MINUTES OF THE MEETING OF REGIONAL TRANSPORT AUTHORITY ERNAKULAM HELD ON 24-11-2018

Present:-- Chairman--

Sri.K.MOHAMMED.Y.SAFIRULLA,I.A.S, The District Collector, Ernakulam

Member:--


2.Sri. Dr. J Himendranath IPS Deputy Commissioner of Police, Kochi city (authorized by District Police Chief.)

Item No.01

Heard; the learned counsel represented the applicant Sri. Mr.T.S.Muhammed Shafi. This is the application for the grant of fresh intra district regular permit on the route Kizhakkambalam-Aluva-Perumvavoor via Edathala, Choondy, South Vazhakkulam, Ponjassery and Malayidamthuruth as Ordinary Moffusil Service. This authority perused the application and adjourned with a direction to The Secretary, RTA to enlighten the applicant for increasing trip to Kizhakambalam at peak hours (at least one more trip).

Item No.02

Heard; Adv. Adv.Stalin Peter Davis, the learned counsel represented the applicant Mr.Thankappan.C.K. This is the application for the grant of fresh inter district regular permit on the route Keltron Ferry-Amritha Hospital- Aster Medicity via Aroor Temple,Aroor ,Vyttila, Pipe line signal
Jn and Edappallay Signal Jn, Kunnumpuram Jn, Manjummelkavala and Pallikkaval as Ordinary Moffusil Service. The learned counsel has intimated that he is ready to offer a suitable vehicle not older than eight years within the time limit specified U/R 159[2] of KMV Rules-1989, if the regular permit is granted.

The RTA held on 17/03/2018 considered the matter vide item No-05 and adjourned with a direction to The Secretary, RTA, Ernakulam to seek concurrence of RTA, Alappuzha and with a direction to the applicant to remit prescribed fee for the fresh permit as the earlier application was rejected by RTA, Ernakulam. Now the Secretary RTA, Alappuzha forwarded the decision of RTA, Alappuzha held on 11/07/2018 vide item No-45 granting the concurrence for the portion of the route lying in the Alappuzha District and the applicant remitted the prescribed fee for the fresh permit vide receipt No- 7/156473/2018 and also offered suitable stage carriage below 8 years old.

This authority considered the application in detail. The enquiry officer has reported that there is no objectionable overlapping on notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 which is further amended by GO(P) No.08/2017/Tran dtd 23/03/2017. Several objections have been received against the grant of proposed route stating that the route is well served and there is no requirement for the further permit. But the objection cannot be sustainable since as per Motor Vehicles Act-1988 , permit cannot be denied to anyone on the applied route ,if there is no legal impediment.

Therefore, the regular permit is granted in favour of Mr.Thankappan.C.K on the applied route Keltron Ferry-Amritha Hospital- Aster Medicity via Aroor Temple,Aroor ,Vyytila, Pipe line signal Jn and Edappallay Signal Jn, Kunnumpuram Jn, Manjummelkavala and Pallikkaval as Ordinary Moffusil Service in respect of his suitable stage
carriage not older than eight years subject to settlement of timings on production of records of the vehicle within the time limit specified U/R 159[2] of KMV Rules-1989.

**Item No.03**

Heard; Adv. Prince, the learned Counsel represented the permit holder. This is the application for variation of regular permit in respect of Stage Carriage **KL 07 AU 786** operating on the route NORTH PARAVOOR-KALOOR VIA VARAPUZHA BRIDGE, EDAPPALLY, ALAMAKKARA & PUNNAKKAL as moffusil ordinary service so as to operate 4th 5th 6th 7th and 8th trip by deviating from Kaloor to Vyttila Hub via Elamakkara and Edapally instead of Kaloor-Koonammavu.

This authority considered the matter in detail perused the relevant judgments, files, Govt. notifications, report of enquiry officer, objection filed by state transport under taking and others. The enquiry officer reported that the extension of trip is beneficial to the travelling public. But he doesn’t point out the effects of curtailment in detail. So this authority could not find any statistical evidence or supportive facts in his report for the same and strongly feels that this report is not supportive to take a proper approach to the application. Hence the Secretary, RTA is directed to enquire the matter in detail and report whether the advantage is outweighed the disadvantage with adequate statistical evidence and place a detailed specific report before this authority. Hence the decision on this application is **adjourned**.

