DECISIONS OF THE MEETING OF REGIONAL TRANSPORT AUTHORITY, PALAKKAD HELD ON 25.02.2019 AT 2.00 PM AT DISTRICT COLLECTORATE CONFERENCE HALL, PALAKKAD.

Present:

Chairman : Sri.D. Balamurali IAS
District Collector & Chairman-Regional Transport Authority, Palakkad.

Member : Sri.Sabu. P.S IPS,
District Police Chief & Member-Regional Transport Authority, Palakkad.

Member : Sri.Ajithkumar.M.P,
Deputy Transport Commissioner, Central Zone-1, Thrissur & Member-Regional Transport Authority, Palakkad.
MINUTES OF THE MEETING OF REGIONAL TRANSPORT AUTHORITY, PALAKKAD
HELD ON 25.02.2019

Item No.01

1) Perused the decision of State Transport Authority, Kerala dated 16.01.2019 in Department Item no.1 re-fixing the age limit for the stage carriages in applying and granting fresh regular permits including ordinary/city/town stage carriages and LSOS (Limited Stop Ordinary Service) stage carriages as 8 years.

2) The secretary, RTA is directed to implement the above decision of STA

Item No.02

Heard. The request for allowing a new bus stop at Kadavankode 0/400 km on Thathamangalam-Nattukal State Highway 25 is considered and in view of NOC from the Executive Engineer, PWD Roads Division, Palakkad and enquiry report submitted by the field officer, Joint Regional Transport Office, Chittur, this authority allows the proposed bus stop under rule 206 of KMV Rules, 1989 for ordinary services subject to existing rules and regulations.

Item No.03

1. Perused the judgment dt.17.10.2018 by the Hon’ble High Court of Kerala in WP(C) no.32922/2018
2. Heard. This application for fresh regular stage carriage permit on the intra-district route Arangottukulambu - Palakkad Stadium Bus Stand was earlier considered by RTA dt.15.11.2018 in item no.18 and the decision on the matter was adjourned due to objections from other enroute operators with direction to the secretary RTA to ascertain the suitability of the bridge at Arangottukulambu for stage carriage services from the competent authority.

Meanwhile, the applicant submitted that he did not propose to operate through the said bridge as alleged by the objectors. Then, the matter has been enquired through MVI, Palakkad and it is revealed that though the route proposed by the applicant is not passing through the bridge at Arangottukulambu,
it passes through another bridge at Padalikkad, built over Malampuzha Canal.

The report subsequently sought from the concerned road/bridge authorities about the suitability of the bridge at Padalikkad for stage carriage service is still due from them.

In the meeting, the objectors also have argued for ascertaining the fitness of the above bridge for stage carriage operation. Under these circumstances, the secretary is directed to place the matter in the RTA meeting for reconsideration after the said report from the competent authority is received. **Hence, the decision on the matter is adjourned.**

**Item No.04**

1. Perused the judgment dt.17.10.2018 by the Hon’ble High Court of Kerala in WP(C) no.32922/2018
2. Heard. This application for fresh regular stage carriage permit on the intra-district route Pudussery -Palakkad Stadium Bus Stand was earlier considered by RTA dt.15.11.2018 in item no.19 and the decision on the matter was adjourned due to objections from other enroute operators with direction to the secretary RTA to ascertain the suitability of the bridge at Arangottukulambu for stage carriage services from the competent authority.

Meanwhile, the applicant submitted that he did not propose to operate through the said bridge as alleged by the objectors. Then, the matter has been enquired through MVI, Palakkad and it is revealed that though the route proposed by the applicant is not passing through the bridge at Arangottukulambu, it passes through another bridge at Padalikkad, built over Malampuzha Canal.

The report subsequently sought from the concerned road/bridge authorities about the suitability of the bridge at Padalikkad for stage carriage service is still due from them.

In the meeting, the objectors also have argued for ascertaining the fitness of the above bridge for stage carriage operation. Under these circumstances, the secretary is directed to place the matter in the RTA meeting for reconsideration after the said report from the competent authority is received. **Hence, the decision on the matter is adjourned.**
Item No.05

Heard. This is an application for fresh regular stage carriage permit on the inter-district route Valanchery--Pattambi. It is reported that route covers a distance of 11 Km in Malappuram district. So, a prior concurrence from the sister RTA is required for consideration of the application. Hence, Secretary is permitted to obtain prior concurrence from RTA Malappuram with specific mention of intermediate points on the route and the exact distance of overlapping with notified route in the jurisdiction of RTA Malappuram, if any & place the application before RTA for re-consideration. For compliance of the above direction, decision on the application is adjourned.

Item No.06

Heard. This is an application for fresh regular stage carriage permit on the intra-district route Elambilassery-Mannarkkad and there is overlapping with notified route in this proposal and the K.S.R.T.C has vehemently objected to granting the permit stating that the distance of overlapping with the notified route in the proposal is beyond the permissible limit.

But on perusal of the enquiry report dated 06.02.2019 submitted by the field officer, Mannarkkad on the above matter, it is revealed that on this route, with a total length of 14.3 Km, only a distance of 700 metres from Mannarkkad Bus Stand to Tippu Sulthan Road Jn. overlaps with the notified route, Palakkad-Kannur, which is within the limit prescribed in clause 5(c) of G.O(P) No.08/2017/Tran dated 23.03.2017.

