.P.Deepak, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AR-2466 operating on the route Padathikkara-Thoppumpady-HMT Jn as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation,the permit holder is desired to operate 2nd and 3rd trips via Mini bypass avoiding petta and to operate 6th trip from Trippunithura up to HMT JN and then to Kinfra. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed extension to HMT Jn will provide additional advantage to the travelling public. Hence the Proposed variation is granted subject to settlement of timings.

Item No.38

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AJ-4223 operating on the route Eramalloor-Aluva as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation,the permit holder is desired to operate 7th trip via Bypass by avoiding service within the city limit and operate

service between HMT Jn and Thorappu via Government Medical College. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed deviation will provide additional advantage to the travelling public from Medical College. Hence the Proposed variation is granted subject to settlement of timings.

Item No.39

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AN-2795 operating on the route Thuruthippuram-Aluva-Mala as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. The permit holder has proposed a variation for operating service from Thuruthippuram to Puthenvelikkara via Assissi, Kallepparambu and Padampu instead of going through Kurisingal. He has also desired to extend the route from Thuruthippuram to Keetholi via Kottappuram Toll Jn. The enquiry officer has reported that the portion of the proposed extension from Thuruthippuram Bridge to Keetholi via Kottappuram Toll, which is 2.8 km in length is lying under the jurisdiction of RTA Thrissur. In the case of variation within the jurisdiction of the sister RTA, concurrence of the authority and details of overlapping within the limit of that authority concerned is necessary to ascertain the feasibility. Hence Secretary RTA is directed to seek concurrence of RTA Thrissur for the proposed extension. Hence adjourned.

Item No.40

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AV-3190 operating on the route Eloor Kadavanthara S as ordinary service. By the proposed variation, the permit holder is desired to to operate trip No.01 up to Vyttila Hub and trip and then return to Eloor Depot via Bypass and Edappallay and to operate trip No.7 from Eloor South and then to Vyttila Hub via kadavanthara avoiding Kadavathara South. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file and felt that

1. As per the regular permit and time schedule issued, the first trip is operating from Eloor Depot to Kadavanthara via Ernakulam South. In the proposed variation, the permit holder is desired to extend the 1st trip up to Vyttila Hub from kadavanthara. In the extension portion from Kadavanthara to Vyttila, the portion from Kadavanthara Jn to vytila Jn which is 2.4 km in length is objectionably overlaps [additional] Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. As per clause 19 of the above said notification, the right to operate any new service and to increase the trips in the notified routes or its portions will be

reserved exclusively for the State Transport Undertaking. In this case ,the applicant offered additional new trips on the portion of notified routes. KSRTC strongly objected the grant of proposed variation.This authority felt that,if the proposed additional trip is allowed,it will be a clear violation of above said notification and connected judgments in this regard.Since there exist legal impediment to grant extension from Kadavanthara to vytila,deviation through the Bypass is not practicable and it cannot be considered.

2.So many objections have been received from the travelling public against the curtailment of trps to Kadavanthara South.The enquiry officer also has reported that the above curtailment will adversely affect the travelling public. Regional Transport Authorities are constituted to consider applications and grant permit for providing better travelling facility to the public .In this case the curtailment of existing trips to Kadavanthara South is against the public interest

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

Item No.41

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-BJ-3007 operating on the route Eramalloor-Elamakkara as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file.The permit holder has proposed a variation for extending the certain trips of existing service from Eramalloor to Thuravoor and Elamakkara to Puthukkalavattom.The proposed 1st extension from Eramalloor to Thuravoor is lying under the jurisdiction of RTA Alappuzha.In the case of variation within the jurisdiction of the sister RTA,concurrence of the authority and details of overlapping within the limit of that authority concerned is necessary to ascertain the feasibility of variation proposed .Hence Secretary RTA is directed to seek concurrence of RTA Alappuzha for the proposed extension from Eramalloor to Thuravoor.Hence adjourned.

Item No.42

1.Perused the judgment of Hon'ble High Court of Kerala in WP(c) No.26386/2015 dtd 04/09/2015 and order in I.A No.15059/2015 in above writ petition dtd 20/10/2015.

2.Heard Adv.P.Deepak, the learned counsel represented the applicant and the learned Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-41-A-4345 operating on the route Pukkattupady-Fort Kochi as Ordinary City service. This authority in its earlier sitting held on 26/05/2015 reconsidered the application in the light of enquiry report furnished by the field officer,Judgment of Hon'ble STAT in MVAA No.51/2015 and connected file and

adjourned decision for a detailed further enquiry report from the field officer. Now vide judgment in WP(c) No.26386/2015, the Hon'ble High Court has directed to take the proceedings to a logical end within a time limit.

This authority reconsidered the matter in the light of enquiry report furnished by the field officer, the observation of the Hon'ble High Court of Kerala and the objections raised by the public. So many objections have been received from the public and Pukkattupady residents associations against the rescheduling of morning trip from Pukkattupady and curtailment of direct trips to Fort Kochi. The enquiry officer in his further report, specifically reported that, by the proposed variation, the main intention of the permit holder is only to revise the existing timings especially in the morning, which will adversely affect the travelling public from the Pukkattupady area. The curtailment of trips to Fort Kochi, the heritage place will also affect the travelling public and tourists. A large number of representations have been received from the residents associations and local bodies in this sitting also to increase the number of stage carriage service to eastern parts of Kochi.

This authority considered all the above facts in a logical end revealed that the proposed variation will not provide any advantage to the public and there is change of circumstances warranting under rule 145[6] and 145[7] of KMV Rules-1989 for the variation of existing permit and rearrangements of existing time schedule. Hence the application is rejected on public interest.

Item No.43

Heard; Adv.M.Jithesh Menon, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-36-4554 operating on the route Mala-North Parur as ordinary mofussil service. This authority in its earlier sitting held on 17/08/2015 considered the application and adjourned decision for a detailed enquiry report. This authority reconsidered the application in detail in the light of further enquiry report submitted by the field officer. The enquiry officer has reported there exist necessity under Rule 145[6] for the proposed variation. But he has also reported that the existing route is objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. This authority is prevented from the grant, renewal of the regular permit even on the portions of the Aluva-Vadakkumpuram complete exclusion scheme. Hence the variation of a permit on the Aluva-Vadakkumpuram scheme cannot be considered without avoiding the existing violation of scheme of nationalization. The regular permit of the stage carriage KL-36-4554 is valid only up to 29/05/2016, and this authority is prevented from the renewal of this permit without avoiding the objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme. Hence the permit holder is directed to submit a modified proposal avoiding the objectionable overlapping in the existing permit. Hence adjourned.

Item No.44

1.Perused the judgment of Hon'ble STAT in MVAA No.35/2014 and Judgment of Hon'ble High Court of Kerala in WP(c) No.22948 of 2015.

2.Heard;Adv.G.Prabhakaran,the learned Counsel represented the permit holder. Sri.Baiju Sakaria ,the permit holder of stage carriage KL-45-D-5200 .This is an application for the grant of regular permit in respect of stage carriage KL-45-D-5200 operating on the route Vynthala-Perumbavoor as Ordinary moffusil service.Bythe proposed variation,the permit holder is desired to change the halting and starting place to Annamanada to extend the service up to Vappalassery.This authority in its earlier sitting held on 06/01/2014 rejected the application considering the adverse effect of proposed variation.Vide Judgment in MVAA No.35/2014,the STAT has setaside the order of this authority and directed to reconsider the application afresh. The Hon'ble High Court of Kerala in judgment in WP© No.22948 of 2015 directed to reconsider the issue of variation sought by the petitioner in the light of judgment of Hon'ble STAT in MVAA No.35/2014 in the next sitting itself and pass orders thereon without fail.

This authority reconsidered the matter in detail.As per the existing time schedule,the vehicle is operating service with starting and halting at Annamanada.By the proposed variation,the starting and halting places are changed to Vynthala and the starting time is changed to 7.10 am for avoiding the early morning trip from Annamanada at 5.55am to reach Angamaly at 6.30am. As per the time schedule proposed,The permit holder is desired to alter all the timings of existing time schedule.This authority considered the effect of proposed variation in detail in view of the report,objections raised by the public and connected file and reveals the following.

1. By the proposed variation,the starting and halting places are changed to Vynthala and the starting time is changed to 7.10 am for avoiding the early morning trip from Annamanada at 5.55am to reach Angamaly at 6.30am. So many objections have been received from the public against the curtailment of the morning trip between Annamanada and Angamaly and the alteration of the existing time schedule.This authority felt that the curtailment of morning trip in between Annamanada and Angamaly will adversely affect the travelling public.The main intention of the permit holder is only to change the entire timings in the existing time schedule without considering the disadvantage of the public.
2. The extension of the service to Vappalassery is beneficial to the public.But the change of timings in the entire trip will affect the settled position of timing in the sector.The advantage offered by the permit holder to the travelling public is very much less than the disadvantage consequent to the proposed variation and alteration of entire timings.Hence the application is liable to be rejected.

But, by considering the judgments of Hon'ble STAT and Hon,ble High Court of Kerala the permit holder is given an opportunity to submit a modified time schedule without affecting the morning trip and unvaried trips.Hence adjourned.

Item No.45

Heard; Adv.P.Deepak, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-AN-7437 operating on the route Cheranelloor-Trippunithura as Ordinary City service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation,the permit holder is desired to operate certain trip via Mini Bypass avoiding Irumbupalam and to operate trips via Edappally bypass avoiding congested city roads via Jetty and Ernakulam South. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed deviation will provide advantage to the travelling public. Hence the Proposed variation is granted subject to settlement of timings.

Item No.46

1.Perused the judgment of Hon'ble High Court of Kerala in WP(c) No.23752/2015 dtd 18/08/2015.

2.Heard Adv.Gopinathan Nair, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-39-B-6226 operating on the route Peruva-Kaloor as inter district Ordinary moffusil service. By the proposed variation,the permit holder is desired to operate 4th and 5th trips via Mulakkulam and Vadakkunnappuzha curtailing the portion via HPC and deviation of service through KK Road instead of MG Road. This authority in its earlier sitting held on 26/05/2015 considered the application and adjourned decision for want of concurrence of RTA Kottayam since the portion of the 1st part of the proposed variation [3km]lies under the jurisdiction of that authority.Vide judgment in WP(c) No.23752/2015 dtd 18/08/2015,the Hon'ble High Court of Kerala has directed this authority to consider and appropriate orders on modified application submitted by the permit holder within a time frame.

This authority considered the modified application in the light of enquiry report furnished by the field officer and connected file. The enquiry officer has reported that the proposed variation will provide additional advantage to the travelling public.Hence variation is granted subject to settlement of timings.

Item No.47

Heard Adv.Stalin Peter Davis,the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AW-6998 operating on the route South Chittoor-Thevara-Perumpadappu as ordinary City service. By the proposed variation, the permit holder is desired to extend 5th trip from Thevara Jn to Ayyappankavu by curtailing service through Vaduthala Bridge. This authority considered the application in the light of further enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The enquiry officer has not reported the necessity for the proposed variation U/R 145[6] of KMV Rules-1989.Hence Secretary RTA is directed to obtain a further report from the field officer. Hence adjourned.

Item No.48

Heard; Adv. P.Deepak, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-06-B-8303 operating on the route Infopark Phase-I-Karimugal-Trippunithura-Kakkanad as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation, the permit holder is desired to operate 1st trip as Karimugal-Kakkanad-Trippunithura,2nd trip up to Kakkanad,9th trip up to Kollamkudimugal,11th trip in between Trippunithura and Kollamkudimugal and to operate 13th trip as Kakkanad-Trippunithura-Kakkanad and return to Karimugal with a slight changes in the existing time schedule. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed deviation will provide advantage to the travelling public. Hence the Proposed variation is granted subject to settlement of timings.

Item No.49

Heard; Adv.Jithesh Menon, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-42-2426 operating on the route Koonammavu-North Parur-High Court Jn as Ordinary moffusil service.The Secretary RTA has intimated that the permit holder has surrendered the regular permit and same was cancelled.Hence the application for variation became infructuous.Hence dismissed.

Item No.50

Heard; Adv.P.Deepak, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-07-BA-8921 operating on the route Pizhalakkadavu-Munambam as Ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. The enquiry officer has reported that the curtailment will not affect the public adversely and the proposed variation will provide advantage

to the travelling public. Hence the Proposed variation is granted subject to settlement of timings.

Item No.51

Heard;Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-BC-8262 operating on the route Manjali-North Parur-Vyppin-High Court Jn as Ordinary moffusil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file.The proposed variation includes curtailment of service between North Parur and Manjali so as to avoid objectionable overlapping on Aluva-Vadakkumpuram complete exclusion scheme and thereby to avoid legal impediments. The enquiry officer has reported that the proposed curtailment of service will adversely affect the travelling public. But the judgment in WP(c) No.4435/2011 and connected cases will not allow the operation on Aluva-Vadakkumpuram complete exclusion scheme. Hence proposed variation is granted without changing the existing timings.

Item No.52

Heard;Adv.P.Deepak, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-BE-7733 operating on the route Kadamakudy-Varappuzha-Aluva as Ordinary moffusil service.By the proposed variation, the permit holder is desired to change the halting place to Chirayam by operating 14th trip from Varappuzha at 7.46pm to Chirayam by curtailing last trips to Aluva and Koonammavu. Vide judgment in MVARP No.11/2015,the STAT has set aside the earlier order of this authority rejecting the application for variation and directed to reconsider the matter with respect to the report of field officer and other documents.