**Item No.04**

Heard; the learned counsel represented the applicant and the Counsel represented KSRTC. Perused the the judgment of Hon’ble HighCourt in WP© No: 18127/2018 dated 25/09/2018 and considered
the application for the variation of regular permit in respect of stage carriage **KL 05 AD 721** operating on the route Pala - Ernakulam (Kaloor Busstand) Via Petta Jn, Pravithanam, Kollappilli, Ayincombu, Ramapuram, Amanakkara, Perumkutty, Koothattukulam, Edayar, Piravam, Arakkunnam, Mulanthuruthy, Nadakkavu, Puthiyakavu, Tripunithura, Vytilla & M G Road as LSOS so as to operate the 2nd trip from Kaloor to Pala by deviating from Piravom to Koothattukulam via Onakkoor and Anjalpetty instead of Edayar.

This application for variation of regular permit in respect of stage carriage KL 05 AD 721 was placed before RTA meeting held on 17/03/2018 and rejected on the basis of the regular permit is coming under the classification of saved permit and further extension or variation in above saved permit cannot be allowed as per Clause [4] of the notification published vide GO (P) No.08/2017/Tran dtd 23/03/2017 and curtailment will adversely affect the travelling public.

Aggrieved by the decision of RTA, permit holder approached before Hon’ble High Court of Kerala and filed WP© No: 18127/2018. In the judgment of WP© No: 18127/2018 dated 25/09/2018, the Hon’ble Court set aside the decision of RTA and directed RTA to reconsider the variation of regular permit, taking note of the law laid down by the division Bench of the Hon’ble High Court of Kerala in the judgment dated 20/08/2018 in WA no: 1098/2018 and connected cases. Moreover the Hon’ble High Court stated that a decision should be taken within a period of one month from the date of receipt of a certified copy of the judgment.

Hence the matter again placed before this authority. In view of the above judgments of Hon’ble High Court of Kerala this authority perused the application for the above variation. Now there is no legal impediments to allow the requested variation. Hence this authority hereby **granted** the application for variation subject to the settlement of timings.
**Item No.05**

Heard; Adv. G.Prabhakaran, the learned Counsel represented the permit holder. This is the application for *variation of regular permit* in respect of Stage Carriage *KL 10 v 171* operating on the route Mala-Manjapra (via) Annamanada, Angamaly, Kalady as moffusil service so as to operate the the 2\textsuperscript{nd}, 4\textsuperscript{th}, 6\textsuperscript{th} from Manjpra to Angamali via Turavoor instead of Manjpra to Angamali via Kalady and Chandrapura.

An objection has been received from President, Manjapra Grama Panchayath, wherein a mass petition against the curtailment of trips applied by the permit holder included.

This authority considered the matter in detail perused the relevant judgments, files, Govt. notifications, report of enquiry officer, objection filed by state transport under taking and others. The enquiry officer reported that the extension of trip is beneficial to the travelling public in Angamaly - Thuravoor - Chandrappura route.

But he doesn’t point out the effects of curtailment in detail. So this authority could not find any statistical evidence or supportive facts in his report for the same and strongly feels that this report is not supportive to take a proper approach to the application. Hence the Secretary, RTA is directed to enquire the matter in detail and report whether the advantage is outweighed the disadvantage with adequate statistical evidence and place a detailed specific report before this authority. Hence the decision on this application is adjourned.

**Item No.06**

Heard; Adv. G.Prabhakaran, the learned counsel represented the applicant and the Counsel represented KSRTC. the Judgment of Hon’ble STAT, Ernakulam in M.V.A.A No. 201/2018 dated 29/09/2018 and considered the application for the variation of regular permit in respect of
stage carriage **KL 02 T 1684 (Old No. KL 07 AE 4836)** operating on the route Perumpadappu - Fortkochi via Palluruthy and Thoppumpady so as to operate 1\(^{st}\) and 4\(^{th}\) trips from Perumpadappu up to Thoppumpady and then to Kumbalanghy via Perumpadappu and to operate 2\(^{nd}\) trip from Kumbalanghy to Mundamveli and return to Perumpadappu.