It is also reported that there are no buses operating on route portions between Elambilassery and Mannarkkad via Kariyode, Thannerpanthal, Ayyappankavu, Kilirani, Madathilkundu, Pullissery, Mukkannam and the proposed route covers five remote panchayaths of Mannarkkad and Ottappalam Taluks and is highly beneficial for the travelling common public as well as students of Govt. ITI at Elambilassery.
Hence, in view of the observations of Hon’ble High Court of Kerala reported in 1980 KLT 249, 2000(1) KLT 141 and 2005(1) KLT 987, **fresh regular stage carriage permit is granted**, subject to settlement of timings and production of current records of a suitable LMV/MMV stage carriage as prescribed in the decision of STA, Kerala meeting held on 16.01.2019 in Department Item no.1 within one month from the date of communication of the decision, failing which grant of permit will be treated as revoked. The secretary is directed to endorse the condition in the permit that only LMV/MMV stage carriages shall be allowed to operate on the route

**Item No.07**


2. Heard. This application for fresh stage carriage permit on the intra-district route Kozhinjampara–Velanthavalam was earlier considered by the Regional Transport Authority, Palakkad held on 13.07.2016 in additional supplementary item No.41 and fresh permit was granted to LMV Stage carriage, subject to settlement of timings and production of current records of suitable stage carriage within one month from the date of communication of the decision, on the condition that the grant of permit would be treated as revoked, if he failed to do so.

Though the decision of grant of permit was communicated to the applicant on 27.10.2016 with direction to produce current records of a suitable LMV stage carriage within one month, the grantee failed to produce the records of LMV stage carriage within the prescribed time. Also, no request was filed by the grantee for allowing maximum time under rule 159(2) of KMV Rules, 1989 to produce the current records of suitable LMV stage carriage. Instead, the grantee produced the records of MPMV stage carriage KL-10-T-472, which was not acceptable. Consequently, the grant of permit was revoked by the RTA dt. 21.01.2017 in item no.37.

Against the above decision of RTA, the applicant approached the hon’ble STA and the tribunal in its order dt.17.01.2019 in M.V.A.R.P.76/2017 set aside the above decision of STA and directed to consider the request made by the revision

Page 5 of 33
petitioner permitting him to conduct service making use of MPMV produced by him and pass orders in accordance with law within two months in the light of the High Court judgment dt.18.01.2017 in WP(C) no.1763/2017-U and also in view of the report of the field officer that the vehicle having 28 seats could ply on the proposed route.

In the meantime, in compliance to the judgment dt. 15.10.2018 in WP(C) no.24680/2017 & connected cases by the Hon’ble High Court Of Kerala, which set aside the decision of STA dt.14.06.2017 in Department Item no.2, the STA, Kerala in its meeting held on 16.01.2019 in department item no.1 has decided to re-fix the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS Stage carriages as 8 years. Moreover, in the above judgment, the hon’ble High court directed that based on the orders passed by the State Transport Authority, the respective Regional Transport Authorities shall pass revised orders on the application preferred by the petitioners for grant of regular permit, if situation warrants.

Since the MPMV stage carriage KL-10-T-472 produced by the applicant is more than 8 years old, which is not in conformity with the decision of STA dt.16.01.2019 in department item no.1, the applicant is directed to produce the current records of suitable LMV stage carriage within one month as prescribed in the decision of STA, Kerala dt.16.01.2019 in department item no.1, failing which grant of permit will be treated as revoked.

Item No.08

Heard. Fresh permit was granted to the applicant as per the decision of this authority dated 15.11.2018 in item No.07 to operate on the intra-district route Palakkad-Chittur. Though the decision of grant of permit was communicated to the applicant on 26.12.2018, with direction to produce current records of suitable stage carriage within one month as prescribed in the decision of STA, Kerala meeting held on 14.06.2017 in department item no.2, the grantee failed to produce the same within the prescribed time. Hence, considering the request dt. 24.01.2019 filed by the grantee, maximum time of four months is allowed under rule 159(2) of KMV Rules, 1989 from 26.12.2018 to produce the current

Page 6 of 33
records of suitable stage carriage as prescribed in the decision of STA, Kerala meeting held on 16.01.2019 in Department Item no.1, failing which grant of permit will be treated as revoked.

**Item No.09**

Heard. Fresh permit was granted to the applicant as per the decision of this authority dated 15.11.2018 in item No.12 to operate on the intra-district route Palakkad Stadium Bus Stand(SBS)-Palakkad SBS(circular). Though the decision of grant of permit was communicated to the applicant on 26.12.2018, with direction to produce current records of suitable stage carriage within one month as prescribed in the decision of STA, Kerala meeting held on 14.06.2017 in department item no.2, the grantee failed to produce the same within the prescribed time. Hence, considering the request dt. 21.01.2019 filed by the grantee, **maximum time of four months is allowed** under rule 159(2) of KMV Rules, 1989 from 26.12.2018 to produce the current records of suitable stage carriage as prescribed in the decision of STA, Kerala meeting held on 16.01.2019 in Department Item no.1, failing which grant of permit will be treated as revoked.

**Item No.10**

1. Perused the judgment dated 22.01.2019 in WP(C) no.889/2019 by the Hon’ble High Court Of Kerala, Ernakulam.

2. Heard. Counsel for the applicant submitted that he is not pressing the case. The RTA, Palakkad in its meeting held on 29.05.2018 in item No.05 granted a fresh permit in favour of the applicant on the intra district route Pattambi-Pattambi as ordinary service, subject to settlement of timings and production of current records of a suitable stage carriage as prescribed in the decision of STA, Kerala meeting held on 14.06.2017 in department item no.2 within one month from the date of communication of the decision and also on the condition that the grant of permit will be treated as revoked if he failed to do so”.

The above decision was communicated to the grantee from the office of Secretary, RTA, Palakkad on 21.08.2018. Later, on 11.09.2018, grantee filed a request to allow maximum time to
produce current records of a suitable stage carriage to avail the granted permit. This request was considered by the RTA dt.15.11.2018 in item no.20 and a maximum time of four months was allowed under rule 159(2) of KMV Rules, 1989 from 21.08.2018 to produce the current records of suitable stage carriage as prescribed in the decision of STA, Kerala meeting held on 14.06.2017 in department item no.2 and also on the condition that the grant of permit will be treated as revoked if he failed to do so.