In view of the above findings,this authority considered the application. The earlier enquiry report furnished by the field officer is not sufficient to reconsider the application, since several objections have been received against the night trips to Aluva and Koonammavu.Hence the Secretary RTA is directed to obtain a further detailed report with specifying the effect of curtailment of last two trips.Hence adjourned to next sitting.

Item No.53

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant This is an application for variation of regular permit in respect of stage carriage KL-42-A-8109 operating on the route Elavoor-Aluva-Mala Police station as Ordinary moffusilservice. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation, the permit holder is desired to extend trips to Mala Bus Stand without changing the existing time

schedule. The enquiry officer has reported that the proposed extension to Mala Bus Stand which is 200 meter in length from the existing terminus Mala Police Station is highly beneficial to the travelling public. Hence the Proposed variation is granted without changing the existing timings.

Item No.54

1.Heard; Adv.P.Deepak, the learned counsel represented the applicant Sri.Reni Peter and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriages KL-67-1800 and KL-36-C-7400 as LSOS to operate on the route Kottayam-Panathur in the opposite direction in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Super Express in opposite direction were expired on 31-07-2013.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc.and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order,the permit holder has applied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS.The route Kottayam-Panathur is an inter district route and the route is passing through the jurisdictions of nine Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers.Hence adjourned.

2.Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3.Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.55

1.Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Shaji Kuruvilla and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-05-AJ-3699 as LSOS to operate on the route Kottayam-Perikkalloor in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Super Express were expired on 29/12/2012.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger,Super Fast services etc.and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the permit holder has applied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS.The route Kottayam-Perkkalloor is an inter district route and the route is passing through the jurisdictions of six Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2.Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3.Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.56

1.Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Suresh.K and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Fast Passenger to Limited Stop Ordinary Service

and renewal of the expired regular permit in respect of Stage carriage KL-35-D-2965 as LSOS to operate on the route Pala- Ernakulam in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Super Express were expired on 09/09/2014.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger,Super Fast services etc.and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

The permit holder has applied for the conversion of the class of services from Fast Passenger to LSOS and renewal of the permit as LSOS. The route Kottayam-Pala is an inter district route.The RTA Kottayam has granted concurrence for the renewal of permit as LSOS.Hence conversion of class of service as LSOS is allowed and renewal of permit is granted as Ordinary limited stop service with a rate of running time prescribed by the STA and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

2.Secretary,RTA is directed to issue temporary permit till the issue of renewed permit with the conditions laid down in the grant of renewal of permit.

Item No.57

1.Heard; Adv.Jithesh Menon, the learned counsel represented the applicant Sri.Baby Antos and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-35-F-4577 as LSOS to operate on the route Uthimoodu-Ernakulam South in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Super Express were expired on 04/03/2015.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the permit holder has applied for the conversion of the class of services from Express to LSOS and renewal of the permit as LSOS. The route Uthimoodu-Ernakulam South is an inter district route and the route is passing through the jurisdictions of five Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2. Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops, subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3. Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.58

1. Heard; Adv.P.Deepak, the learned counsel represented the applicant Smt.Jaimol Reny and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriages KL-67-2400 and KL-36-A-7006 as LSOS to operate on the route Manimala-Payyavoor in opposite direction in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015. This authority considered the application in detail. The inter district regular permits issued to the above stage carriages to operate service as Super Express in opposite direction were expired on 24/02/2014. Vide GO(P) No.73/2013/Tran dtd 16/07/2013, the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015, the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the permit holder has applied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS. The route Manimala-Payyavoor is an inter district route and the route is passing through the jurisdictions of six Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional

Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2. Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3. Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.59

1. Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant Smt.Chelsia Theresa and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-05-AA-8474 as LSOS to operate on the route Kottayam-Perikkalloor in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015. This authority considered the application in detail. The inter district regular permits issued to the above stage carriages to operate service as Super Express in opposite direction were expired on 29/12/2012. Vide GO(P) No.73/2013/Tran dtd 16/07/2013, the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015, the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the legal heir of the deceased permit holder has applied for the conversion of the class of service from Super Express to LSOS and renewal of the permit as LSOS. The route Kottayam-Perikkalloor is an inter district route and the route is passing through the jurisdictions of six Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2. Transfer of permit under section 82[2] of MV Act and Replacement of the vehicle KL-05-AA-8474 with stage carriage KL-05-AL-3699 are granted subject to the renewal of regular permit

3. Secretary RTA is directed to issue temporary permits for durations of 4 months to the possessor of the vehicle KL-05-AL-3699 to continue operation as LSOS till the renewal of permit with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

4. Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.60

1. Heard; Adv.P.Deepak, the learned counsel represented the applicant Sri.T.J.Abraham and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-05-AH-9344 as LSOS to operate on the route Nedumkandam-Thalipparambu in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail. The inter district regular permits issued to the above stage carriages to operate service as Super Express were expired on 24/01/2012. Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger,Super Fast services etc.and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the permit holder has applied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS.The route Nedumkandam-Thalipparambu is an inter district route and the route is passing through the jurisdictions of six Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2. Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3. Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.61

1.Heard; Adv.P.Deepak, the learned counsel represented the applicant Smt.Julie Thomas and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Express to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriages KL-06-F-8006 and KL-05-AC-8707 as LSOS to operate on the route Nedumkandam-Karikkottakkari in opposite direction in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Super Express in opposite direction were expired on 03/01/2015.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger,Super Fast services etc.and the permits of which were subsequently rejected/adjourned by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order,the permit holder has applied for the conversion of the class of services from Super Express to LSOS and renewal of the permit as LSOS.The route Nedumkandam-Karikkottakkari is an inter district route and the route is passing through the jurisdictions of seven Regional Transport The RTA Kottayam has granted concurrence for the renewal of permit without prejudicing the right of the primary authority to decide the nature of service depending on the route length. Hence conversion of class of service as LSOS is allowed and renewal of permit is granted as Ordinary limited stop service with a rate of running time prescribed by the STA and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

2.Secretary,RTA is directed to issue temporary permit till the issue of renewed permit with the conditions laid down in the grant of renewal of permit.

Item No.62

1.Heard; Adv.P.Deepak, the learned counsel represented the applicant Smt.Remaniyamma and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Super Fast to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-34-B-9599 as LSOS to operate on the route Kaipattoor-Aluva in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015. This authority considered the application in detail. The inter district regular permits issued to the above stage carriages to operate

service as Super Fast were expired on 04/03/2015. Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc. and the permits of which were subsequently rejected by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order,the permit holder has applied for the conversion of the class of services from Super Fast to LSOS and renewal of the permit as LSOS. The route Kaipattoor-Aluva is an inter district route and the route is passing through the jurisdictions of four Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of sister Regional Transport Authorities having jurisdiction of more than 20 kilometers. Hence adjourned.

2.Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3.Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Item No.63 & Additional Item No.27

Heard Adv. Gopinathan Nair, the learned counsel represented the applicant Sri. Shibu, the counsel represented Sri. Sanesh A S , the objector and the counsel represented Kerala State Road Transport Corporation.

This is an issue related to the renewal of a regular permit expired on 14/12/2003 and the authenticity of the medical certificate produced along with the request for condonation of delay in filing application for the renewal of permit. This authority considered the issue in detail.

A regular permit was issued to Stage Carriage KEE 8787 on 15/12/1998 to operate on the route Anappara, Angamaly, Perumbavoor as ordinary moffusil service, subsequently the regular permit was expired on 14/12/2003. After the expiry of regular permit, another stage carriages were conducted service on the route Anappara-Angamaly-Perumbavoor in the vacant timings of stage carriage KEE-8787. The objector in this case Sri. Sanesh, Amuppilly House, Yordhanapuram was also conducted service on the same sector utilizing the vacant timings of stage carriage

KEE 8787. After the expiry of regular permit in respect of stage carriage KEE 8787, another operators had applied for the grant regular permit on the route Anappara-Angamaly-Perumbavoor utilizing the vacant timings stage carriage KEE 8787. In all the above cases RTA rejected the applications for the grant of regular permit on the ground that the route is objectionably overlaps notified scheme Kottayam-Kozhikode published vide GO(P) No.42/2009/Tran dated 14/07/2009.

During the year 2013, Sri. Sanesh A S, Amuppilly House, Yorudhanapuram, who is the objector in this case had filed an application for the grant of regular permit in respect of his stage carriage KL-2-P-5805 to operate on the route Anappara-Annamanada utilizing the vacant timings of the stage carriage KEE 8787.

Since the regular permit issued to stage carriage KEE- 8787 is not cancelled, another stage carriage was operating service with issued temporary permit utilizing the vacant timings of stage carriage KEE 8787, this authority granted a regular permit in favour of Sri. Sanesh A S subject to settlement of timings . Thereafter secretary RTA, issued granted regular permit with another set of settled timings. Even after the regular permit availed with a new set of timings, Sri. Sanesh A S the holder of regular permit on the route Anappara-Annamanada with stage carriage KL 2 P 5805 is being frequently requested for the revision of his timings for utilizing the vacant timings of stage carriage KEE -8787 .

Thereafter on 30/01/2015 the holder of expired permit in respect of stage carriage KEE 8787 had applied application for the renewal of the regular permit and replacement of the vehicle by stage carriage KL 07 AC 9256 and requested for the condonation of the delay in filing application for the renewal of permit along with a medical certificate issued by the registered medical practitioner certifying that the permit holder was under his treatment for stroke from the year 2003 and hence he was incapable of filing application within the time limit .

This authority in its earlier sitting held on 26/05/2015, considered the application for the renewal of permit and request for condonation delay in the light of medical certificate produced along with the request . In the above sitting, Sri. Sanesh A S , Amuppilly House, Yordhanapuram, who is the another stage carriage operator in the same sector and an applicant for the grant of permit in the vacant timings of Stage Carriage KEE 8787 filed an objection against the renewal of permit in respect of stage carriage KEE 8787 stating that the medical certificate produced by the applicant for the condonation of delay is fabricated one and requested to ascertain the genuineness of the medical certificate produced by the permit holder. Hence this authority adjourn the matter for conducting a detailed enquiry through the District Police Chief Ernakulam (Rural) for ascertaining the allegation raised by the objector .

In the meantime , the applicant for the renewal of permit had applied for the grant of temporary permit on the same route . In the light of Judgment of Hon'ble High Court of Kerala in WP© No. 12567/2015 dtd 12/6/2015 the secretary RTA conducted detailed enquiry for ascertaining the need of temporary permit on the route Anappara-Angamaly-Perumbavoor. The enquiry officer had specifically reported that the vacancy of stage carriage KEE 8787 is still existence and the proposed permit is highly

beneficial to the travelling public. In view of the above findings, the secretary RTA issued temporary permits in respect of stage carriage KL 07 AC 9256 owned by the permit holder to operate on the very same route Anappara-Angamaly-Perumbavoor with vacant timings of KEE 8787 . But no person other than Sri. Sanesh A S has filed objection against the grant of temporary permit . It is very crucial point that the KSRTC, the beneficiary of the notified scheme had not filed objection against the grant of permits in the vacancy of stage carriage KEE 8787 after the expiry of the regular permit.

Now the District Police Chief, Ernakulam (Rural) has submitted an enquiry report on allegation regarding the genuineness of the medical certificates submitted along with the request for condonation of delay. Vide above report, the police authority has reported that medical certificate submitted by the applicant is not a fabricated one and the certificate issued by the medical practitioner has clarified that the permit holder was under his treatment for long years. But they have not got supportive evidence of the treatment from the year 2003. The enquiry officer of Police Department has also reported that he suspects that the medical certificates were issued purposefully for filing application for the renewal of permit. This is the brief history of the case.

In this sitting , this authority heard all the affected parties in this case including the learned counsel appeared for the applicant , objector and the State Transport undertaking

Adv. Gopinadan Nair the learned counsel represented the applicant stated that, after the expiry of regular permit another stage carriages were conducted service on the same route in the vacancy of stage carriage KEE 8787 and the applicant was unable to file application for the renewal of permit in time due to his illness and a registered medical practitioner has issued material evidence proving the same.

The learned counsel represented Sri. Sanesh A S , the objector is argued that the medical certificate produced by the applicant is not genuine and there is objectionable overlapping on notified routed and hence the renewal of permit is the violation of the scheme of nationalization. Hence he has requested to deny the renewal of permit .

The counsel represented the KSRTC, the actual beneficiary of the scheme of nationalization has objected that the route in question is objectionably overlaps Kottayam- Kozhikode notified scheme published vide GO (p) No. 42/2009 /Trans dated 14/07/2009 and hence requested not to renew the permit .

This authority considered all the versions of affected parties and perused the file and arrived in at following decision

1. The objector Sri. Sanesh A S, Amuppilly House, Yordhanapuram is an another stage carriage operator on the same sector with stage carriage KL 02 P 5805 . He is also an applicant for the grant of a regular permit in the vacant stage carriage KEE 8787. The intention of the objector is only to prevent the applicant from stage carriage

service on the route Anappara-Angamaly-Perumbavoor for obtaining the vacant timings of KEE 8787 to his vehicle KL 02 P 5805 . This authority felt that the intension of the objector is not in a good faith and he is not an aggrieved person to object the renewal of permit in question . Hence the objection is hereby overruled.

2. The regular permit in question was issued during the year 1998 , long before the publication of notification No. 42/2009 /tran dated 14/07/2009. Clause (4) of the above said notification prevents the renewal of regular permit issued after 09/05/2006. Hence renewal of the regular permit in question will not affect the notification No. 42/2009/Trans dated 14/07/2009 . Hence the objection of the KSRTC against the renewal of permit is not sustainable .