This application for variation of regular permit in respect of stage carriage **KL 02 T 1684 (Old No. KL 07 AE 4836)** has been placed before many meeting of RTA, Ernakulam. Meeting held on on 19/05/2018 considred the matter and rejected with the remarks that the proposed variation is against the interest of public.

Aggrieved by the decision of RTA, permit holder approached before Hon’ble STAT Ernakulam by filing MVAA NO: 201/2018. In the judgment, decision of RTA was set aside and RTA was directed to reconsider the application for variation submitted by the permit holder on merits and pass orders in accordance with law within a period of two months from the date of receipt of coy of the judgment.

Hence the matter again placed before this authority. This authority perused the Judgment of Hon’ble STAT, Ernakulam in M.V.A.A No. 201/2018 dated 29/09/2018. In obedience with the judgment this authority reconsidered the matter. In the judgment the Hon’ble STAT says that ‘the rejection of the application for variation was mainly based on the report of the enquiry officer that the curtailment of trips to Fort Kochi may affect the travelling public. It is his general opinion. At the same time he also reported that the curtailed area is a well-served sector. For all these reasons I am of the view that the impugned order is not sustainable and is liable to be set-aside. In this result the appeal is allowed. The impugned order is set-aside and directed to consider the application for variationon merits and pass orders in accordance with law.’
Hence this authority can’t find any legal impediments for granting this application for variation. Hence this authority hereby **granted** the application for variation subject to the settlement of timings.

**Item No.07**

Heard; Gopinathan Nair, the learned Counsel represented the permit holder. Consider the objections submitted by learned Counsel represented KSRTC and others. This is the application for variation of regular permit in respect of Stage Carriage KL 18 C 6630 on the route North Parur - Vytila Hub via Koonammavu, Varappuzha Bridge, Manjummel Kavala and some trips start from Kongorpilly, Chennoor & Kadamakudy as Ordinary Moffusil Service so as to operate introducing a cut trip between Vytila and Kunnumpuram and another additional Trip from Vytila to Kadamakkudy and then operate as the last trip to Kongorpilly and Halt.

The enquiry officer reported that the registered owner intends to change timings due to variation, hence this should be treated as a fresh permit application. As well as variation may not be considered since original permit was issued after 14/07/2009. On perusal of the report the enquiry officer has not mentioned any objectionable overlapping in these route portion.

Hence a specific enquiry report is needed for considering this application for variation. Hence the application is **adjourned** with a direction to the Secretary, RTA to conduct a detailed enquiry in this regard and place the matter before this authority.

**Item No.08**

Heard; Adv. G.Prabhakaran, the learned Counsel represented the permit holder. Consider the objections submitted by learned Counsel represented KSRTC and others. This is the application for variation of
**regular permit** in respect of Stage Carriage KL 49 A 7448 on the route South Chittoor-Eroor Gate –Kothad Ferry via Thripunithura Boat Jetty(City Permit No 478) as City Ordinary service so as to operate;

1) Trip curtailment of 1\textsuperscript{st} trip at 5.50 a.m from Eroor Gate.

2) The 2\textsuperscript{nd} Trip starting and halting at Chittoor Temple

3) 3\textsuperscript{rd} Trip through Vaduthala Pally to Vaduthala Jetty 2.5 K M

4) Additional Trip at 8.38 p.m from Eroor Gate.

The enquiry officer reported that the registered owner intends to change timings due to variation, hence this should be treated as a fresh permit application. As well as variation may not be considered since original permit was issued after 14/07/2009. On perusal of the report the enquiry officer has not mentioned any objectionable overlapping in these route portion.

Hence a specific enquiry report is needed for considering this application for variation. Hence the application is **adjourned** with a direction to the Secretary, RTA to conduct a detailed enquiry in this regard and place the matter before this authority.