The above decision was communicated to the applicant on 26.12.2018 and as per the postal acknowledgement, it was received by the applicant on 01.01.19. In the decision of RTA, it is specifically mentioned that the grantee should produce the current records of suitable stage carriage as prescribed in the decision of STA, Kerala meeting held on 14.06.2017 in department item no.2 within a maximum time period of four months, starting from 21.08.2018, failing which, the grant of permit will be treated as revoked”.

In order to avail the granted permit, the grantee should have produced the current records of a suitable vehicle on or before 20.12.2018, the date on which the prescribed period of 4 months was completed. But, he failed to do so. Now, as per the condition imposed by the RTA, the grant of the permit will be treated as revoked. Hence, the grant of the said permit has become null and void and there is no longer such a granted permit exists in his name.

Amid this, the applicant produced the judgment dt. 22.01.2019 in WP(C) no. 889/2019 directing the secretary RTA to accept the application for temporary permit on the route Pattambi-Pattambi in respect of the stage carriage KL-11-X-6786, if it is in order and the petitioner has remitted the requisite fee and thereafter consider the same by invoking the provisions under section 87(2)(i) of the Motor Vehicles Act, within a period of two weeks from the date of receipt of a certified copy of the judgment and any temporary permit granted will be subject to orders passed by STA fixing the age limit of stage carriages. (As per records, the petitioner has not seen remitted any fee for this application).
The applicant seems to have secured the above judgment by suppressing the fact that the grant of the said permit has become void and null since he failed to produce the current records of a suitable vehicle as prescribed in the decision of STA, Kerala, within the maximum time limit of 4 months.

The section 87(2)(i) of the MV Act, 1988, is pertaining to the grant of temporary permit in respect of any route or area where no permit could be issued under section 72 or by reason of an order of a court or other competent authority restraining the issue of the same. This is not clearly the case here. The RTA already granted a fresh permit under section 72 to the petitioner on the above route in its meeting held on 29.05.2018 in item No.05. Only the petitioner failed to avail the permit by producing the current records of a suitable vehicle as prescribed in the decision of STA, Kerala, within the maximum time limit of 4 months, which was allowed by the RTA dt.15.11.2018 in item no.20.

In the above circumstances, the request filed by the applicant to accept the application for temporary permit and grant the same under section 87(2)(i) is not maintainable and is rejected.

Item No.11

1. Perused the judgment dt.10.05.2018 in M.V.A.A no.291/2016 by the hon’ble STAT.

2. Heard the counsel of the applicant as well as the KSRTC. The KSRTC submitted that the issue of overlapping distance with notified sector on the proposed route has already been settled and they don’t want to raise any claim with regard to objectionable overlapping in this case.

This application was earlier considered by Regional Transport Authority, Palakkad in the meeting held on 18.03.2013 vide item No.01 and permit was granted, subject to settlement of timings to stage carriage KL 11 M 779 as per the following decision.

"Heard. This application was earlier adjourned to ascertain the exact distance of overlapping on notified route as per the modified time schedule and to ascertain the exact route length. It is found that the overlapping on the notified route is within the
permissible limit prescribed under clause 5(C) of G.O.(P) No. 42/2009/Tran dated 14.07.2009. Hence, regular permit is granted to stage carriage KL 11 M 779, subject to settlement of timings."

Since the grantee produced current records of the above vehicle in time, with due notices to all the concerned, a timing conference was convened in the presence 55 en-route operators including the grantee and the representative of KSRTC. KSRTC specifically objected to the issuance of permit pointing out the pendency of revision petition filed by them before Hon’ble STAT in MVARP No. 291/2013 challenging the grant of this permit. However there was no prohibitory order made available by any of the en-route operator or KSRTC before the secretary, RTA directing to refrain from the issuance of this permit. After hearing all the objections raised by en-route operators and amicably settling them all, the regular permit no.9/2803/2013 for the period from 21.10.2013 to 20.10.2018 was issued to the stage carriage KL 11 M 779 with a set of timings as per G1/9136/2011/P to operate on the route Walayar-Palakkad Stadium Bus stand.

On 10.05.2018, the case(MVARP No. 291/2013) was disposed by STAT, Ernakulam setting aside the decision of RTA granting the permit and directing the Regional Transport Authority, Palakkad to reconsider the application for grant of regular permit on merits and pass orders in accordance with law after giving an opportunity to the revision petitioner (Managing Director, KSRTC represented by its District Transport Officer) to prove that the alleged objectionable overlapping one violating the scheme.

Since the distance of overlapping on the notified route in this case is within the permissible limit prescribed under clause 5(C) of G.O.(P) no.8/2017/Tran dt.23.03.2017 and the KSRTC has relinquished their claim over the objectionable overlapping with notified scheme, this authority decides to uphold the earlier decision of RTA meeting on 18.03.2013 in item No.01, granting the fresh permit and secretary is permitted to renew the permit as per law if the application filed is otherwise in order.
Item No.12

Heard. The application for variation of permit is considered and examined in the light of the enquiry report of the field officer. It is reported that the proposed variation neither overlaps nor increases the number of trips on the notified sector and also, the proposal is beneficial to the travelling public on the route. Hence, \textit{variation of permit is granted subject to settlement of timings}.

Item No.13

1. Perused the common judgment dated 03.11.2018 of Hon’ble STAT, Ernakulam in M.V.A.A no.222/2017.

2. Heard. This application for variation of permit was earlier considered and rejected by RTA dated 03.07.2017 in supplementary item no 5 in view of the directions contained in the clause 4 of the notification G.O(P) no.8/2017/Tran dt.23.03.2017, which reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KMV Rules, 1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”.