The actual issue in this case is that, whether regular permit expired on 14/12/2003 can be renewed or not after the laps of long 12 years ?

As per section 81(2) of Motor Vehicles Act 1988, " A Permit may be renewed on an application made not less than 15 days before the date of its expiry " .

Sub Section (3) of section 81 also specified that the "Regional Transport Authority or the State Transport Authority , as the case may be , may entertain an application for the renewal of permit after the last date specified in the sub section (2) of section 81 of MV Act , if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified" .

Sub Section (4) of section 81 also specified the grounds on which the Regional Transport Authority or State Transport Authority as the case may be , may reject an application for the renewal of permit .

In this case the applicant has not submitted the application for the renewal of permit within the time limit prescribed under section 81(2) of MV Act 1988 .But he has filed application for the renewal of permit only after the long duration of 12 years from its expiry . The applicant has requested to condon delay in filing application considering his illness and produced medical certificate to prove his inability for reason , which prevented him from making application for the renewal of within the time specified . But another stage carriage operator challenged the genuineous of the Medical Certificate produced. The District Police Chief, Ernakulam (Rural) in his enquiry report certified that the medical certificate submitted by the applicant is not fabricated; but he is suspects that the permit holder obtained such certificated from the Registered Medical Practitioner only for the purpose of filing application for the renewal of permit. In these circumstances

1.This authority is not satisfied with the reason or cause prevented the permit holder from making an application . Hence the application for the renewal of permit of stage carriage KEE 8787 on the route Anappara-Angamaly-Perumbavoor is here by rejected .

2.Since the application for the renewal of permit rejected , the application for the replacement of vehicle is also stands rejected .

3.The enquiry officer in the Motor Vehicles Department has already reported that the vacant timings of stage carriage KEE 8787 is still in existence and there exist need of the grant of temporary permit on the route Anappara-Angamaly-Perumbavoor . So many representation have been received from the various quarters including the local bodies requesting the grant of permit on the above route . Considering the above factors Secretary, RTA issued temporary permits to stage carriages KL 07 AC-9256 on the route Anappara-Angamaly-Perumbavoor subject to the final decision on application on KEE 8787 .

Vide interim order in WP© No.37843/2015 dtd 15/12/2015,the Hon'ble High Court has ordered that there shall be no-reissue of temporary permit to the applicant Shibu,the second respondent on the route Anappara-Angamaly-Perumbavoor pending disposal of the writ petition.

Since the application for the renewal of permit is rejected, this authority is prevented from the grant of new temporary permit on proposed route violating the scheme of nationalization, the writ petition challenging the grant of temporary permit is still pending with Hon'ble Court, the application for the grant of further temporary permit U/S 87[1]C for 4 months to operate on the route Anappara-Angamaly-Perumbavoor in the vacant timings of stage carriage KEE-8787 is hereby rejected.

Item No.64

1.Perused the judgment of Hon'ble High Court of Kerala in WP© No.29828/2015 dtd 01/10/2015

2.Heard Adv.P.Deepak,the learned counsel represented the applicant Sri.Abdul Wahab and the counsel represented KSRTC.This is an application for the renewal of a regular permit in respect of stage carriage KL-07-AL-2004 on the route Kattappana-Ernakulam South,which was expired on 04/08/2008.The applicant has requested to condone delay in filing application for the renewal of permit.This authority considered the application in detail.

The applicant was a holder of a regular permit to conduct service on the inter regional route Kattappana-Ernakulam in respect of his stage carriage bearing registration number KL-07-AL-2004.The regular permit was effective for a period of five years from 05/08/2003 to 04/08/2008.The permit holder had filed an application for the renewal of the permit well in time on 10/12/2007.The concurrence of the Regional Transport Authorities of Idukki and Muvattupuzha within whose jurisdiction also the route falls was obtained as was necessary. The permit holder produced the current records of the vehicle KL-07-AL-2004 on 12-03-2012 and sought for expeditious sanctioning of the application for the renewal of permit. This authority in its sitting held on 04-04-2012 considered the matter and directed the applicant to produce No Objection Certificate from the financier of the vehicle and to clear the pending check reports against the vehicle. The permit holder did not bother to clear

the way despite the decision of this authority dtd 04/04/2012 and subsequent notice dtd 15/04/2013.

The regular permit even if renewed as sought by the permit holder would have expired on 03/08/2013 and an application for further renewal of permit should have been filed atleast 15 days before. But the permit holder filed further application for the renewal of permit and replacement of the vehicle only on 23/09/2015. An application filed for the renewal of permit after the last date specified in section 81[2] of MV Act-1988 can be entertained, if sufficient cause is shown under section 81[3] of the MV Act.

It may at once be noticed that a permit renewed after the expiry of the validity period shall have effect from the date of expiry itself under section 81[5] of the MV Act. The validity of the renewal would long only for a period of five years from the date of expiry of the regular permit as per sections 81[1],[2],[3] and [5] of the MV Act. A period of long five years is sufficient to comply the order of this authority. The retrospective operation of the renewal of permit will have effect only if the application for renewal is processed within a period of five years from the date of expiry of permit. The Motor Vehicles Act nowhere contemplates a renewal of an application filed for renewal of permit and the second application can only be treated as yet another application for renewal of permit. The applicant will be disentitled to the benefit of retroactive operation of section 81[5] of the act in the second application after the laps of five years from the expiry of the permit. The situation would be different, if the permit is renewed and an application for further renewal is filed under section 81[2] and 81[3] of the MV Act. There is no provision in the MV Act to tack on the second application with the first application for renewal of permit wherein final orders were not passed within a period of five years from the date of expiry of the permit.

Even otherwise the permit holder has to fail on the ground that the second application for renewal was filed only on 23/09/2015, whereas the regular permit even if renewed would have expired on 03/08/2013. There is a gap of two years between the expiry of the renewed permit, even if assumed to be done and the preferment of the second application for renewal of permit. The second application dtd 23/09/2015 cannot be treated as a continuation of the application dtd 10/12/2007 for the renewal of permit. Hence here is no scope for the renewal of permit.

The route in question Kattappana-Ernakulam is objectionably overlaps Trivandrum-Kannur, Trivandrum-Palakkad, Aluva-Kattappana and Kottayam - Kattappana notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. Hence there exist legal impediments to grant a new permit. The counsel represented KSRTC, the beneficiary of the scheme has requested to reject the application due to objectionable overlapping.

In view of the aforesaid facts and circumstances delay is not condoned and the application for the renewal of permit is hereby rejected.

3. Since the application for the renewal of permit is rejected, the application for the replacement of the vehicle is also stands rejected.

Item No.65

Heard Adv. Gopinathan Nair, the learned counsel represented the applicant. This is the applications for the renewal of regular permit and transfer of the permit U/S 82[2] of the MV Act-1988 in respect of stage carriage KL-07-AN-313 on the route Cheranelloor-Fort Kochi. This authority considered the matter in detail. This authority feels that here is a fraud and misrepresentation of facts at the time of earlier renewal of permit during the year 2010 since the permit holder was expired during the year 2007. But the agenda is not shown the facts in detail manner. Secretary RTA is directed to submit a detailed notes in the next sitting. Hence adjourned.

Item No.66

Heard; Adv. P. Deepak, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-38-2319 operating on the route North Parur-Angamaly as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act, 1988.

This authority considered the application in detail. The route is having length of 31 km in which the portion of the route from North Parur to Vedimara which is 2 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence adjourned.

Secretary RTA has the liberty to issue temporary permit to continue operation on public interest till the final disposal of the application.

Item No.67

Heard; Adv.Stalin Davis Peter, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-07-AM-2947 operating on the route Kunjithai-Kodungalloor as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act,1988.

This authority considered the application in detail. The route is having length of 17.8 km in which the portion of the route from North Parur to Vadakkumpuram which is 4.7 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence adjourned.

Secretary RTA has the liberty to issue temporary permit to continue operation on public interest till the final disposal of the application.

Item No.68

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-17-E-3131 operating on the route North Manjaly-Kodungalloor as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act,1988.

This authority considered the application in detail. The route is having length of 18 km in which the portion of the route from Vedimara to Vadakkumpuram which is 5 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority

is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence adjourned.

Secretary RTA has the liberty to issue temporary permit to continue operation on public interest till the final disposal of the application.

Item No.69

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-07-AV-3318 operating on the route Gothuruth-Vypin with extension to Collectors Square as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act,1988.

This authority considered the application in detail. The route is having length of 18 km in which the portion of the route from Chendamangalam Jn to Gothuruth which is 7 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence adjourned.

Secretary RTA has the liberty to issue temporary permit to continue operation on public interest till the final disposal of the application.

Item No.70

Heard Adv.P.Deepak, the learned counsel represented the applicant and also the Counsel represented the KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-40-G-3555 operating on the route Nechoorkadavu-Kaloor Bus as Ordinary moffusily Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued on 29/10/2000 and the proposed route is having length of 35.8 km and

the route objectionably overlaps Ernakulam-Thekkady, Trivandrum-Kannur and Trivandrum-Palakkad notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009 and Ernakulam-Muvattupuzha complete exclusion scheme with exceptional Clause by way of connecting two intermediate points at Trippunithura and Thiruvankulam. The counsel represented KSRTC has strongly objected the renewal of permit stating that the route objectionably overlaps notified schemes and they have ready to take over the permit. But they have not filed application for the permit on this route till date. This authority felt that the this permit was granted in view of the judgment of Hon'ble STAT and operating service for long years. Abrupt withdrawal of this service will adversely affect the travelling public and lead to law and order problems on the enroute. The counsel represented the permit holder has intimated that the proposal for modification of scheme Ernakulam-Muvattupuzha is under consideration of the Government and request to adjourn the matter for a clarification in this regard. Hence request allowed and decision is adjourned.

Considering the public interest and facilitate the travelling need, Secretary RTA is directed to issue temporary permit U/S 87[1]d of MV Act for a duration of 4 months, on filing application subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009, Clarification of the STA in this regard and final decision on application for the renewal of permit.

Item No.71

Heard ;Adv.G.Prabhakaran, the learned Counsel represented the applicant and the counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-40-D-4757 operating on the route Kuravilangad-Ernakulam as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1995. The proposed route is having length of 63 km and the route objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.72

Heard; Adv.P.Deepak, the learned Counsel the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-39-G-6353 operating on the route Palamkadavu-University Centre as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1990. The proposed route is having length of 47 km and the route objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not

filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.73

Heard; Adv.P.Gopinathan Nair, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-36-B-7003 operating on the route Kottayam-Kakkanad-Pukkattupady as LSOS. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1994 . Initially, the vehicle was conducted service as Fast Passenger. In the light of GO(P) No.73/2013/Tran dtd 16/07/2013, the permit holder had applied for the conversion of service as LSOS and this authority in its earlier sitting held on 30/10/2014 allowed conversion of service LSOS. RTA Kottayam has granted concurrence for the renewal of permit as LSOS. At present the vehicle is operating as LSOS with earlier set of timings. The proposed route is having length of 95 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. There is no impediment to renew the permit as LSOS for continuous operation in view of the GO(P) No.45/2015/Tran dtd 20/08/2015 and judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases.. Hence renewal of regular permit as LSOS is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009 with approved list of stops and a detailed fare stage.

Secretary RTA is directed to issue the renewal of permit as LSOS with list of stops as stipulated under Rule 206 of KMV Rules-1989 and fare stage on the route Kottayam-Pukkattupady.

Item No.74

Heard; Adv.Stalin Peter Davis, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-04-U-8037 operating on the route Kumbalangi Ferry-Kakkanad as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1994. The proposed route is having length of 36.9 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. RTA Alappuzha granted concurrence for the renewal of permit. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the

permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit[7/200/1994] is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.75

This is an application for the renewal of intra district regular permit in respect KL-08-AH-8937 operating on the route Mulavukadu- Ernakulam High Court as Mofusil Service and request for condonation of delay in filing application.The applicant is absent. Hence adjourned to next sitting.

Item No.76

Heard Adv.P.Gopinathan Nair, the learned counsel represented the applicant and also the Counsel represented the KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-07-BS-9250 operating on the route Thalayolapparambu-Kaloor as Ordinary moffusily Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1995 and the proposed route is having length of 42.5 km and the route objectionably overlaps Ernakulam-Thekkady, Trivandrum-Kannur and Trivandrum-Palakkad notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009 and Ernakulam-Muvattupuzha complete exclusion scheme with exceptional Clause by way of connecting two intermediate points at Trippunithura and Thiruvankulam. The counsel represented KSRTC has strongly objected the renewal of permit stating that the route objectionably overlaps notified schemes and they have ready to take over the permit. But they have not filed application for the permit on this route till date. This authority felt that the this permit was granted in view of the judgment of Hon'ble STAT and operating service for long years. Abrupt withdrawal of this service will adversely affect the travelling public and lead to law and order problems on the enroute. The counsel represented the permit holder has intimated that the proposal for modification of scheme Ernakulam-Muvattupuzha is under consideration of the Government and request to adjourn the matter for a clarification in this regard. Hence request allowed and decision is adjourned.

Considering the public interest and facilitate the travelling need, Secretary RTA is directed to issue temporary permit U/S 87[1]d of MV Act for a duration of 4 months, on filing application subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009 ,Clarification of the STA in this regard and final decision on application for the renewal of permit.