**Item No.09**

This is the application for variation of regular permit in respect of Stage Carriage KL 39 K 5892 VELLOOR HPC - ERANAKUAM (KALOOR BUS STAND) VIA Peruva ,Mulakkulam Temple, Mulakkulam Pallippady Piravom Arakkunnam Mulamthuruthy Kanayannur, Eruveli, Chottanikkara, Puthiakavu, Tripunithura, Vytilla and M G Road as Ordinary moffusil service so as to operate; Service starting and halting at Thiruvaniyoor duly avoiding the operation of last trip to Velloor instead of which return from Piravom and halt at Thiruvaniyoor via Kakkad. First
trip from Thiruvaniyoor to Velloor via Piravom. There is no other change in balance trips. The applicant was absent. Hence adjourned to the next sitting.

**Item No.10**

Heard; the learned counsel represented the permit holder of stage carriage KL 41 F 5711. These are the applications for Renewal of Regular Permit in respect of S/C KL 41 F 5711 on the route Kombara-Aluva as Ordinary Moffusil service and To consider the variation of Regular Permit Permit in respect of S/C KL 41 F 5711 so as to operate Deviating the route by touching Medical College Bus stand and Medical College for the trips starting from HMT Junction at 7.23 AM and 1.13 PM without changing the existing time schedule.

This authority perused the applications for the renewal of permit and variation of Regular Permit in respect of S/C KL 41 F 5711 and realized that there is no legal impediments in this regard. Hence this authority hereby granted the renewal of permit and proposed variation of Regular Permit in respect of S/C KL 41 F 5711 subject to the settlement of timings.

**Item No.11**

1. Heard; Adv. Jithesh Menon, the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL-42-P-2204 is permitted to operate on the route Munambam--Parur-Kottayil Kovilakom [Via] Convent Beach,Cherai Beach, Cherai & Chendamangalam Jn as MOFFUSIL Service. This authority considered the application in detail and perused the permit file, the route is having the length of 24 Km.In which 7.6 Kms from Chendamangalam Jn to Kottayil Kovilakam Overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide
Notification No 27106/TA2/65/PE Dated 17/06/1965, which is exclusively reserved for the State Transport Undertaking. 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. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. 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 the application for the renewal of regular permit is adjourned.

2. The Secretary RTA is permitted to issue temporary permits for durations of 4 months U/S 87[1]d of MV Act in favour of the permit holder to continue operation on the same route on public interest.

**Item No. 12**

Heard; Adv.G.Prabhakaran, the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL-05-AG-3553 is permitted to operate on the route KALOOR – NARAKAKKADAVU via Edappally, FACT, N Parur, Kodungallur, Irinjalakkuda, Thrissur, Edappal, Kottakkal, Kozhikkode, Medical College, Karanthoor, Karady,
Kudikkilimaram, Thamraserry, Chungam, Adivaram, Lakkidi, Vythiri, Kalpetta, Munderi, Maniyamcode, Kumbalakkad, Panamaram, Koleri, Mananthavadi as LSOS This authority considered the application in many of its meeting and adjourned for the want of concurrence of sister RTAs for the renewal of permit with effect from 2016.

Meanwhile the draft finalised and as per clause [4] of the notification published vide GO(P) No. 08/2017/ Trans dtd 23/03/2017 The permit granted in the private sector as on 14/07/2009 will be permitted to operate as ordinary or Ordinary limited stop service. The maximum distance prescribed in the rule 2(oa) in the Kerala Motor Vehicle Rules-1989 shall apply to these saved permits”.

As per Rule 2(oa) of KMV Rules-1989, “Ordinary limited Stop Service means a service, which is operated on a route having a distance of not exceeding 140km with limited number of stops, having at least one stop in every fare stage”. Vide GO(P) No-8/2017 Trans. dtd 23/03/2017 & SRO No-127/2017 dtd 23/03/2017, Government had taken a policy to limit the route length of LSOS upto 140 Km. Stage carriage KL 05 AG 3553 has the route length 343 kilometer. Permit is not complied with the Rule 2(oa) of KMV Rules-1989. So the petitioner was directed to submit the application for vary the condition of permit so as to limit the route length as 140 Km. But the applicant has not submitted the variation of permit application to limiting the route length as 140 Km.