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its judgment dated 03.11.2018 in M.V.A.A.No.222/2017 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification G0(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the fact that division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V. Act, after hearing all the parties concerned including the KSRTC.
The application for variation of permit is reconsidered and examined the connected file in detail. The field officer has reported that the proposed variation does not overlaps with the notified sector and also, the extension is sought on a remote area, which is beneficial to the travelling public around the area. Hence, variation of permit is granted subject to settlement of timings.

**Item No.14**

1. Perused the common judgment dated 03.11.2018 of Hon’ble STAT, Ernakulam in M.V.A.A no.269/2018
2. Heard. This application for converting the nature of service on the inter district route Thrissur-Pattambi was earlier considered and rejected by RTA dt.29.05.2018 in item no 20 in view of the directions contained in the clause 4 of the notification G.O(P) no.8/2017/Tran dt.23.03.2017, which reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KMV Rules,1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”.

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its judgment dated 03.11.2018 in M.V.A.A.No.269/2018 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification GO(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the facts that the single bench of Hon’ble High Court of Kerala found that the said notification restricts only the grant of variation or extension or additional trips on the notified route and the same does not have any applicability with regard to the non-notified route and moreover, the division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V. Act, after hearing all the parties concerned including the KSRTC.
In the light of the above judgment, the matter is reconsidered and it is found that the existing route having a length of 78 Kms, on which the conversion from LSOS to Ordinary service is sought, overlaps with notified sector for distance of 55 Kms. Since the notification G0(P)No.8/2017 dated 23.03.2017 restricts the grant of variation of permit on the notified route, the application for variation of permit conditions is rejected.

**Item No.15**

2. Heard. This application for variation of permit on the inter district route Kunnamkulam-Pattambi was earlier considered by RTA dt.15.11.2018 in supplementary item no. 5 and adjourned as per the following decision.

2. Heard. This application for variation of permit was considered by RTA dt.28.12.2017 in item no.103 and was rejected the application on the ground that further extensions or variation shall not be allowed under any circumstances with respect to the permits granted in the private sector as on 14/07/2009 in view of Clause 4 in G.0(P) no.8/2017/Tran dt.23.03.2017.

   But the Hon’ble STAT in its order mentioned above set aside the above decision of RTA observing that it's not sustainable since clause 4 of G.0(P) no.8/2017/Tran dt.23.03.2017 was struck down by the division bench of the Hon’ble High Court of Kerala in W.A no.1098/2018 and directed to reconsider the application for variation of permit and pass orders in accordance with law. But the field officer has not specifically reported whether there is any increase in trips on the notified route violating clause 19 of G.0(P) no.8/2017/Tran dt.23.03.2017 in the proposed variation. Hence, the secretary, RTA is directed to furnish a report ascertaining the above aspect and the place the matter in the next RTA meeting for consideration. For the compliance of the above, the decision on the application for variation of permit is adjourned.

   In the light of the above judgment and based on the enquiry report of the field officer, the matter is reconsidered and it is found that the proposed extension of service crosses over the notified sector Kozhikode-Guruvayur. Since the notification GO(P)No.8/2017 dated 23.03.2017 restricts the grant of variation or extension or additional trips on the notified route, the application for variation of permit is not maintainable and rejected.
Item No.16

1. Perused the judgment dated 31.10.2018 of Hon’ble STAT, Ernakulam in M.V.A.R.P no.63/2018
2. Heard. This application for variation of permit on the inter district route Mundur-Olavakkode was earlier considered and rejected by RTA dt.28.12.2017 in item no.109 in view of the directions contained in the clause 4 of the notification G.O(P) no.8/2017/Tran dt.23.03.2017, which reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KMV Rules,1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”.

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its judgment dated 31.10.2018 in M.V.A.R.P.No.63/2018 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification GO(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the facts that the single bench of Hon’ble High Court of Kerala found that the said notification restricts only the grant of variation or extension or additional trips on the notified route and the same does not have any applicability with regard to the non-notified route and moreover, the division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V. Act, after hearing all the parties concerned including the KSRTC.

In the light of the above judgment, the matter is reconsidered. Since it is reported by the enquiry officer that extension of trips from Shornur to Kulappully(3.5 Km) is through notified route Trivandum-Cannanore, violating clause 19 of GO(P)No.8/2017 dated 23.03.2017, the application for variation of permit conditions is rejected.
Item No.17

1. Perused the judgment dated 03.11.2018 of Hon’ble STAT, Ernakulam in M.V.A. No.179/2018.

2. Heard. This application for variation of permit on the intra district route Ottapalam-Pulapatta was earlier considered and rejected by RTA dt.03.07.2017 in item no.51 in view of the directions contained in the clause 4 of the notification G.O(P) no.8/2017/Tran dt.23.03.2017, which reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KVM Rules,1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”.

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its judgment dated 03.11.2018 in M.V.A.A.No.179/2018 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification GO(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the facts that the single bench of Hon’ble High Court of Kerala found that the said notification restricts only the grant of variation or extension or additional trips on the notified route and the same does not have any applicability with regard to the non-notified route and moreover, the division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V.Act, after hearing all the parties concerned including the KSRTC.

In the light of the above judgment, the matter is reconsidered. Since it is reported by the enquiry officer that the proposed variation neither overlaps nor increases the number of trips on the notified sector, variation of permit is granted subject to settlement of timings.
**Item No.18**

Heard. This application of variation of permit was earlier considered and adjourned by the RTA dated 15.11.2018 vide item no 33 directing the secretary, RTA to furnish a specific report ascertaining the comparative advantage of the proposal.