Item No.77

Heard; Adv.P.Deepak, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of intra district regular permit in respect of stage carriage KL-07-AV-8617 operating on the route Kumbalangi

Ferry-Kakkanad as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 2005. The proposed route is having length of 20 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit[7/225/2005] is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.78

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-06-C-1755 on the route Konthuruthy-Aluva, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.79

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AF-413 on the route Fort Kochi-Kumbalangy, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.80

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AQ-511 on the route South Chittoor-Fort Kochi, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.81

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AT-2468 on the Edakochi-Glass Factory, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.82

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BH-164 on the route Chittoor-Mattancherry, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.83

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BJ-1015 on the route

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

Item No.84

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BM-351 on the route South Chittoor-Konthuruthy, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.85

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-43-E-2324 on the route Kaloor-Eramalloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.86

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AJ-3973 on the route Aluva-Fort Kochi, is adjourned for the clearance of pending check report.

Item No.87

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AJ-4223 on the route Eramalloor-Aluva, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.88

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AM-2946 on the route Thoppij Jn-Aroor Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.89

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-2554 on the route Aluva-Kundannoor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.90

Heard the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-4111 on the route Edakochi-Mattancherry, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.91

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-A-4102 on the route Trippunithura-Trippunithura, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.92

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-C-4311 on the route Kadamakudy-Kodungalloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.93

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Request for withdrawal of the earlier application is permitted. Proposed transfer of permit in respect of S/C KL-32-A-2719 on the route Aluva-W.Island, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.94

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-A-4849 on the route Eeroor Gate-Puthukkalavattom, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.95

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-3122 on the route Pooyappilly-Ernakulam High Court Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.96

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-4572 on the route Gothuruth-Thevara Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.97

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-47-4320 on the route Eloor Ferry-Kodungalloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.98

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-04-V-6497 on the route Aluva-Irumpanam, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.99

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AQ-6905 on the route Malavana Ferry-Vypin-High Court Jn , is allowed as applied for subject to the clearance of Government dues,if any.

Item No.100

Heard Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BF-7287 on the route Cheranelloor-Thevara Ferry, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.101

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. The permit holder of stage carriage KL-07-BB-6132 has failed to submit No Objection Certificate from the financier.Hence adjourned.

Item No.102

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BG-5934 on the route Konthuruthy-Kakkanad , is allowed as applied for subject to the clearance of Government dues,if any.

Item No.103

1.Heard Adv.Stalin Peter Davis, the learned counsel represented Smt.Fathima ,wife of the deceased permit holder of stage carriage KL-07-AG-5642 covered by regular permit on the route Kadavanthara-Ernakulam-Eloor Depot .The applicant has produced all legal document for proving the legal succession. Delay in filing intimation and application is condoned and transfer of permit U/S 82[2] of MV Act in respect of S/C

KL-07-AG-5642, is allowed as applied for subject to the clearance of Government dues,if any.

2.The regular permit was issued during the year 2000, the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit[7/1042/2000] is granted subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009.

Item No.104

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-A-6919 on the route Perumbavoor-Ernakulam, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.105

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. One check report is pending against the stage carriage KL-39-A-5888.The permit holder is directed to clear the pending check reports.Hence adjourned to next sitting.

Item No.106

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. One check report is pending against the stage carriage KL-39-D-6822.The permit holder is directed to clear the pending check reports. Hence adjourned to next sitting.

Item No.107

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-7448 on the route High Court Jn-Kodungalloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.108

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-43-A-5335 on the route Andhakaranazhy-Thoppumpady, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.109

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-41-A-6639 on the route

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

Item No.110

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AL-5804 on the route Fort Kochi-cheranelloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.111

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-5183 on the route Parappuram-Aluva, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.112

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AN-6862 on the route Cheranelloor-Panangad, is adjourned for want of NOC from the financier and the remittance of compounding fee for Rs.5000/-.

Item No.113

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AP-6531 on the route Kumbalangi-Elamakkara, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.114

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Two check reports are pending against the stage carriage KL-07-AQ-6210.The permit holder is directed to clear the pending check reports. Hence adjourned to next sitting.

Item No.115

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AR-5089 on the route Moolamkuzhy-Aluva, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.116

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AT-6854 on the route Aluva-Fort Kochi, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.117

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AU-5040 on the route Kumbalangi-Cheranelloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.118

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AU-6399 on the route Mookkannur-Perumbavoor-Chully, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.119

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AZ-7356 on the route Vypin-Maliankara, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.120

This is an application for the transfer of permit in respect of stage carriage KL-07-AL-9124 operating on the route Fort Kochi-Kaloor.The applicants are absent.Hence adjourned.

Item No.121

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AP-9816 on the route Vellarappilly-Chully, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.122

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AR-9299 on the route Vyttila-Karimugal-Vyttila, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.123

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AZ-6206 on the route Ponekkara-Thevara Ferry, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.124

Heard the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BA-7767 on the route Vypin-North Parur-High Court Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.125

This is an application for the transfer of permit in respect of stage carriage KL-07-BD-9339 operating on the route Chittethukara-Perumpadappu. The applicants are absent. Hence adjourned.

Item No.126

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-08-AC-8907 on the route Kodungallur-Vypin-High Court Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.127

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-08-W-8513 on the route Njarakkal-Vypin-High Court Jn, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.128

Heard Adv.Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-23-A-7878 on the route Poothotta-Eloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.129

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AP-4343 on the route Nilampathinjamugal-Menaka, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.130

Heard Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BG-2569 on the route High Court Jn-Kodungalloor, is allowed as applied for subject to the clearance of Government dues,if any.

Item No.131

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant and the counsel represented the KSRTC.This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-07-AK-

2274 to operate on the route Panangad-Cheranelloor As city service in the vacant timings of stage carriage KL-07-BC-7318.This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-BC-7318 was surrendered during the year 2010 and thereafter the applicant is operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-BC-7318 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 30 km,in which the portion of the route from Edappally to Vyttila which is 15 km in length is objectionably overlaps Trivandrum-Kannur notified route published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC,the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.132

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt.Ammi Mathew and the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/c KL-17-F-7577 has applied for a temporary permit for 4 months on the modified route Piravom-Kaloor Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-F-7577.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-17-F-7577 on the route Piravom-Kaloor via Thiruvaniyoor, Thiruvankulam, Karingachira, Irumpanam, Puthiya Road,S.N Junction and Vyttila as Ordinary moffusil Service, for a duration of 4 months subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.133

Heard Adv.Jithesh Menon, the learned counsel represented the applicant and the counsel represented the KSRTC.This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-07-AN-6030 to operate on the route Poothotta-Aluva as city service in the vacant timings of stage carriage KL-07-AL-1975. This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-AL-1975 was surrendered and cancelled during the year 2004 and thereafter another stage carriage operator including the applicant are being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-AL-1975 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 40 km,and the entire route is objectionably overlaps Trivandrum-Kannur ,Ernakulam-Thekkady notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC,the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.134

Heard Adv.P.Deepak, the learned counsel represented the applicant and the counsel represented the KSRTC.This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-17-4656 to operate on the route Poothotta-Aluva as city service in the vacant timings of stage carriage KL-40-A-6031. This authority considered the application in detail.

The regular permit issued to stage carriage KL-40-A-6031 was surrendered and cancelled during the year 2010 and thereafter another stage carriage operator including the applicant are being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriageKL-40-A-6031 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 40 km,and the entire route is objectionably overlaps Trivandrum-Kannur ,Ernakulam-Thekkady notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC vehemently objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route in the same set of timings and they have not filed application for the grant of permit. Since the KSRTC,the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.135

Heard Adv.G.Goinathan Nair, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary

permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-43-3544 to operate on the route Cheranelloor-Nettoor Market-Aluva as city service in the vacant timings of stage carriage KL-07-AS-8148. This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-AS-8148 to operate on the route Cheranelloor-Nettoor Market-Aluva was surrendered and cancelled during the year 2011 and thereafter another stage carriage operator including the applicant are being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-AS-8148 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 39 km, and the portion of the route from Thevara Jn to Aluva which is 23 km in length is objectionably overlaps Trivandrum-Kannur ,Trivandrum-Palakkad notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC, the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.136

Heard Adv.P.Goinathan Nair, the learned counsel represented the applicants Smt.Riya Joshy and Sri.Baby.P.P and the counsel represented the KSRTC. This is the applications for the grant of temporary permit under proviso to section 104 of MV Act for a duration of 4 months in respect of stage carriage KL-07-AP-3549 and another suitable stage carriage to operate on the route Pallisery-Perumbavoor in the vacant timings of stage carriage KL-08-K-7025. This authority considered the application in detail.

The regular permit issued to stage carriage KL-08-K-7025 to operate on the route Pallisery-Perumbavoor was surrendered and cancelled during the year 2007 and thereafter another stage carriage operator including the applicant are being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-K-7025 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 28 km, and the portion of the route from Perumbavoor to Angamaly which is 13 km in length is objectionably overlaps Kottayam-Kozhikode notified scheme published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Vide judgment of Hon'ble High Court of Kerala in W.A No.1943/2012 and 1957/2012, this authority is prevented from the grant of permit on notified routes violating the scheme of nationalization

Since the KSRTC, the beneficiary of the notified scheme has filed objection, there exist legal impediment, no temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.137

Heard Adv.P.Deepak, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-07-BB-9809 to operate on the route Kalluchira-Eloor Depot as city service in the vacant timings of stage carriage KL-07-K-4753. This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-K-4753 to operate on the route Kalluchira-Eloor Depot was surrendered and cancelled during the year 2007 and thereafter the applicant is being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-K-4753 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is objectionably overlaps Trivandrum-Kannur, Trivandrum-Palakkad notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC, the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.138

Heard Adv.P.Deepak, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-07-AH-3484 to operate on the route Aluva-Thevara Jn as city service in the vacant timings of stage carriage KL-07-AG-1472. This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-AG-1472 to operate on the route Aluva-Thevara Jn was surrendered during the year 2005 and thereafter the applicant is being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-AG-1472 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The portion of the proposed route from Aluva to Thevara Jn which is 14 km in length is objectionably overlaps Trivandrum-Kannur, Trivandrum-Palakkad notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC, the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.139

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-07-AH-6107 to operate on the route Kothad Ferry-Chittoor as city service in the vacant timings of stage carriage KL-07-BJ-1878. This authority considered the application in detail.

The regular permit issued to stage carriage KL-07-BJ-1878 to operate on the route Kothad Ferry-Chittoor was surrendered and cancelled during the year 2011 and thereafter the applicant is being operating service in the above vacancy with issued temporary permits. The enquiry officer has already reported that the vacant timings of stage carriage KL-07-BJ-1878 is still in existence and there exist temporary need for the grant of permit on the proposed permit. The proposed route is having length of 26 km, in which the portion from Kacherippady Jn to Trippunithura which is 14 km in length is objectionably overlaps Ernakulam-Thekkady and Ernakulam-Thrissur notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC strongly objected the grant of proposed permit stating the objectionable overlapping. But KSRTC not conducting service on the proposed route and they have not filed application for the grant of permit. Since the KSRTC, the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Item No.140

Heard Adv.P.Deepak, the learned counsel represented the applicant Sri.Surendran and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-07-AQ-2497 has applied for a temporary permit for 4 months on the modified route HPC Velloore-Kaloor via Piravom, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-07-AQ-2497. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-AQ-2497 to operate on the route HPC Velloor-Kaloor as Ordinary mofussil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.141

Heard Adv. Stalin Peter Davis, the learned counsel represented the applicant Sri. Nikhil Kumar and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-40-335 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Ernakulam via Neerpara, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-40-335. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-40-335 to operate on the route Thalayolapparambu-Ernakulam as Ordinary mofussil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.142

Heard Adv. G. Prabhakaran, the learned counsel represented the applicant Sri. Roy Abraham and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-05-Y-2181 has applied for a temporary permit for 4 months on the modified route Ramamangalam -Kaloor via Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC

objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-05-Y-2181.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-05-Y-2181 to operate on the route Ramamangalam -Kaloor as Ordinary moffusil Service, for a duration of 4 months ,subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.143

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt.Nisha Nizar and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-39-C-786 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Kaloor via Chottanikkara, Thiruvankulam, Karingachira,Seaport-Airport Road,S.N.Jn,Petta and Vytila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-39-C-786.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-39-C-786 to operate on the route Thalayolapparambu- Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.144

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Roy Abraham and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-05-M-3982 has applied for a temporary permit for 4 months on the modified route Piravom-Kaloor via Thiruvaniyoor, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-05-M-3982. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-05-M-3982 to operate on the route Piravom -Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.145

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt.Lausi and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-05-P-3097 has applied for a temporary permit for 4 months on the modified route Ooramana-Kaloor via Kolencherry, Thiruvaniyoor, Vettickal, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-05-P-3097. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route

without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-05-P-3097 to operate on the route Ooramana-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.146

Heard Adv.P.Deepak, the learned counsel represented the applicant Sri.O.A.Mani and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-07-AQ-2977 has applied for a temporary permit for 4 months on the modified route Srampillikkavala-Nilampathinjamugal via Ezhakkaranad, Maneed, Vettickal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta, Vyttila and Kaloor Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-07-AQ-2977. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-AQ-2977 to operate on the route Srampillikkavala-Nilampathinjamugal as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.147

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.P.V.Mathai and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered

owner in respect of S/C KL-07-AT-3816 has applied for a temporary permit for 4 months on the modified route Piravom-Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta, Vyttila and M.G Road Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-07-AT-3816. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-AT-3816 to operate on the route Piravom-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.148

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt.Lausi and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-06-B-4032 has applied for a temporary permit for 4 months on the modified route Koothattukulam-Kaloor via Piravom, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-06-B-4032. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-06-B-4032 to operate on the route Koothattukulam -Kaloor as Ordinary mofussil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.149

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Nikhilkumar and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-36-4197 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu -Kaloor via Neerpara,Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn,Petta ,Vytila and MG Road Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-36-4197.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-36-4197 to operate on the route Thalayolapparamu -Kaloor as Ordinary mofussil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.150

Heard Adv.Gopinathan Nair, the learned counsel represented the applicant Sri. M.P.Prasad and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-36-A-4100 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Kaloor via Kanjiramattam, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vytila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel

represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-36-A-4100.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-36-A-4100 to operate on the route Thalayolapparambu-Kaloor as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.151

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Karia and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-37-A-4930 has applied for a temporary permit for 4 months on the modified route Koothattukulam-Kaloor via Piravom, Thiruvankulam, Karingachira,Seaport-Airport Road, S.N.Jn,Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-37-A-4930.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-37-A-4930 to operate on the route Koothattukulam -Kaloor as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.152

A.Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt. Kunjumol Paul and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 temporary permit was issued to S/C KL-17-F-5159 to operate on the modified route Mulakkulam -Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988.