Clause(4) of the modified scheme stated that “The permit granted in the private sector as on 14th July 2009 will be permitted to operate as Ordinary or Ordinary Limited stop service. The maximum distance prescribed in the Rule 2(oa) in the Kerala Motor Vehicle Rule 1989 shall apply to this saved permit provided that further extension on variation shall not be allowed under any circumstances. This scheme shall not affect the operation of other State Transport Undertakings.”
The permit holder has submitted a request to reconsider the application for renewal of permit in the light of the judgment in WP(C) No. 11825/2017 dated 20/08/2018. In the above judgment The Hon'ble High Court of Kerala pronounced that “in the appeals filed by KSRTC, the main ground of challenge against the judgment of the single Judge is that the directions in the judgment effectively confer more rights/privileges on the private stage carriage operators than what has been saved to them through clause(4) of the modified scheme. Inasmuch as we have, in this judgment, quashed clause(4) of the modified scheme, the said ground taken in the appeals cannot survive for maintaining the said appeals. Accordingly, we dismissed the writ appeals preferred by the KSRTC”.

In view of the judgment of The Hon’ble High Court of Kerala in WP(C) No. 11825/2017 and connected cases this authority hereby granted renewal of regular permit in respect of stage Carriage KL-05-AG-3553 is permitted to operate on the route KALOOR – NARAKAKKADAVU via Edappally, FACT, N Parur, Kodungallur, Irinjalakkuda, Thrissur, Edappal, Kottakkal, Kozhikkode, Medical College, Karanthoor, Karady, Kudikkilimaram, Thamrasserry, Chungam, Adivaram, Lakkidi, Vythiri, Kalpetta, Munderi, Maniyamcode, Kumbalakkad, Panamaram, Koleri, Mananthavadi as LSOS.

**Item No.13**

1. Heard; Adv. Jithesh Menon, the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL 07 AW 4364 is permitted to operate on the route Munambam-Manjaly via N Paroor, Cherai with trips to Angamaly via Manjaly Bridge, Maikkad, Athani With Halting at Patanam as Ordinary moffusil Service. This authority considered the application in detail and perused the permit file, the route is having the
length of 32 Km. In which 1.2 Kms from vedimanv-chendamangalam Jn Overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965, which is exclusively reserved for the State Transport Undertaking. 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. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva- Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dt 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 the application for the renewal of regular permit is adjourned.

2. The Secretary RTA is permitted to issue temporary permits for durations of 4 months U/S 87[1]d of MV Act in favour of the permit holder to continue operation on the same route on public interest.

Item No.14

Heard; the learned counsel represented the permit holder of stage carriage KL-07-BB-8370. This is the application to consider the renewal of
regular permit and to consider the request of permit holder to condone the delay in filing renewal of permit issued with a regular permit on the intra district on the route Tripunithura-Aluva Via Hill Palace, Ambalamugal, Karimugal, Pallikkara, Kizhakkambalam, Pookkattupadu And Choondy as moffusil service. The regular permit was expired on 11/07/2018, but application is filed on 13/08/2018. Which was belated by 48 days.

This authority considered the application in detail. The permit holder intimated that he was sick, produced the medical certificate from a registered medical practitioner and requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exist for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued on 12/07/1994. Therefore, the delay in filing application is condoned. The applicant is directed to remit Rs 5000/- as compound fee for permit less operation and the Secretary RTA is permitted to renew the regular permit.

**Item No.15**

Heard; Adv.G.Prabhakaran, the learned counsel represented the permit holder of stage carriage **KL-07-AP-8834.** This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing renewal of permit issued with a regular permit on the intra district on the route KUMBALANGHY-ELAMAKKARA VIA PERUMPADAPPY, THOPPUMPADY, THEVARA, SOUTH, MENAKA, KALOOR as CITY service. The validity of regular permit was upto 16/09/2018, but application has been filed only on 14/09/2018. Which was belated by 13 days.