On perusal of the specific report dated 05.02.2019 furnished by MVI Palakkad, it is revealed that proposed curtailment portion between Para and Pudussery via Ramassery is well served with stage carriages in every 15 minutes on an average. The portion on which the additional trips sought (Palakkad-Para via Kanjikkode, Maniyeri) is not sufficiently served at present. Hence the proposed variation is comparatively advantageous to the travelling public. It’s also reported that the proposed variation doesn’t overlap with notified sector. Hence, **variation of permit is granted subject to settlement of timings**

**Item No.19**

2. Heard. This matter was earlier considered by RTA dt.28.12.2017 in item no.111 and rejected as per the following decision.

“This is a request for variation of permit conditions in respect of the stage carriage KL-09-W-9556 on the intra-district route Palakkad-Rly Colony by converting the nature of service as town service.

As per rule 2(ca) of KMV Rules, 1989 (inserted by G.O(P) no.4/99/Tran dt.01.02.1999 published as S.R.O no.118/99), City or Town Service means a service a service plying within the perimeter of City or Municipal town, notified as City or Town Service, by the Government, and both terminals of which shall not extend beyond five kilometres from the City or Town limit. The above service is not notified as Town Service, by the Government.

Moreover, Clause 4 of the modified scheme G.O(P) no.8/2017/Tran dt.23.03.2017, reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KMV Rules, 1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”. Also, as per the above modified notification, especially as per clause 1, the scheme is applicable to all routes in Kerala. In these circumstances, as per the
directions contained in the above notification, the request for converting the nature of service as Town Service is rejected.”

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its judgment dated 31.10.2018 in M.V.A.R.P.No.70/2018 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification GO(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the facts that the single bench of Hon’ble High Court of Kerala found that the said notification restricts only the grant of variation or extension or additional trips on the notified route and the same does not have any applicability with regard to the non-notified route and moreover, the division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V. Act, after hearing all the parties concerned including the KSRTC.

In the light of the above judgment, the matter is reconsidered and it is found that the existing route, on which the conversion from Ordinary service to Town service is sought, overlaps with notified sector. The notification GO(P)No.8/2017 dated 23.03.2017 restricts the grant of variation of permit on the notified route and also as per G.O(P) no.4/2019/Tran dt.29.01.2019, the number of stage carriage permits for city services, including those in respect of stage carriages older than fifteen years, powered by petroleum fuels, shall not exceed the number of permits existing on the date of commencement of the KMV Rules, 2019. Hence, the above request for variation of permit conditions is rejected.

Item No. 20

Heard. This application for variation of permit on the route Olippara--Nemmmara in respect of the stage carriage KL-03-J-8157 was earlier considered and adjourned by RTA dt. 15.11.2018. in item no. 37 with direction to the applicant to replace the route
bus by a suitable vehicle as per the stipulations laid down regarding the age of stage carriages by the STA, Kerala meeting held on 14.06.2017 in department item no.2 since the route bus attained fifteen years on 08.10.2018. Now that the Govt. of Kerala amended 260A of KMV Rules, 1989 as per G.O.(P) No.4/2019/Tran dated 29.01.2019, and extended the life span of stage carriages from 15 to 20 years, the matter is considered again.

The field officer has already reported that there's no additional overlapping or increase in trips on the notified sector in the proposed variation. It is also reported that the extension sought is on an ill served area and it is much helpful to the travelling public as well as students around the area to reach Nemmara. Hence, variation of permit is granted subject to settlement of timings and clearance of all Govt. Dues.

Item No.21

2. Heard. This matter was earlier considered by RTA dt.28.12.2017 in item no.99 and rejected in view of the directions contained in the clause 4 of the notification G.O(P) no.8/2017/Tran dt.23.03.2017, which reads “the permits granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or limited stop ordinary service. The maximum distance prescribed in rule 2(oa) in the KMV Rules,1989 shall apply to these saved permits provided that further extensions or variation shall not be allowed under any circumstances”.

Challenging the above decision of RTA, the permit holder approached the Hon’ble STAT and the tribunal in its common judgment dated.31.10.2018 in M.V.A.R.P No.56/2018 along with other similar connected cases, set aside the decision of RTA observing that impugned orders rejecting the applications on the ground of notification GO(P)No.8/2017 dated 23.03.2017 cannot be sustained in view of the facts that the single bench of Hon’ble High Court of Kerala found that the said notification restricts only the grant of variation or extension or additional trips on the notified route and the same does not have any applicability.
with regard to the non-notified route and moreover, the division bench of the Hon’ble High Court of Kerala quashed the Clause 4 of the scheme dated 25.03.2017 and directed the respective Regional Transport Authorities to consider the applications for variation of permits on individual basis afresh and in case no variation and extension is sought for on the notified routes, the same shall be considered and disposed off in accordance with section 80(3) of the M.V. Act, after hearing all the parties concerned including the KSRTC.

In the light of the above judgment, the matter is reconsidered. In the proposed variation, there are deviation and curtailment of trips, but, its comparative advantage is not seen reported by the enquiry officer. Hence, the secretary, RTA is directed to look into the matter and furnish a specific report ascertaining the comparative advantage of the proposal for reconsidering the matter in the next RTA. For the compliance of the above, the decision on the application for variation of permit is adjourned.

**Item No.22**

Heard. This is an application for renewal of inter-district permit (9/1029/1997) in respect of the stage carriage KL-47-BF-1961, which was issued prior to 14.07.2009 on the route Walayar--Kozhikode as L.S.O.S. Earlier, the matter was considered by RTA dt. 21.01.2017 in ite no.75 and concurrences of the sister RTAs were sought. Now, the enquiry reports have been received from the secretaries of the sister RTAs and the same have been perused. As there is no legal impediment found against renewal of this permit, **secretary is permitted to renew the permit** subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the Notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.23**

Heard. This is an application for renewal of inter-district permit (9/649/2003) in respect of the stage carriage KL-08-BF-1500, which was issued prior to 14.07.2009 on the route
Mannarkkad--Thrissur as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, **secretary is permitted to renew the permit** subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.24**

Heard. This is an application for renewal of inter-district permit(9/101030/2004) in respect of the stage carriage KL-53-F-345, which was issued prior to 14.07.2009 on the route Kozhikode-Palakkad as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, **secretary is permitted to renew the permit** subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.25**

Heard. This application for renewal of inter-district permit(9/39/1999) in respect of the stage carriage KL-45-C-4224, which was issued prior to 14.07.2009 on the route Walayar-Thrissur. was earlier placed in the RTA meeting held on 29.05.2018 in Item no 32 ,but the decision was adjourned citing that the vehicle was in tax arrears from 01.10.2017 and also the applicant was absent in the meeting and the secretary was directed to take necessary steps as per law to realise the MV tax due in respect of the vehicle.