Now the temporary permit holder has filed two applications for the grant of further temporary permit on the modified route and on the previous route by connecting Trippunithura and Thiruvankulam, two intermediate points on the Ernakulam- Muvattupuzha complete exclusion scheme with exceptional clause.The grant of permit connecting two or more intermediate points on above notified scheme is the clear violation of scheme of nationalization. The counsel represented the KSRTC strongly objected the grant of both permits violating the scheme of nationalization.

Hence decision on both applications for the grant of temporary permits is adjourned to next sitting. Secretary RTA is directed to issue 20 days temporary permit on the modified route via Puthiya Road after ascertaining the necessity, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard..

Item No.153

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt. Mary Baby and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-17-F-6906 has applied for a temporary permit for 4 months on the modified route Piravom -Kaloor via Vettikkal,Memugham, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-F-6906.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-17-F-6906 to operate on the route Piravom -Kaloor as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.154

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Smt. Mary Elias and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-39-H-5950 has applied for a temporary permit for 4 months on the modified route Koothattukulam -Kaloor via Edayar,Piravom,Thiruvaniyoor, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-39-H-5950.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-39-H-5950 to operate on the route Koothattukulam -Kaloor as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.155

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. K.S.Chandrasekharan and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-07-AS-5333 has applied for a temporary permit for 4 months on the modified route Koothattukulam-Kaloor via Piravom, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-07-AS-5333.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of

Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-AS-5333 to operate on the route Koothattukulam-Kaloor as Ordinary mofusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.156

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. George and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-05-K-6376 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Kaloor via Kanjiramattam, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-05-K-6376. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-05-K-6376 to operate on the route Thalayolapparambu-Kaloor as Ordinary mofusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.157

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Raju Uthuppan and heard the counsel represented KSRTC. In view of the interim order in SLP No.5034/2011&5035/2011 of Hon'ble Supreme Court of India, the registered owner in respect of S/C KL-05-S-8010 has applied for a temporary permit for 4 months on the route Thalayolapparambu -Kaloor via Mulamthuruthy, Chottanikkara,

Thiruvankulam, Trippunithura, and Vyttila Under Section 87(1)(C) of MV Act 1988. Vide interim order in above SLPs, the Hon'ble Supreme Court of India has permitted the applicant to operate service connecting Thiruvankulam and Trippunithura, which are the two intermediate points on the Ernakulam –Muvattupuzha notified scheme. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-05-S-8010 to operate on the route Thalayolapparambu -Kaloor as Ordinary mofussil Service, for a duration of 4 months subject to the result of SLP No.5034/2011&5035/2011 pending with the Hon'ble Supreme Court of India.

Item No.158

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Unnikrishnan and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-06-C-8962 has applied for a temporary permit for 4 months on the modified route Edakkattuvayal-Kalamassery via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta, Vyttila and Ernakulam South Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route, in the same time of stage carriage KL-06-C-8962. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-06-C-8962 to operate on the route Edakkattuvayal-Kalamassery as Ordinary mofussil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.159

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. K.S.Venugopalan and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-07-BT-7947 has applied for a temporary permit for 4 months on the modified route Kothad Ferry-Thiruvaniyoor via Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta, Vyttila and Ernakulam South

Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-07-BT-7947. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-BT-7947 to operate on the route Edakkattuvayal-Kalamassery as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.160

Heard Adv. Stalin Peter Davis, the learned counsel represented the applicant Sri. Chacko.P and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-17-E-8282 has applied for a temporary permit for 4 months on the modified route Koothattukulam-Kaloor via Piravom, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C) of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-E-8282. While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-17-E-8282 to operate on the route Koothattukulam-Kaloor as

Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.161

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Chacko.P and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-17-E-9097 has applied for a temporary permit for 4 months on the modified route Vattappara -Kaloor via Thirumarayoor, Veliyanadu,Peppathy, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-E-9097.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-17-E-9097 to operate on the route Vattappara-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.162

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Chacko.P and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-17-E-9604 has applied for a temporary permit for 4 months on the modified route Koothattukulam -Kaloor via Anchalpetty,Piravom,Arakkunnam,Mulamthuruthy, Palace Sqare Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service

on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-E-9604.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-17-E-9604 to operate on the route Koothattukulam-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.163

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Paul Kuriakose and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-17-M-9091 has applied for a temporary permit for 4 months on the modified route Koothattukulam -Kaloor via Piravom, Arakkunnam, Mulamthuruthy,Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-17-M-9091.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-17-M-9091 to operate on the route Koothattukulam-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.164

Heard Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. K.A.Nizar and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the registered owner in respect of S/C KL-39-E-9786 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Kaloor via Neerpara,Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-39-E-9786.While considering the writ petition filed by the private bus operators on the sector against the denial of the further grant of permit,the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c)of MV Act 1988 is granted to S/C KL-39-E-9786 to operate on the route Thalayolapparambu-Kaloor as Ordinary moffusil Service, for a duration of 4 months , subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard.

Item No.165

Heard Adv.G.Prabhakaran, the learned counsel represented the wife of Sri.P.V Saji,the deceased registered owner of stage carriage KL-40-A-9466 and heard the counsel represented KSRTC. In view of the judgement of Hon'ble High Court of Kerala in W.A.No.1943/2012 and 1957/2012 the possessor in respect of S/C KL-40-A-9466 has applied for a temporary permit for 4 months on the modified route Thalayolapparambu-Kaloor via Neerpara,Chottanikkara, Thiruvankulam, Karingachira, Seaport-Airport Road, S.N.Jn, Petta and Vyttila Under Section 87(1)(C)of MV Act 1988. This authority considered the matter in detail. The registered owner of stage carriage KL-40-A-9466 was expired and the wife of the deceased permit holder has applied for the grant of further temporary permit on the same route.The proposed route is a non notified route, but the route portions objectionably overlaps notified route Ernakulam-Thekkady published vide GO(P) No.42/2009/Tran dtd 14/07/2009.The applicant is operating service on the proposed route for long years with temporary permit issued on public interest. In this meeting the counsel represented KSRTC objected the grant of temporary permit stating that they have ready to operate service on the proposed route and already availed temporary permit on the same route ,in the same time of stage carriage KL-40-A-9466.While considering the writ petition filed by the private bus operators on the sector against the denial of

the further grant of permit, the Hon'ble High Court of Kerala has directed that the status quo shall be maintained until final orders on the pending writ petition. This authority felt that the abrupt withdrawal of existing services on the proposed route without providing alternative way will be the denial of the existing travelling facility of the public and it will lead to law and order problem also.

The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to the legal possessor of S/C KL-40-A-9466 to operate on the route Thalayolapparambu-Kaloor as Ordinary moffusil Service, for a duration of 4 months, subject to the result of pending writ petition/appeal before the Hon'ble High Court of Kerala in this regard and production of records of the vehicle after changing the ownership in to the legal possessor.

Item No.166

Heard. This is the request of the Secretary, RTA, Thrissur for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-07-AD-8010 operating on the route Ernakulam-Guruvayoor as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority from Cherai to Moothakunnam which is 11 km in length overlaps Aluva-Cherai and Aluva-Kuriappilly complete exclusion scheme with exceptional clause. Concurrence for the renewal of permit is granted as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.167

Heard. This is the request of the Secretary, RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-05-Z-2113 operating on the route Ernakulam-Kaloor-Cherthala as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority overlaps objectionably Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.168

Heard. This is the request of the Secretary, RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-35-A-1589 operating on the route Pongathanam-Ernakulam Kaloor as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority overlaps objectionably Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of

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

Item No.169

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-05-R-3787 operating on the route Changanassery-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.170

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-05-W-4577 operating on the route Ambika Market[Kottayam]-Vyttila hub as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.171

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-17-F-6177 operating on the route Parippu-Ernakulam Kaloor as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.172

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-36-5499 operating on the route Kottayam-Ernakulam Kaloor as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of

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

Item No.173

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-35-5334 operating on the route Pallickathode-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.174

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-17-F-3456 operating on the route Thiruvappu-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.175

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-35-A-9597 operating on the route Kanjirappally-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.176

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-35-C-4788 operating on the route Mundakkayam-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of

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

Item No.177

Heard. This is the request of the Secretary,RTA, Kottayam for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-35-E-1647 operating on the route Ernakulam-Mundakkayam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service up to Vyttila Hub as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.178

Heard. This is the request of the Secretary,RTA, Malappuram for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-08-AR-21 operating on the route Kozhikode-Ernakulam South as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Ernakulam-Thekkady notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Item No.179

Heard;Sri.P.V.Venugopala Pillai,Secretary,Subhash Nagar Residents Association,Subhash Nagar,Edappally,Kochi-24.This is a complaint against the private stage carriage for the non reservation of seats to senior citizen and Non wearing of uniform and Badge by the conductors,Non exhibition of registration Mark and issue of tickets without mentioning the registration mark. This authority considered the matter in detail and the Secretary RTA has intimated that frequent checking is being conducted to find out such offenders and action on already booked cases is going on. Considering the gravity of complaints, Secretary RTA is directed to conduct frequent checking and take stringent action against such stage carriages as stipulated in the MV Act and Rules and suspend the license of the conductors who violating the Rule 153 of KMV Rules 1989.

Item No.180

Secretary RTA has submitted the decision of the State Transport Authority enhancing the limit of general concurrence from 10 km to 20km for the renewal of inter district stage carriage permits and requested to delegate the power to the Secretary of RTA to grant the renewal of permit inter district regular permit in respect of stage carriages coming under the purview general concurrence.This authority considered the matter and felt that ,if the request is allowed,it can reduce the inordinate delay in considering

the application for the renewal of such inter district stage carriage permit .Hence request is allowed.Secretary RTA is delegated to consider the application for the renewal of permit inter district regular permit in respect of stage carriages coming under the purview general concurrence[up to 20km].

Item No.181

Heard;Adv.G.Prabhakaran,the learned counsel represented the applicant Sri.Sajeevan.The counsel represented the grantee of regular permit on the route Arthunkal Church-Vyttila Hub has requested to grant maximum time for the production of suitable stage carriage as directed by the RTA held on 17/08/2015 vide decision in item No.19.This authority considered the request and maximum time of 4 months in aggregate as stipulated under rule 159[2] of KMV Rules-1989 is allowed to the grantee for the production of current record of suitable vehicle not older than five years from the date of its original registration. If the grantee has failed to produce the vehicle within the above time limit,the sanction is liable to be revoked.

Item No.182

Heard;Adv.M.Jithesh Menon,the learned counsel represented the applicant Sri.Abdul Hakkim. The counsel has failed to submit documents proving the legal heir of the decease grantee of permit Sri.Mujeeb Rahman. The applicant is directed to produce legal document before the Secretary RTA.Hence adjourned to next sitting

Item No.183

Heard;Adv.G.Prabhakaran,the learned counsel represented the permit holder of stage carriage KL-41-A-1188. The counsel has intimated that official procedures are not complied in this regard before taking action against the permit holder. Secretary RTA is directed to issue show cause notice to the permit holder by registered post with acknowledgment due.Hence adjourned to next sitting

Item No.184

Heard;Adv.Gopinathan Nair, the learned counsel represented the permit holder of stage carriage KL-42-333. The counsel represented the permit holder has intimated that the Police Authority intentionally registered the cases and requested not to take any action without hearing the concerned police authority. This authority considered the matter and allowed the request. Secretary RTA is directed to issue notice to the concerned police authority with direction to appear before this authority in the next sitting. Hence adjourned to next sitting.

Item No.185

Heard;Adv.P.Deepak,the learned counsel represented the permit holder of stage carriage KL-39-A-2335. The counsel has intimated that official procedures are not complied in this regard before taking action against the permit holder. Secretary RTA is directed to issue show cause notice to the permit holder by registered post with acknowledgment due.Hence adjourned to next sitting

Item No.186

Heard;Adv.P.Deepak,the learned counsel represented the permit holder of stage carriage KL-42-441.One Mri.Hari,who is a physically challenged person has submitted a complaint against the rash and negligent running of the stage carriage KL-42-441 and misbehavior of crews, which cause difficulties and hence requested to take action against the permit holder of stage carriages and crews concerned. The Secretary RTA enquired the matter and reported that the complaint is genuine and recommended action against the offenders. This authority considered the issue in detail. The enquiry officer has reported that the person who perform the duties of the conductor on the day of incident [24/02/2015] has no conductor license. The stage carriage KL-42-441 is not covered by regular permit. The vehicle is covered by only temporary permit. Considering the gravity of offence,the registered owner of stage carriage KL-41-441 Sri.Sreekanthan, Punnakkatharayil, Mathilakam.P.O, Thrissur is hereby punished by compounding the offence for Rs.5000/- within a period of one month from 01/02/2015.