This authority considered the application in detail. The permit holder intimated that he was not able to submit the renewal application in time due to flood. In this regard a letter issued by The Kumbalanghy Grama Panchayath President dated 09/10/2018 also produced. As per
the report of the route enquiry officer, there is no legal impediment exist for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued on 14/09/1993. Therefore, the delay in filing application is condoned and the Secretary RTA is permitted to renew the regular permit.

**Item No.16**

Heard; Adv. Prasad Chandran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-C-690 is operating on the route Padathikkara - Kaloor [First & Last Trip] Bal as Tripunithura-Tripunithura as moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.17**

Heard; Adv. G. Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-B-1321 operating on the route CHOTTANIkkARA-ALUVA (VIA), THIRUVANKULAM-TRIPUNITHURA-VYTTILA, MENAKA AND PALARIVATTOM as City service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.18**

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-A-1807 operating on the route Mannamthuruthu Ferry -- Kuriappilly Ferry Via Varapuzha, Cheriapilly, North Paravoor Chittethukara as moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.
Item No.19

Heard; M Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BE-1004 operating on the route Eloor - Karimugal (Via) Tripunithura - Irumpanam- Kakkanad- Kaloor as city service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.20

Heard; Adv. Prasad Chandran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BG-1004 operating on the route Tripunithura- Kakkanad via S.Chittoor, Palarivattom And Irumbanam as city service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.21

Heard; Adv. Prasad Chandran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 46 K 1829 operating on the route Panangad- S.Chittur via madavana, vyttila, boat jetty, and kacheripady as city service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.22

Heard; Adv. Prasad Chandran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 41 A 1251 operating on the route Chottanikkara-Kaloor Via Thriuvamkulam, Tripunithura, Vyttila, South Menaka as City service, is allowed as applied for subject to the clearance of Government dues, if any.
Item No.23

Heard; M Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 07 AR 4107 operating on the route Manalimukku- Aroor Jn as moffussil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.24

Heard; Adv. Prasad Chandran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 17 B 3619 operating on the route Piravom-Kaloor as moffussil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.25

Heard; Adv. M Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 05 X 2601 operating on the route KOTTAYILKOVLAKOM-VYPIN EXTENSION TO HIGH COURT JN as moffussil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.26

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 BF 2777 operating on the route Veegaland -Chellanam as moffussil service, is allowed as applied for subject to the clearance of Government dues, if any.
**Item No.27**

Heard; Adv. M Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 31 A 3949 operating on the route Njarakkal - Vypin - Ernakulam High Court Jn as moffussil service, is allowed as applied for subject to the clearance of Government dues, if any .

**Item No.28**

1. Perused the judgment in WP© no. 11687/2018

2. Heard; Adv. G. Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit (Death Transfer) in respect of S/C KL 41 B 3831 operating on the route Perumpadappu-Kakkanad via Jetty as city service, is allowed as applied for subject to the clearance of Government dues, if any .

**Item No.29**

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 02 V 5602 operating on the route Mecherimugal-Ernakulam-Perumbavoor-Karukulam-Kizhakkambalam-Pallikkara-Kakkanad-Padma-Vyttila-Tripunithura-Irumbanam-Kakkanad as Ordinary Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any .

**Item No.30**

Heard; Adv. G. Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/CKL 05 V 6728 operating on the route Karthedathpady - Pallikkara (via) Karimugal, Kakkanad, Kaloor, South, Tripunithura And Padma (Permit is varied so as to deviate 5th trip from Kakkanad to
Thripunithura, via Irumbanam, to extend 6th trip from Kakkanad to Medical College )as Ordinary Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

Heard; Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 07 AP 5666 on the route Irumbanam-Manjummel, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.32

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 AZ 7342 on the route Malavana Ferry-Kodungallur via North Paravur as ordinary Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.33

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 41 6364 on the route Aluva-Aluva circular, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.34

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 AT 7487 operating on the route Kunjithai - Ernakulam High Court Jn., Paravoor, Narakkal, and Kalamukku touching Vypin in the
vacancy of S/C KL 7/AK 4929 as Ordinary Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.35**