Now, it is reported by the secretary that the revenue recovery steps were initiated to recover the MV tax dues for the period from 01.10.2017 to 30.09.2018 and the same is being remitted by the permit holder in equal monthly
Installments allowed by Revenue Authorities and the tax up to the current quarter is also cleared.

The enquiry report from Secretary RTA, Thrissur has been perused. As there is no legal impediment found against renewal of this permit, secretary is permitted to renew the permit after verifying the service of the vehicle after the expiry of the permit and compounding fee has to be realised for permit-less operation if necessary, subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

Item No.26

Heard. This is an application for renewal of inter-district permit(9/3331/2007) in respect of the stage carriage KL-09-AL-3900, which was issued prior to 14.07.2009 on the route Kozhikode--Palakkad as L.S.O.S. However, on perusal of the records, it is seen that the above vehicle is not under the ownership of the permit holder Sri. Sajeev Thomas s/o Thomas, Thavalam, Edayara Street, Mankavu,Palakkad but is acquired by him by way of lease agreement from the registered owner of the vehicle Sri. Regil s/o Ulpalavilochanan,Venoli,Palakkad.

In this context, it is pertinent to refer to the Judgment of Kerala High Court Bhaskaran v/s RTA Alleppey – 10.12.2002 in which Hon. High Court has made following observations:

“The transport authority which grants the permit is authorised to cancel the permit or suspend it under Section 86(c) if the holder of the permit ceases to own the vehicle covered by the permit. Rule 176 refers to entry of new address in the permit. Upon receipt of intimation about the change of address the transport authority is obliged after due enquiries to record the changed address in the Certificate of Registration and enter the permit in the new address. These two requirements conclusively indicate that the permit has to be in respect of the vehicle which stands registered obviously in the name of the registered owner.

Over and above that, Section 2(30) defines an owner in whose name a motor vehicle stands registered. As had been suggested by the respondent in the case cited, the definition was sufficient to change the existing situation. It is undisputed that in the matter of dues towards fee and taxes there is a charge on the vehicle and when a permit holder has no
ownership over the vehicle, such provisions automatically gets defeated. Under Rule 159, entry of registration marks in the permit is compulsory. It is laid down that when the applicant is unable to produce the Certificate of Registration on the date of his application for permit the applicant shall within one month of the sanctioning of the application or other extended time should produce the Certificate of Registration, so that the registration marks may be entered in the permit. The rule uses the expression "duly registered" and this can be accepted as "duly registered in the name of the permit holder". Of course being a movable item, it may ordinarily be possible to assume that ownership goes with possession. But as far as the motor vehicle is concerned, especially taking note of the public interest involved, it is not only the possession that matters.

Elaborate procedure has been prescribed, touching a variety of requirements, in the matter of transfer of ownership and permits. The predominant purpose, as I find it, is public interest. Thus in the case of a vehicle covered by hire purchase in the matter of registration, grant of permit and renewal of the same, the Act and Rules impose conditions for making available No Objection Certificate. This is to ensure that during the grant of permit, if the vehicle is taken back by the legal owner, it will adversely affect public interest. Likewise the lessor, as in the present case, can repossess the vehicle at his will and pleasure so long as he is the registered owner of the vehicle. The cancellation, referred to in Section 86(c) has come to be in the statute book, in the aforesaid context. Therefore, the contention of the respondent that the lease arrangement entitle him to have a permit in respect of the vehicle held on the strength of lease is difficult to be accepted.” (Bhaskaran v/s RTA Alleppey 2003 (1) KLT 106:2003(1) KLJ163).

Thus, this authority is of the view that a vehicle acquired by lease agreement and in the name of another person cannot be considered for renewal of permit. Hence the decision on the matter is adjourned and the permit holder is directed to replace the above vehicle immediately by a suitable stage carriage duly registered in his name, as per the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019.

Item No.27

Heard. This is an application for renewal of inter-district permit(9/416/2002) in respect of the stage carriage KL-49-3744, which was issued prior to 14.07.2009 on the route Palakkad--Thrissur as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, secretary is permitted to renew the permit subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019
Item No.28

Heard. This is an application for renewal of inter-district permit (9/650/2003) in respect of the stage carriage KL-08-AW-8199, which was issued prior to 14.07.2009 on the route Chittur--Thrissur as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, *secretary is permitted to renew the permit* subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

Item No.29

Heard. This is an application for renewal of intra-district permit (9/456/2003) in respect of the stage carriage KL-09-P-8844, which was issued prior to 14.07.2009 on the route Tholanur-Palakkad as an ordinary service. On perusal of the connected records, it is found that there is an inordinate and unjustifiable delay in submitting the application, which was filed belatedly on 29.01.2019 after the expiry of permit on 01.09.2018. This authority is not convinced that the applicant was prevented by any good and sufficient reasons from making application for renewal of permit in time. Hence, *the application for renewal of permit was rejected* and the Secretary is directed to verify the service of the vehicle after expiry of permit and if found, having conducted service, compounding fee has to be realised for permit-less operation.