Sri.Sarath.A.R,Appachath House,Vadakkumpuram.P.O,the person engaged in the duties of conductor on 24/02/2015 is hereby punished by compounding Rs.2000/-within one month from 01/02/2015.

Item No.187

Heard;Adv.G.Prabhakaran,the learned counsel represented the permit holder of stage carriage KL-08-AD-1800.This is a request for condonation of delay in submitting the current records for effecting the transfer of permit granted on 20/05/2014.The agenda is not reporting the reason for the inordinate delay happened.Secretary RTA is directed to submit a detailed agenda.Hence adjourned to next sitting.

Item No.188

Heard;Adv.M.jithesh Menon,the learned counsel represented the applicant.This is an application for the grant of temporary permit in respect of stage carriage KL-13-L-7115 to operate on the route Kodungalloor-Ernakulam High Court Jn in the vacancy of stage carriage KL-42-C-5808. The regular permit issued to the stage carriage was revoked by this authority.The Secretary RTA is directed to submit a report on statistics of the stage carriages operating on the above route.Hence adjourned to next sitting.

Item No.189

1.Perused the judgment of Hon'ble High Court of Kerala in WP© No.34373 of 2015 dtd 13/11/2015 and 19/11/2015 and Judgment in W.A No.2588/205 dtd 02/12/2015

2.Heard the learned Counsel represented the permit holder,Sri.Bobby George and the learned counsel represented Sri.Sanesh A.S,

This is an issue related to the regular permit 7/2832/2006 which is now keeping under suspended animation by releasing the stage carriage KL-60-A-5324 from the regular permit in compliance to the interim order of Hon'ble High Court of Kerala in WP© No.34373 of 2015 dtd 13/11/2015 and final order dtd 19/11/2015.

This authority considered the matter in detail. Sri Bobby George, Parakka House, Ezhattumugham, Angamaly Ernakulam was the registered owner of stage carriage KL-10-S-7542 having regular permit No.7/2832/2006, on the route Ezhattumugham-Angamaly valid up to 09/09/2016. Thereafter, on 20/02/2015, the permit holder produced the records of the later model stage carriage KL-60-A-5324, owned by one Mr. Sanesh.A.S, Ammuppilly House, Yordhanapuram possessed by him under lease agreement entered in to between Sri. Bobby George and Sri. Sanesh.A.S and applied for the replacement of the vehicle KL-10-S-7542 with stage carriage KL-60-A-5324. A Copy of the lease agreement was also submitted along with the application.

On consideration of the application, along with the lease agreement, the Secretary RTA allowed replacement as applied with effect from 24/02/2015 and permitted Sri. Bobby George to operate on the route Ezhattumugham-Angamaly with the stage carriage KL-60-A-5324.

On 19/08/2015, Sri. Bobby George filed a theft intimation stating that the vehicle KL-60-A-5324 was stolen on 15/08/2015. Thereafter on very next day, the registered owner of the vehicle Sri. Sanesh.A.S intimated that the stage carriage KL-60-A-5324 was sold to Sri. Muhammedkutty, Nalakath Kalathil, Chelambra, Thirurangady and filed an application for the issue of clearance certificate to Sub RT Office, Thirurangady to effect the transfer ownership in to the name of transferee without surrendering the regular permit . Since the stage carriage KL-60-A-5324 is covered by a regular permit, the permit holder. Sri Bobby George filed a theft intimation of the vehicle KL-60-A-5324 , the Secretary RTA declined to issue the clearance certificate. In the mean time, Sri. Bobby George, the permit holder filed a Writ Petition [civil] No.26036/2015 before the Hon'ble High Court of Kerala alleging that the registered owner of stage carriage KL-60-A-5324 repossessed the vehicle violating the terms of the lease .Vide judgment in WP© No.26036/2015, the Hon'ble High Court of Kerala has directed the Regional Transport Officer who is also the Secretary of RTA to pass orders on the objection filed by the permit holder against the issue of clearance certificate after hearing both parties. In the light of the above judgment, the Regional Transport Officer heard both parties and issued a proceedings on 07/09/2015 pronouncing that the dispute between two parties was derived out of the breach of the conditions contained in the Lease Agreement entered in to between them and such disputes would have to be necessarily adjudicated before the appropriate Civil Forum and decided to wait till the settlement of petition pending before the Hon'ble Judicial First Class Magistrate, Angamaly. The Regional Transport Officer directed Sri. Sanesh A.S to clear the tax arrears and to surrender the valid regular permit covered by the vehicle. Sri. Bobby George , the permit holder has given an option to continue in the permit by offering another later model vehicle for replacing the stage carriage KL-60-A-5324, if so desired.

Thereafter, On 17/11/2015, Sri. Sanesh.A.S, Ammupilly House, Yordhanapuram, the registered owner of stage carriage KL-60-A-5324 has produced an interim order of Hon'ble High Court of Kerala in WP© No.34373/2015 dtd 13/11/2015 wherein the Hon'ble Court directed the Secretary RTA to issue clearance certificate to the petitioner

within a period of two weeks without insisting the surrender of the permit. On 19/11/2015, the Hon'ble Court finally disposed the writ petition 34373/2015 directing the Secretary RTA to issue clearance certificate to the registered owner within a time frame. In compliance to the above order of Hon'ble High Court, the Secretary RTA issued clearance certificate to Sub Regional Transport Office, Thirurangady on 26/11/2015 for effecting the transfer of ownership in to the name of the transferee.

Against the Judgment in WP© No.34373/2015 dtd 19/11/2015, Sri.Bobby George, the permit holder filed a Writ Appeal No.2588/2015 before the Hon'ble High Court of Kerala and vide Judgment in above appeal dtd 02/12/2015, the Hon'ble Division Bench of High Court set aside the judgment of the single bench in WP© No.34373/2015 dtd 19/11/2015 and Order of the Secretary RTA dtd 11/09/2015 and directed the Regional Transport Authority to take such a decision as required by law. This is the brief history of the case.

This authority considered the issue in detail in the light of judgment of Hon'ble High Court of Kerala in W.A No.2588/2015 dtd 02/12/2015 and delivered the following

1. In view of the Judgment of Hon'ble Division Bench in W.A No.2588/2015, the Clearance Certificate issued by the Regional Transport Officer in respect of stage carriage KL-60-A-5324 and all the proceedings initiated in pursuant to the above certificate is liable to be cancelled. Hence the Regional Transport Officer Ernakulam is directed to cancel the Clearance certificate issued in respect of stage carriage KL-60-A-5324 dtd 26/11/2015 with immediate effect and take urgent steps to cancel all the proceedings initiated in pursuant to the issue above certificate.
2. This authority felt that the dispute between two parties was derived out of the breach of the conditions contained in the Lease Agreement entered in to between them. The Regional Transport Authority has no jurisdiction to interfere on such dispute of civil nature. Such disputes would have to be necessarily adjudicated before the appropriate Civil Forum. Hence it is decided to wait till the settlement of petition pending before the Hon'ble Judicial First Class Magistrate, Angamaly and Hon'ble Munssiff Court Aluva. Hence adjourned.

Item No.190

Heard; Adv.Stalin Peter Davis, the learned counsel represented the permit holder of Autorickshaw KL-07-BQ-6812. This authority is satisfied with the explanation submitted by the permit holder for the delay in filing application. Hence delay is condoned and renewal of permit is granted subject to the remittance of Rs.2000/- as a punishment.

Item No.191

1.Heard; Adv.Gopinathan Nair, the learned counsel represented Sri.K.M.Bappu, the accused. The police authority has reported that One Mr.Bappu, who is the holder of

nine autorickshaw and permits has possessed other 30 numbers autorickshaw permits from the registered owners concerned and operating all the vehicles on hire using drivers on an agreement. As a result ,the drivers compelled to collect excess charge from the passengers for making more collection as entered in to the agreement between the drivers and Mr.Bappu.The registered owners of the above autorickshaws appeared before this authority also admitted that they have handed over the vehicles to Sri.K.M.Bappu to operate the vehicle on rented basis .The actions of the permit holders are against the law and interest of justice since so many application for the grant of city auto rickshaw permits are pending for the decision of Government.This authority felt that the permit holders of the autorickshaws included in this issue are incapable of operating service properly and their actions are the clear breach of permit conditions and which resulted the denial of chances of other owners,those who are waiting for the grant of permit.Hence the pemits included in this case are liable to be cancelled/suspended under section 86 of MV Act.

The permit holders [except SI No.29 to 37] are given an option to remit compounding fee for Rs.1000/- separately for each vehicles in lieu of suspension/Cancellation of permit.If the permit holders are failed to do so,Secretary RTA is directed to suspend the permits of the concerned autorickshaws[except SI No.29 to 37] for a duration of 3 months from 01/03/2016. If the illegality reported once again in future,the permits of the concerned vehicles will be revoked.

Item No.192

1.Heard.The police authority has reported that one Mr.Aji Cheriyan, has possessed 16 numbers autorickshaw and permits from the registerd owners concerned and operating all the vehicles on hire using drivers on an agreement. As a result ,the drivers compelled to collect excess charge from the passengers for making more collection as entered in to the agreement between the drivers and Mr.Aji Cheriyan.The registered owners of the above autorickshaws appeared before this authority also admitted that they have handed over the vehicles to Sri.Aji Cheriyan to operate the vehicle on rented basis .The actions of the permit holders are against the law and interest of justice since so many application for the grant of city auto rickshaw permits are pending for the decision of Government. This authority felt that the permit holders of the autorickshaws included in this issue are incapable of operating service properly and their actions are the clear breach of permit conditions and which resulted the denial of chances of other owners,those who are waiting for the grant of permit. Hence the pemits included in this case are liable to be cancelled/suspended under section 86 of MV Act.

The permit holders are given an option to remit compounding fee for Rs.1000/- separately for each vehicles in lieu of suspension/Cancellation of permit.If the permit holders are failed to do so,Secretary RTA is directed to suspend the permits of the

concerned autorickshaws for a duration of 3 months from 01/03/2016. If the illegality reported in future, the permits of the concerned vehicles will be revoked.

Item No.193

Heard and perused the Carriage By Road Act-2007 and Carriage by Road Rule-2011. Secretary RTA is delegated to entertain the application for the grant/renewal of the certificate of registration mandated under Carriage By Road Act-2007 and Carriage by Road Rule-2011 subject to the compliance of provisions of the above Act and Rules.

Item No.194

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

Item No.195

No items

Item No.196

The next sitting will be held on-----

Additional Item No.01

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.K.K.Asokan and the Counsel represented other private bus operators. This is an application for the grant of fresh inter district regular permit in respect of a suitable stage carriage to operate on the route Kaloor Bus Stand-Ponekkara-Makkekadavu as ordinary mofussil service. This authority considered the application in detail and reveals the following.

As per the application submitted, the applicant offered a Suitable stage carriage not less than 28 in all. This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

Eventhough the applicant offered a Suitable Stage Carriage against the serial No.06 in the submitted application for the grant of permit, there is a time of one month

for the production of current records of the vehicle from the date of grant, he has not furnished the particulars of vehicle before this authority to ascertain the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In view of the aforesaid facts and circumstances,

1.The applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

2.Secretary RTA is permitted to seek concurrence of RTA Alappuzha since 17.4 km of the proposed route is lying under the jurisdiction of that authority.

Hence adjourned.

Additional Item No.02

Heard; Adv.Jithesh Menon, the learned Counsel represented the applicant Sri.Baby Raphel and the Counsel represented other private bus operators. This is an application for the grant of fresh inter district regular permit in respect of stage carriage KL-07-AN-4290 or a suitable stage carriage to operate on the route Andhakaranazhy-Vyttila Hub as ordinary moffusil service. This authority considered the application in detail and reveals the following.

As per the application submitted,the applicant offered stage carriage KL-07-AN-4290 or a Suitable stage carriage not less than 39 in all.This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

In this case,the offered vehicle KL-07-AN-4290 is 2003 model and originally registered on 06/08/2003-.Hence it cannot be considered for the fresh stage Carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of original registration.

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

In view of the aforesaid facts and circumstances,

1.The applicant is directed to submit particulars of Suitable Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.

2.Secretary RTA is permitted to seek concurrence of RTA Alappuzha since 5 km of the proposed route is lying under the jurisdiction of that authority.

Hence adjourned.

Additional Item No.03

Heard; Adv.Gopinathan Nair, the learned Counsel represented the applicant Sri.manojkumar.P.R and the Counsel represented other private bus operators.This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route Irumpanam-Kanjiramattam-HMT-Infopark as ordinary moffusil service. This authority considered the application in detail and reveals the following.

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

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

The enquiry officer has reported that only LMV Stage carriages can be operated service on the road market road connecting Trippunithura Police station.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable LMV Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence adjourned.

Additional Item No.04

Heard; Adv.P.Deepak, the learned Counsel represented the applicant Sri.Murukesh.K.S and the Counsel represented other private bus operators. This is an application for the grant of fresh intra district regular permit in respect of a suitable stage carriage to operate on the route Mulamthuruthy-Trippunithura-kakkanad-Cochin University-Medical College as ordinary mofussil service. This authority considered the application in detail and reveals the following.