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-08-AF 7299 operating on the route Ernakulam High Court-Vyppin-North Paravur via Cherai with extension from Kalamukku Junction to Collectors Square through Gosree Bridges as Ordinary City service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.36**

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-8765 operating on the route THRIPPUNITHURA-- CHERANALLOOR Via Petta Maradu Kundannoor as City service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.37**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BH-8052 operating on the route Thoppumpady --Aluva [via] NAD,HMT Jn,M G Road, Ernakulam South,Thevara Jn As City Service, is allowed as applied for subject to the clearance of Government dues, if any.
Item No.38

Heard; Adv. M. Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AX-8036 operating on the route Vypin-Parur-Kodungalloore-with Extension From Kalamukku Jn To Collector’S Square Through Goshree Bridges as Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.39

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-AT-9428 operating on the route Ernakulam Collector ’s Square-Kottuvally via. Gosri Bridges, narakkal, Cherai, North Paravoor as Moffusil service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.40

Heard; Adv. G. Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-38-B-8293 operating on the route KOTHATTUKULAM - KALOOR Bus-Stand via. Edayar, Piravam, Arakunnam, Mulamthuruthy, Nadakkavu, Puthiyakavu, Tripunithura, Vytila ,KK Road and return via M G Road as MOFFUSIL Service, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.41

Heard; Adv. G. Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AU-8929 operating on the route Kollamkudimugal-Eramalloor Via Kakkanad-Vazhakkala-MG Road -Vytila -Kumbalam And Aroor as
MOFFUSIL Service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.42**

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-09-P-9530 operating on the route kakkkanad-cepz-irumpanam-tripunithura-ernakulam South-high Court-kaloor as CITY Service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.43**

Heard; Adv.G.Prabhakaran, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-04-U-8037 operating on the route KUMBALANGHY-FERRY----KAKKANAD Via Eramalloor,Arroor,Kumbalam,Vyttila,Kaloor & Palarivattam as Moffusil Service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.44**

Heard; Adv. Stalin Peter Davis, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-38-E-9055 operating on the route kuravilangad--Ernakulam[via]kap'Thala,K'Thuruthy,Peruva,Piravom,M'Thuruthy,Cho'Kara,Puthiyakavu,T'Punithura And MGRd,With 1st&IL'Trip ViaNadakkavu as Moffusil Service, is allowed as applied for subject to the clearance of Government dues, if any.

**Item No.45**

Heard; Adv.Jithesh Menon, the learned counsel represented Sri. Sarin.P.S, the applicant of the regular permit.Perused the connected
file, field officer’s enquiry report and agenda. Then this authority realized that RTA 17/08/2016 call for concurrence. Even though the concurrence was received from RTA, Thrissur on further verification of report of field officer it is revealed that the total route length of the applied route is 64.5 Km. In which the route portion over laps with Portion of the route from Keetholy to Anapuzha which is 600 metre in length overlaps Thrissur- Triprayar notified scheme and the portion from Aloor Malavazhy Jn to Aloor Jn overlaps Ernakulam- Thrissur scheme published vide GOP No.42/2009/Tran dtd 14/7/2009. Hence the total objectionable overlapping distance is 6 Km, which is exceeding the permissible limit of 5 Km or 5% of the route length. Hence the application is hereby rejected.

**Item No.46**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to the replacement of vehicle in respect of S/C KL 07 AP 313 operating on the route Kakkanad - Fort Kochi Bus stand via. Menaka, and Boat jetty as city service with another stage carriage KL 57 G 3406 of later model having material difference of 54.83%. On perusing the case this authority hereby ratified the action taken by the Secretary, RTA, Ernakulam.

**Item No.47**

1. Perused the Contempt of Court (Civil) Case No.1808/2018 in WP(C) No. 11281/2015 of the Hon’ble High Court of Kerala.

2. Heard; the learned Counsel represented the petitioner and the seller. This is a representation filed by Sri. Anilkumar who is the petitioner in the WP(C) No-11281/2015.