Item No.30

1. Perused the judgment dated 05.12.2018 in MVAA No.242/2018 by the Hon’ble STAT, Ernakulam
2. Heard. The RTA, Palakkad in its meeting held on 29.05.2018 in item no.40 considered the matter and rejected it after examining the connected records in detail as per the following decision.

"1. Perused the judgment dated 09.02.2018 in MVAA No. 205/2017 by the Hon’ble STAT, Ernakulam
2. This matter was earlier considered and rejected by this authority in its meeting held on 03.07.2017 vide item no.123 as per the following decision.

"Heard. Reconsidered the applications for renewal of the regular permit no. 9/425/2001 valid up to 30/07/2016 in respect of the stage carriage KL-09-H-9440 and replacement by a later model vehicle KL-70-B-4174. The matter was considered by this authority on 13.07.2016 in additional supplementary item no.179 and adjourned as per the following decision.

"Heard. The stage carriage KL-09-H-9440 (covered by permit No.9/425/2001 valid up to 30.07.2016) was owned by Smt. Bhagya Lakshmy and the vehicle has attained 15 years of age as on 28.12.2015 and has become un-fit for stage carriage operation since then. The permit holder intimated on 04.04.2016 that the vehicle had been scrapped on 06.02.2016 and requested for cancellation of registration certificate. As per the decision of this authority dated 12.08.2014 in item No.179 transfer of permit was allowed to the name of Sri. Jayaprakash. The allowed transfer was seen endorsed in permit on 07.06.2016 by Secretary. The present permit holder Sri. Jayaprakash filed an application for replacement of stage carriage KL 09 H 9440 by another stage carriage KL 70 B 4174 on 28.06.2016 and also filed an application for renewal of permit on 01.07.2016. Hence, secretary is directed to report whether the stage carriage KL 09 H 9440 is dismantled as informed by the then permit holder and RC cancelled. Decision on the application for replacement and renewal of permit are adjourned for compliance of the above direction."

Though the transfer of permit was allowed by this authority as early as 12.08.2014, the same was seen endorsed in the permit only on 07.06.2016 by the Secretary after elapsing a period of more than a year. So, the procedure of transfer of permit was not completed within the prescribed period of time. It is also understood that the vehicle was transferred on 04.05.2016 to the transferee with effect from 25.10.2014 without current records of the route bus, which attained 15 years on 28.12.2015. Hence, it is found that the transfer of ownership is irregular and untenable as per law. The secretary, RTA is directed to take necessary steps to revoke the endorsement of transfer of ownership in favour the transferee.

In the above context, it is revealed that the grant and issue of transfer of permit becomes void.

The secretary RTA reported that the vehicle was scrapped and sold on 06.02.2016 in the premises of the permit holder. On further verification, it is also learnt that the permit holder has requested for cancellation of registration certificate on 04.04.2016. The permit holder has failed to replace the vehicle before the expiry of registration validity of the vehicle and it is obvious that the vehicle covered by the permit
is not in existence and there is no ready vehicle on the permit applied for renewal and a permit cannot exist on its own without a suitable vehicle being available. In view of the above facts, the permit has become invalid and hence, the applications for renewal and replacement are dismissed as infructuous.

Aggrieved by the above decision of RTA, the applicant approached the Hon’ble STAT by preferring an appeal and the tribunal in its order dt. 09.02.2018 in MVAA No.205/2017 observed that the RTA considered the applications for renewal of permit and replacement in one breath, which ought not have been done and the appeal was allowed in part and the above decision of RTA was set aside by directing to consider the matter according to the legal principles stated above. In compliance to the above order of STAT, all the affected parties were noticed and reconsidered the application for renewal permit exclusively without considering the application for replacement.

This authority does not find any change in circumstances warranting a review of the previous decision taken in the meeting held on 03.07.2017 in item no.123 with respect to the application for renewal of permit. Hence, for the reasons stated above, the application filed for renewal of permit alone is considered and rejected.

The Hon’ble STAT in its order dated 05.12.2018 in MVAA No.242/2018 set aside the above decision and directed the RTA to consider the application for renewal of permit in the light of the dictum laid down in Aiysha Vs.RTA(2006)(3) KLT 1013 and pass orders in accordance with law within two months. In compliance to the order of the tribunal the matter is reconsidered.

In the form PRA filed on 01.07.2016 for renewal of permit against the entry ‘2’, the registration mark of the covered by the permit was shown as KL-09-H-9440, which was not in existence at the time of application since the vehicle was already dismantled on 06.02.2016. In this context, the fact may be noted that the division bench of Hon’ble High Court of Kerala in Jaffer V. Usman (2015(4) KLT 590) has categorically stated that an application for renewal of permit cannot be made without the vehicle being available. It’s obvious that the above application for renewal of permit was filed in vacuum as the vehicle covered by the permit was not in existence and contrary to rule 172(2) of KMV Rules,1989. For the above reasons, the application for renewal of permit is found devoid of merits, hence, rejected.
The secretary, RTA is directed to comply the direction issued by this authority in its meeting held on 03.07.2017 in item no.123 to take necessary steps to revoke the endorsement of transfer of ownership of the vehicle and the permit in favour of the transferee since it is already found that the transfer of ownership of the vehicle is irregular and untenable as per law.

Item No.31

Heard. The RTA, Palakkad in its meeting held on 03.07.2017 in item no.124 already considered the matter and rejected it as per the following decision.

"Heard. This is an application for renewal of permit no. 9/1098/2001 valid up to 14/12/2016 in respect of the stage carriage KL-10-L-8637 which attained 15 years on 28.06.2016 and an application for replacement by a later model vehicle KL-50-C-1459.