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

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

The enquiry officer has reported that only LMV Stage carriages can be operated service on the road market road connecting Trippunithura Police station.

In view of the aforesaid facts and circumstances, the applicant is directed to submit particulars of Suitable LMV Stage Carriage not older than five years from the date of its original registration for ascertaining the feasibility and age as specified by this authority in the case of new stage carriage permit considering the road safety with reference to the judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010.Hence adjourned.

Additional Item No.05

Heard; Adv.M.Jithesh Menon, the learned counsel represented the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AL-617 operating on the route Olive Mount-Ayyampuzha as Ordinary mofussil service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. In the proposed variation, the permit holder is desired to change the starting and halting place to Olive Mount and extension of 7th trip to Edalakkad via Kuttukaran Jn. The enquiry officer has reported that there is no curtailment in the existing service consequent to the proposed variation and the proposed extension to Edalakkad will provide additional advantage to the travelling public. Hence the Proposed variation is granted subject to settlement of timings.

Additional Item No.06

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant. This is an application for variation of regular permit in respect of stage carriage KL-07-AZ-2254 operating on the route Chittethukara-Edakochi-Fort Kochi-Irumpanam as Ordinary service. This authority considered the application in detail. The variation proposed in the application and the trips arranged in the time schedule proposed are seen contrary. By the proposed variation, the permit holder applied for the deviation of service through New Road only. But as per the time schedule proposed, he provided an additional trip to Edakochi from Ernakulam South. The enquiry officer has also failed to report the above variation and he misrepresented the real facts. This authority felt that, if the proposed variation in the above unclaimed trip is granted, there is an additional overlapping on Trivandrum-Palakkad and Trivandrum-Kannur notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 and it will violate the condition stipulated under clause 19 of the above notification. Secretary RTA is directed to submit a detailed enquiry report in this regard and place the matter in the next sitting itself.

Secretary RTA is directed to call explanation from the enquiry officers, who submitted the vague reports before this quasi judicial body without conducting sufficient enquiry.

Hence adjourned to next sitting.

Additional Item No.07

Heard Adv.P.Deepak, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AT-4678 operating on the route Elamakkara-Chottanikkara as ordinary city service. By the proposed variation, the permit holder is desired to to operate trip No.05 as Elamakkara- Vyttila avoiding service to Trippunithura and to operate trip number 08 as Chottanikkara-High Court Jn avoiding service to Kaloor with upsetting the existing time schedule. This authority considered the application in the light of enquiry report furnished by the field officer, objections raised by the public , KSRTC and connected file .

The enquiry officer also has reported that the curtailment of 5th trip to Trippunithura and 8th trip to Kaloor will adversely affect the travelling public. Regional Transport Authorities are constituted to consider applications and grant permit for providing better travelling facility to the public .In this case the curtailment of existing two trips are against the public interest.

This authority feels that the intention of the permit holder is only to revise the existing timings. The enquiry officer has specifically reported that there is no necessity under rule 145[6] for the proposed variation and no change of circumstances warranted under rule 145[7] for the revision existing timings. If the existing time schedule is revised, it

will adversely affect the existing settled portion of timings on the enroute .Hence the proposed variation is against the public interest.

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

Additional Item No.08

Heard; Adv.Gopinathan Nair,the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-07-AP-5666 operating on the route Irumpanam-Majummel as ordinary city service. By the proposed variation,the permit holder is desired to to operate 1st and 5th trips via Trppunithura,South ,Edappally, and Muttar instred of going through Kalamassery.He is also desired to operate 2nd 3rd and 6th trips via HMT Jn,Seaport-Airport Road and Kakkanad avoiding service through Jetty and Vyttila and to operate remainig trips with a change of existing timings. This authority considered the application in the light of enquiry report furnished by the field officer,objections raised by the public , KSRTC and connected file .

The enquiry officer also has reported that there is curtailment of entire trips between Edappally Jn to HMT Jn,curtailment of trips between Edappally and Manjummel in the 1st and 5th trips ,curtailment of 2nd and 6th trips via Jetty,Vyttila and Trippunithura etc. Regional Transport Authorities are constituted to consider applications and grant permit for providing better travelling facility to the public .In this case the curtailment of existing two trips are against the public interest.

Though the enquiry officer has reported that there in necessity under rule 145[6] for the proposed variation due to the commissioning of Muttar Bridge,so many objections have been received from the public stating that the curtailment of existing trips will affect them adversely. This authority felt that there is no change of circumstances warranted under rule 145[7] for the revision existing timings and no circumstance warranted under Rule 145[6] for the deviation of the existing trips. If the existing time schedule is revised,it will adversely affect the existing settled potion of timings on the enroute. But the enquiry officer has not reported the adverse effect of proposed variation and he has reported that the curtailment will not affect the public. This authority felt that the field officer has not reported the real consequence of curtailment.

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

Secretary RTA is directed to call explanation from the enquiry officer for the laps in reporting the actual facts and consequence of variation.

Additional Item No.09

Heard; Adv.Jithesh Menon,the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-18-D-6399 operating on the route Ernakulam High Court Jn-North Parur as ordinary moffusil service. By the proposed variation, the permit holder is desired to extend 3rd,4th and 9th trips to Kodungalloor from North Parur via Koottukada and to extend 1st,2nd,8th and 12th trip to Moothakunnam and to extend 5th and 6th trips to Njarackal from Elamkunnappuzha.This authority considered the application in detail.The proposed extension to Kodungalloor is coming under the jurisdiction of RTA Thrissur.Hence Secretary RTA is directed to seek concurrence of RTA Thrissur with details of overlapping for the proposed extension to Kodungalloor .Hence adjourned.

Additional Item No.10

1.Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant Sri.Jais Kuriakose and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Fast Passenger to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-35-B-6957 as LSOS to operate on the route Pala-Ernakulam in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail. The inter district regular permits issued to the above stage carriages to operate service as Fast Passenger was expired on 09/10/2014.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger, Super Fast services etc. and the permits of which were subsequently rejected/adjourned by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order, the permit holder has applied for the conversion of the class of services from Fast Passenger to LSOS and renewal of the permit as LSOS.The route Pala-Ernakulam is an inter district route and the route is passing through the jurisdictions of two Regional Transport Authorities. Concurrence of the authorities concerned are necessary for the renewal of permit as Ordinary Limited Stop Service. Hence Secretary RTA is permitted to seek concurrence of RTA Kottayam.Hence adjourned.

2.Secretary RTA is directed to issue temporary permits U/S 87[1]d of MV Act for durations of 4 months to continue operation as LSOS with a rate of running time prescribed by the STA and a rate of fare as prescribed by the Government for the ordinary service and a detailed fare stage and a list of approved stops ,subject to the

decision of STA on the age of the buses for being operated as Ordinary limited stop services.

3. Secretary RTA is directed to ascertain the feasibility of the list of stops proposed with reference to the Rule 206 of KMV Rules-1989 before issuing the temporary permit.

Additional Item No.11

Heard; Adv.Stalin Peter Davis, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is an application for variation of regular permit in respect of stage carriage KL-17-7009 operating on the route Kizhakkambalam-Aroor Jn as ordinary moffusil service.By the proposed variation,the permit holder is desired to extend certain trips from Aroor Jn to Keltron Ferry. This authority considered the application in detail.The proposed extension from Aroor Jn to Keltron Ferry which is 20 km length is coming under the jurisdiction of RTA Alappuzha. Hence Secretary RTA is directed to seek concurrence of RTA Alappuzha with details of overlapping for the proposed extension to Keltron Ferry .Hence adjourned.

Additional Item No.12

1.Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant Sri.Babu Thomas and the counsel represented the KSRTC. This is an application for the conversion of the Class of Service from Fast Passenger to Limited Stop Ordinary Service and renewal of the expired regular permit in respect of Stage carriage KL-35-E-7065 as LSOS to operate on the route Teekoy-Ernakulam in view of the GO(MS) No.45/2015/Tran dtd 20/08/2015.This authority considered the application in detail.The inter district regular permits issued to the above stage carriages to operate service as Fast Passenger was expired on 19/09/2013.Vide GO(P) No.73/2013/Tran dtd 16/07/2013,the Government of Kerala prevented the operation of private stage carriages as Super Class services. Now vide GO(MS) No.45/2015/Tran dtd 20/08/2015,the Government of Kerala have directed all Regional Transport Authorities to issue Ordinary Limited Stop Service permits to those private stage carriages which had been operated as higher class service such as Fast Passenger,Super Fast services etc.and the permits of which were subsequently rejected/adjourned by the Regional Transport Authorities as a result of coming into the effect of scheme notified as SRO No.555/2013 .

In the light of above order,the permit holder has applied for the conversion of the class of services from Fast Passenger to LSOS and renewal of the permit as LSOS. The route Kottayam-Pala is an inter district route.The RTA Kottayam has granted concurrence for the renewal of permit. Hence conversion of class of service as LSOS is allowed and renewal of permit is granted as Ordinary limited stop service with a rate of running time prescribed by the STA and a detailed fare stage and a list of approved stops ,subject to the decision of STA on the age of the buses for being operated as Ordinary limited stop services.

2. Secretary, RTA is directed to issue temporary permit till the issue of renewed permit with the conditions laid down in the grant of renewal of permit.

Additional Item No.13

Heard; Adv. Stalin Peter Davis, the learned counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of regular permit in respect of stage carriage KL-02-P-101 operating on the route Manjapra-Angamaly-North Parur as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act, 1988.

This authority considered the application in detail. The route is having length of 32 km in which the portion of the route from Mannam to Chendamangalam Jn which is 1 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence adjourned.

Secretary RTA has the liberty to issue temporary permit to continue operation on public interest till the final disposal of the application.

Additional Item No.14

Heard; Adv. P. Deepak, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is an application for the renewal of inter district regular permit in respect of stage carriage KL-33*C-4417 operating on the route Karimugal-Kottayam as LSOS. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued during the year 1995. The proposed route is having length of 97.4 km and the route is objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009. RTA Kottayam granted concurrence for the renewal of permit. Since the STU has not filed application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP© No.14793/2006 and connected cases. The Counsel represented STU has not filed objection against the renewal of permit. Hence renewal of regular permit [7/4193/1995] is granted as LSOS subject to the effect of Clause [4] of notification No.42/2009/Tran dtd 14/07/2009 and decision of RTA regarding the age of the stage carriages to be operated as Ordinary Limited Stop Services.

Additional Item No.15

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BF-2777 on the route Veegaland-Chellanam, is allowed as applied for subject to the clearance of Government dues,if any.

Additional Item No.16

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-5679 on the route Angamaly-Kalady, is allowed as applied for subject to the clearance of Government dues,if any.

Additional Item No.17

This is an application for the transfer of permit in respect of S/C KL-39-5090 on the route Aluva-MattancherryThe applicants were absent.Hence adjourned.

Additional Item No.18

Heard Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BH-6933 on the route Kakkannad-W/Island, is allowed as applied for subject to the clearance of Government dues,if any.

Additional Item No.19

This is matter for the transfer of a regulr permit U/S 82[2] of MV Act-1988 in respect of stage carriage KL-04-T-6852 on the route Manjaly-North Parur-Ernakulam High Court Jnin the name of Sri.Ajesh S/O late Jayan,Panakkattil H,Munduruthy,Mannam consequent to the death of the permit holder Sri.Jayan.The applicant is the son of the deceased permit holder.Vide judgment in WP© No.21450 of 2015,the Hon'ble High Court of Kerala has directed this authority to consider the application within a time frame.This authority considered the matter in detail.Eventhough the applicant submitted,legal documents for proving the succession of the vehicle,he has not complied the direction of the secretary RTA to file application for the transfer of permit. Hence a final decision in this case cannot be taken at this situation without filing of proper application.The Secretary RTA is directed to bring the matter to the notice of the Hon'ble High Court of Kerala.Hence adjourned.

Additional Item No.20

Heard Adv.Jithesh Menon, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-17-3456 to operate on the route Perumpadappu-Chellanam-Kumbalangy-Ernakulam South-Aluva as city service in the vacant timings of stage carriage KL-07-AC-650. This authority considered the application in detail.

The regular permit issued to stage carriage 07-AC-650 to operate on the route Perumpadappu-Chellanam-Kumbalangy-Ernakulam South-Aluva was expired on 10/03/2009 and thereafter the permit holder had not filed application for the renewal of permit. Thereafter another stage carriages were conducted service in the above vacancy with issued temporary permits. The enquiry officer had already reported that the vacant timings of stage carriage KL-07-AC-650 is still in existence and there exist temporary need for the grant of permit on the proposed permit. In compliance to the judgment of Hon'ble High Court of Kerala in WP© No.13829/2015, this authority issued a temporary permit for a duration of 4 months valid up to 20/02/2016 to the stage carriage KL-17-3456 to operate in the vacancy of stage carriage KL-07-AC-650. Thereafter vide interim order in WP© No.34009/2015, the Hon'ble High Court has stayed the operation of Ext.P5, the order granting the temporary permit for a period of two months. Hence this authority recalled the granted permit. Now the same person has applied for the grant of further temporary permit on the very same route in the same vacancy. The portion of the proposed route from Ernakulam to Aluva which is 26 km in length is objectionably overlaps Ernakulam-Thrissur and Trivandrum-Palakkad notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Counsel represented KSRTC vehemently objected the grant of proposed permit stating the objectionable overlapping. They have applied for the grant of permit on the proposed route. Since the KSRTC, the beneficiary of the notified scheme has filed objection, no further temporary permit can be granted to the private operators violating the scheme of nationalization. Hence rejected.