In this case this authority verified the previous history of the permit and found that a transfer of permit application was considered by this authority in the meeting held on 10.12.2013 item no.145 and the same was allowed. But, the transferee did not avail the above decision during the currency of the permit as well as within the currency of the registration validity. The route bus attained 15 years on 28.06.2016, but the application for renewal of permit was filed by the permit holder on 13.12.2016 just one day before the expiry of permit on 14.12.2016 and the application for replacement was seen filed by the transferee in whose name transfer of permit was earlier granted by RTA dt.10.12.2013.

In this context, it may be noted that the division bench of Hon'ble High Court of Kerala in Jaffer V. Usman (2015(4) KLT 590) has already laid down that an application for renewal of permit cannot be made without a suitable vehicle being available. In this case, there is no suitable vehicle owned by the permit holder at the time of consideration of the application for renewal of permit and the vehicle offered for replacement is owned by another person. Hence, the applications for renewal of permit and replacement are not maintainable and rejected."

Now, the applicant has produced the current records in respect of the incoming vehicle KL-50-C-1459 after transferring the ownership of the vehicle in his name and requested to re-consider his application for replacement and renewal of permit. But the RTA cannot review its own order passed under its quasi judicial authority, which is appealable.
under section 64 of the Act. The aggrieved person has the right to prefer an appeal before the appropriate authority and the applicant has not done so. Hence the request of the applicant is dismissed.

Item No.32

Heard. This is an application for renewal of inter-district permit (9/440/2001) in respect of the stage carriage KL-49-F-7999, which was issued prior to 14.07.2009 on the route Walayar--Thrissur as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, secretary is permitted to renew the permit subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.33

Heard. This is an application for renewal of inter-district permit (9/1082/2000) in respect of the stage carriage KL-58-N-8010, which was issued prior to 14.07.2009 on the route Malampuzha Dam--Kozhikode as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal impediment found against renewal of this permit, secretary is permitted to renew the permit subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.34

Heard. This is an application for renewal of inter-district permit (9/104/1999) in respect of the stage carriage KL-60-F-8490, which was issued prior to 14.07.2009 on the route Edathanattukara--Thrissur as L.S.O.S. The enquiry report received from the field officer has been perused. As there is no legal
impediment found against renewal of this permit, secretary is permitted to renew the permit subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and also subject to conditions in the notification G.O(P) No.08/2017/Tran dated 23.03.2017 of Government of Kerala and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.35**

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.36**

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.37**

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.38**

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any
**Item No.39**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.40**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.41**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.42**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

**Item No.43**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to
production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.44

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.45

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.46

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.47

Heard. Transfer of permit is allowed, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any

Item No.48
Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt. dues, if any.

**Item No.49**

Heard. This application was earlier considered by RTA dt.15.11.2018 in item no.85 and the decision was adjourned directing the permit holder to replace the route bus KL-13-N-4599 by a suitable stage carriage duly registered in her name since the above vehicle was possessed by the permit holder by way of lease agreement. As directed, the permit holder has replaced the route bus KL-13-N-4599 by the stage carriage KL-08-AR-9111, which is under her ownership. Hence, **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt. dues, if any.

**Item No.50**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt. dues, if any.

**Item No.51**

Heard. **Transfer of permit is allowed**, (1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2) subject to production of NOC from the HP Co., if applicable and clearance of Govt. dues, if any.

**Item No.52**

Heard. Delay in intimating the death of the permit holder and submitting the application for transfer of permit are condoned by this authority on convincing that the applicant is prevented by
good and sufficient reasons from filing in-time intimation and application. Transfer of permit is allowed to the name of Sri. Vinod babu (the son of the deceased), subject to (1) compliance of all legal procedures by Secretary & (2) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.53**

Heard. Transfer of permit is allowed,(1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2)subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.54**

Heard. Transfer of permit is allowed,(1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2)subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.55**

Heard. Transfer of permit is allowed,(1) subject to the stipulations laid down regarding the age of stage carriages in G.O.(P) No.4/2019/Tran dated 29.01.2019 and (2)subject to production of NOC from the HP Co., if applicable and clearance of Govt.dues, if any.

**Item No.56**

Heard. Perused the report of of S.I.of Police Sreekrishnapuram forwarded by Joint RTO Ottapalam against the HPMV stage carriage KL-09-N-8464, which is authorized to operate on the intra-district route Palakkad - Cherplassery via Mundur, Kongad with the strength of regular permit No.9/37/1997 valid upto 09/02/2022. It is reported that the above vehicle was checked on the basis of the complaint from tourist bus operators and
found conducting illicit contract carriage operation curtailing trips by carrying students of Govt. Moyan L.P School without obtaining special permit.

In the above circumstances, **this authority, imposes a compounding fee of Rs 10000/- for violation of permit conditions and the permit holder is directed to remit the compounding fee along with one day tax for the above offence within a period of 15 days, failing which, the permit shall be suspended for a period of 10 days.**

**Item No.57**

Heard. Perused check report of the Motor Vehicles Inspector, Palakkad against the HPMV stage carriage **KL-09-AJ-8687** covered by regular permit No.9/345/2000 valid upto 25/05/2020 to operate on the route Palakkad-Ottappalam Via Olavakkode, Mundur, Kongad, Mannur, Pathiripala & Palappuram With Two Singles Palakkad - Ottappalam Via Parali as LSOS.

Considering the offences reported by the field officer, **this authority, imposes a compounding fee of Rs.10000/- and the permit holder is directed to remit the compounding fee within a period of 15 days, failing which, the permit shall be suspended for a period of 14 days.**

Sd/-

Sri. Ajithkumar M.P,
Deputy Transport Commissioner,
Central Zone-1, Thrissur &
Member-RTA, Palakkad

Sd/-

Sri. Sabu P.S IPS
District Police Chief &
Member-RTA, Palakkad

Sd/-

Sri. D. Balamurali IAS,
District Collector, Palakkad &
Chairman-RTA, Palakkad