Additional Item No.21

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-17-B-2138 to operate on the route Piravom-Ernakulam as ordinary moffusil service in the in the pendency of the application for the renewal of permit . This authority considered the application in detail. The application for the renewal of permit filed within the prescribed time limit is pending for the clarification from the Government. The applicant is entitled to get the benefit of temporary permit U/S 87[1]d till the final disposal of the application for the renewal of permit. Hence temporary permit U/S 87[1]d for a duration of 4 months is granted. Secretary RTA is directed to issue further temporary permits till the disposal of the application for the renewal of permit, subject to the orders pending with the Government of Kerala on modification of the scheme Ernakulam-Muvattupuzha.

Additional Item No.22

Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C for a duration of 4 months in respect of stage carriage KL-05-P-9582 to operate on the route Thalayolapparambu-Thoppumpady as ordinary moffusil service in the vacancy of stage carriage KL-07-AK-6836. This authority considered the application in detail. The enquiry officer has reported that the route is objectionably

overlaps notified scheme published vide GO(p) No.42/2009/Tran dtd 14/07/2009. But details of overlapping not specifically furnished in the agenda and notes.

Secretary RTA is directed to hear the regular permit holder and submit a detailed agenda with distance of overlapping and details of the notified schemes. Hence adjourned to next sitting.

Additional Item No.23

Heard; Adv.P.Deepak, the learned counsel represented the applicant Sri. N.R.Babudas and heard the counsel represented KSRTC. In view of the interim order in SLP No.5034/2011&5035/2011 of Hon'ble Supreme Court of India, the registered owner in respect of S/C KL-07-AN-6880 has applied for a temporary permit for 4 months on the route Vattappara -Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, and Vyttila Under Section 87(1)(C) of MV Act 1988. Vide interim order in above SLPs, the Hon'ble Supreme Court of India has permitted the applicant to operate service connecting Thiruvankulam and Trippunithura, which are the two intermediate points on the Ernakulam -Muvattupuzha notified scheme. The field officer has reported that continuance of the service is essential as far as public interest is concerned. Hence a temporary permit U/S 87(1)(c) of MV Act 1988 is granted to S/C KL-07-AN-6880 to operate on the route Vattappara -Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura and Vyttila as Ordinary moffusil Service, for a duration of 4 months subject to the result of SLP No.5034/2011&5035/2011 pending with the Hon'ble Supreme Court of India.

Additional Item No.24

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant Sri. Joseph Bivera and heard the counsel represented KSRTC. This is an application for the grant of temporary permit U/S 87[1]C for a duration of 4 months in respect of stage carriage KL-07-BA-5593 to operate on the route North Parur-Ernakulam South as Ordinary Moffusil Service. This authority considered the application in detail. The counsel represented the applicant has offered another stage carriage for the grant of proposed permit. The counsel represented the KSRTC has strongly objected the grant of permit violating the scheme of nationalization. Secretary RTA is directed to verify the feasibility of the new vehicle offered by the applicant and submit a detailed agenda with distance of overlapping and details of the notified schemes. Hence adjourned to next sitting.

Additional Item No.25

Heard; Adv.G.Prabhakaran, the learned counsel represented the applicant and the counsel represented the KSRTC. This is an application for the grant of temporary permit U/S 87[1] C of MV Act for a duration of 4 months in respect of stage carriage KL-39-F-5146 to operate on the route Ernakulam-Piravom with extension to Koothattukulam as ordinary moffusil service in the in the pendency of the application for the renewal of permit . This authority considered the application in detail.The application for the renewal of permit filed within the prescribed time limit is pending for the clarification from the Government.The applicant is entitled to get the benefit of temporary permit U/S 87[1]d till the final disposal of the application for the renewal of permit.Hence temporary permit U/S 87[1]d for a duration of 4 months is granted.Secretary RTA is directed to issue further temporary permits till the disposal of the application for the renewal of permit,subject to the orders pending with the Government of Kerala on modification of the scheme Ernakulam-Muvattupuzha.

Additional Item No.26

Heard. This is the request of the Secretary,RTA, Idukki for the concurrence of this authority for the renewal of regular permit in respect of stage carriage KL-06-E-2808 operating on the route Cumbummettu-Ernakulam as LSOS. This authority considered the matter in detail. The portion of the route under the jurisdiction of this authority is objectionably overlaps Trivandrum-Palakkad and Trivandrum-Kannur notified scheme published vide GO(P) No.42/2009/Trans dtd 14/07/2009. Concurrence for the renewal of permit is granted to operate service as LSOS subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 without prejudice to the right of the primary authority to decide the nature of service depending on the route length.

Additional Item No.27

This authority considered the issue vide item No.63 and a combined decision has already been taken.

Additional Item No.28

Heard; Adv.G.Prabhakaran,the learned counsel represented the applicant. This is an application for replacement of the stage carriage covered by a regular permit valid up to 08/09/2019 by an older model vehicle KL-17-7173.This authority considered the application in detail.

This is a case where a later model vehicle(2008 model) covered by a stage carriage permit is sought to be replaced by an older model(2003 model) stage carriage. The regular stage carriage permit was granted in respect of 2008 model vehicle bearing registration No.KL-39-A-6822 to operate service on the route Panangad-Kakkanad. The permit so granted is valid from 09/09/2014 up to 08/09/2019.After operating service hardly for six months, the permit holder sold the vehicle to another person. The clearance for the vehicle was granted on a direction of court keeping the permit on suspended animation,subject to the condition the later model vehicle shall be offered within a period of 4 months from the date of judgment. Obviously ,the vehicle KL-39-A-6822 was in sound and satisfactory condition for stage carriage service. There was

no reason for the applicant to sell the vehicle and facilitate its operation on different route by another operator, other than selling the same for more attractive considerations. This action of the permit holder caused refusal of stage carriage service on the said route where there is lack of services and the passengers were put on to untold miseries. At the same time, the permit holder wanted to retain the validity of permit so as to substitute a bus irrespective of its age and revive the service on the route Panangad-Kakkanad.

Rule 174(2)(d) of KMV Rules suggest that the authority may reject an application for replacement of vehicle, where the incoming vehicle is older than the outgoing vehicle subject to discretion of power stated there in.

The Hon'ble STAT in MVAA No.250/2015 dtd 21/11/2015 ordered for the consideration of application by this authority .

This authority has examined the various circumstances under which a stage carriage fit for operation on a long route was sold out for consideration and an old vehicle sought to be pressed in to the service on such long route to the utter disadvantage to the traveling public. This authority have also examined the merits of the application in the light of the comparison table of the both vehicles furnished by the applicant.

The applicant/Permit holder does not appear to be keen in providing traveling facility to the public; on the other hand ,he has engaged in selling and buying the vehicle for profit and to the detriment of public safety and convenience .We have also observed that the object of MV Act 1988 that the safety of public. While comparing two vehicles of 2008 model and 2003 model, the vehicle of 2008 model will be in a better position regarding safety and there is considerable difference.

Having regard to the aforesaid circumstances and exercising the discretionary power under rule 174(2)d, the application for replacement is hereby rejected.

Vide judgment in WP© No.10624/2015 dtd 01/04/2015 the Hon'ble High Court of Kerala clearly remind the permit holder that a later model vehicle shall be offered within a period of 4 months from the date of judgment.But the permit holder has failed to offer a later model vehicle within a period of 4 months as the Ordered by the Hon'ble Court and direction issued by the Secretary RTA while issuing the clearance certificate.The permit holder produced another vehicle,which is very older than previous vehicle only on 10/08/2015 after the laps of one year.Hence the permit is liable to be revoked.

Hence this authority is hereby revoke the regular permit 7/10015/1994 issued to stage carriage KL-39-A-6822 to operate on the route Panangad-Kakkanad.

Additional Item No.29

Heard; Adv.G.Prabhakaran,the learned counsel represented the permit holder of stage carriage KL-07-AR-7942.This authority is satisfied with the reason for the delay occurred for the production of current records for endorsing the transfer of permit

granted by this authority on 26/05/2015.Hence delay is condoned.Secretary RTA is directed to endorse the transfer of permit.

Additional Item No.30

The secretary ,RTA has recommended to take action on pending check reports against the stage carriage KL-07-AN-8001 having a regular permit to operate on the route Angamaly-North Parur. Four check reports were booked against the above vehicle for the unauthorized operation, violating the permit conditions and the non compliance of Motor Vehicles Acts and Rules. This authority in its earlier sitting held on 17/08/2015 considered the matter and adjourned decision with direction to the Secretary RTA to issue show cause notice to the permit holder. After complying the above order, the Secretary RTA has submitted the matter before this authority for a decision. This authority considered the matter in detail. Even though the issued show cause was acknowledged, the permit holder has failed to respond or to compound the offence as specified in the charge memo issued by the Secretary RTA. This authority felt that the permit holder intentionally reluctant to remit the compounding fee and not appeared before this authority for a hearing. Hence this authority is constrained to take action on check reports pending from 20/05/2012. Considering the gravity of offence and dereliction of compliance of the order of the RTA, the permit of the stage carriage KL-07-AN-8001 is liable to be suspended.

The permit holder is given an option to remit compounding fee for Rs.11000/- in lieu of suspension/Cancellation of permit. If the permit holders are failed to do so, Secretary RTA is directed to suspend the permits of the stage carriage KL-07-AN-8001 for a duration of 3 months from 01/03/2016.

Additional Item No.31

The secretary ,RTA has recommended to take action on pending check reports against the stage carriage KL-17-B-7786 having a regular permit to operate on the route Kudapuram Ferry-Kaloor as Ordinary Moffusil Service. Eight check reports were booked by the Motor Vehicles Department against the above vehicle for the unauthorized operation, violating the permit conditions and the non compliance of Motor Vehicles Acts and Rules. This authority in its earlier sitting held on 17/08/2015 considered the matter and adjourned decision with direction to the Secretary RTA to issue show cause notice to the permit holder. Thereafter the issued show cause notice was returned to the office with remarks "The addressee left India". This authority considered the matter in detail. Since the permit holder was left India, he is incapable of operating stage carriage for the convenience of the passengers.Hence this authority is hereby revoke the regular permit 7/171/2002 issued to stage carriage KL-17-B-7786 to operate on the route Kudapuram Ferry-Kaloor.

Additional Item No.32

The secretary ,RTA has recommended to take action on pending check reports against the Heavy Goods Vehicle KL-43-G-2022 .The permit holder is absent. Hence Secretary RTA is directed to submit a detailed agenda specifying the validity of permit and issue show cause notice to the permit holder and place the matter before next sitting of this authority with details of acceptance of the show cause notice .Hence adjourned.

Additional Item No.33

1.Perused the judgment of Hon'ble High Court of Kerala in WP(c) No.29802/2015 dtd 05/10/2015,wherein this authority is directed to look in to the representation filed by Mrs.Jessy Varghese,Karingen House,Naduvattom.P.O,Kalady[via] Ernakulam against the newly constructed bus shelter on Angamaly-Kalady MC Road near Air Port Jn. The petitioner is absent. But this authority considered the representation in detail in view of the report submitted by the enquiry officer. The report submitted by the Joint Regional Transport Officer is not specific. Hence this authority is incapable of taking a decision without seeking the opinion of the PWD,Police authority,Local Body concerned and Motor Vehicles Department. Hence Secretary is directed to seek opinion and detailed report from the all concerned and submit a detailed report with recommendation in the next sitting. Hence adjourned.

Secretary RTA is also directed to intimate the situation to the Hon'ble Court and make necessary arrangements to file extension petition.

Supplementary Item No.01

Heard the representative of K.M.M College, Trikkakkara and the Counsel represented the KSRTC .This is a representation filed by the Principal, K.M.M College for women,Thrikkakkara requesting the grant of stage carriage permits connecting Ernakulam and Pukkattupady. This authority considered the matter and felt that the proposed route is the portion of the notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 and hence there exist legal impediments to grant new stage carriage permits to private operators. Hence KSRTC,the beneficiary of the notified scheme is responsible for providing sufficient travelling facilities on notified routes or its portions to cater the need of public. Hence the DTO,KSRTC Ernakulam is directed to operate sufficient stage carriages on the requested route .

Supplementary Item No.02

Considered the matter and it is decided to conduct meeting in every-----

ADDITIONAL ITEM INCLUDED AS DIRECTED BY THE CHAIRMAN

1.

So many complaints have been received in the meeting from the stage carriage operators against the grant of regular permit to stage carriages stating that most of the

applicants have been applied for the permit offering a very old vehicles or with a suitable stage carriages .After after the grant and issue of permit in respect of the very old vehicle,the permit holders are trying to sell the permit with old vehicle for huge amount and trying to trafficking the permit for monetary benefits.In view of the objection and perusal of the records,this authority is felt that the contention araised is genuine.Hence the matter included as an item in this meeting.

This authority in its earlier sitting held on 17/08/2015 implemented a restriction that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration considering the aspects of road safety and in the light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010 for avoiding the trafficking of the permit and similar issue.

Considering the present objections,this authority is hereby decide that no new regular stage carriage permits shall be allowed to transfer within two years from the date of first issue of permit.

Secretary RTA is directed to exhibit the decision in the office notice board and give wide publicity through media in this regard.

Sd/-

Chairman &Members