In the judgment in the WP(C) No-11281/2015 Hon’ble High Court of Kerala ordered as below “Petitioner and the 3rd respondent (Mr. Sunil
Thomas) are stage carriage operators. According to the petitioner, actual possession of the bus was handed over to the petitioner by the 3rd respondent on payment of an amount of Rs.9,13,000/-. Thereafter 3rd respondent acted against the interest of the petitioner, whereby the vehicle was seized by M/S Vijaya Bank, Aluva Branch purportedly under the provisions of SARFAESI Act. Consequent to which, O.S. No-70/2014 is pending before the Subordinate Judges Court, North-Paravoor filed by the petitioner seeking a decree against the third respondent for an amount of Rs-27,00,000/-. While so petitioner has submitted Ext.P5 repreasentation before the 1st respondent seeking to cancel the permit of the third respondent. This writ-petition is filed seeking a direction for consideration of Ext.P5.

2. Having regard to the facts and circumstances of the case and after hearing the respective counsel at the bar, I am of the considered opinion that, no purpose will be served by the retaining this writ petition before this court especially due to the fact that even on service third respondent has not cared to appear before this court.

3. Therefore, there will be a direction to the first respondent to consider Ext.P5 in accordance with law and attain finality to the same within two months from the date of receipt of a copy of this judgment, after providing sufficient opportunity of hearing to the petitioner, third respondent and any other interested or effected persons.

In obedience to the judgment this authority considered the matter on 23/09/2017 and directed to the Secretary RTA to issue show cause notice to the permit holder before taking action on regular permit and place the matter in the next sitting with explanation offered by the permit holder."

To comply the decision of RTA, show cause notice issued to Sunil Thomas, the seller dated 14/11/2017 and the seller appeared in person
before this authority on 27/11/2017 and has given his explanation as follows,

He intends to sell the stage carriage KL 42c7698 to Sri Anil Kumar. Vehicle was under hypothecation with the Vijaya bank, Aluva branch. There was an agreement executed by them as the balance amount of the loan will pay by Sri Anil Kumar. Since the loan payment became due, the vehicle was seized by the financier. Then he cleared the due amount of loan and also closed the hypothecation agreement with the financier. Permit holder stated that the since agreement executed by them is violated by Sri Anil Kumar, vehicle regained by him. He is also stated that regarding this matter there are civil cases existing in Hon’ble court at Parur and Kakkanad. It is also informed that the judgement pronounced by the Hon’ble court in civil case is favorable to him. He is requested time for 15 days to produce the copy of the judgement and is allowed by this authority. But Sri Sunil Thomas the permit holder of stage carriage KL-42-C-7698 is not produced the copies of the judgement till the date.

The matter is placed before RTA Ernakulam held on 20/01/2018, vide supplementary item no.4. The permit holder Sri Sunil Thomas and the objector Sri Anilkumar are absent in the sitting and hence the hearing of Sri. Anilkumar and his version against the explanation offered by Sri. Sunil Thomas cannot be considered before taking a decision. Hence the authority was constrained to adjourn decision for hearing both of them. Therefore the matter was adjourned to next sitting. RTA Ernakulam again considered the matter third time in its meeting held on 17/03/2018 and is adjourned to next sitting by considering the request of both counsel represented by the permit holder of stage carriage Kl-42-K-1203 and the petitioner.
Thereafter no representation filed by the petitioner for taking action according to the direction in the judgment. Now petitioner filed Contempt of Court (Civil) Case No. 1808/2018 in WP(C) No. 11281/2015 of the Hon’ble High Court of Kerala.

On perusal of the explanation submitted by the permit holder Sri. Sunil Thomas it is understood that he intended to sell the stage carriage KL-42-C-7698. It is also revealed that the vehicle was under hypothecation with The Vijaya Bank, Aluva branch and there was an agreement executed them as the balance amount of the loan will pay by the petitioner Sri. Anilkumar. Since the loan payment became due the vehicle was seized by the financier.

After that the permit holder himself cleared the dues amount of loan and closed the hypothecation agreement with the financier. He states that since the agreement executed by them is violated by Sri. Anilkumar, the vehicle regained by the petitioner. He is also stated that regarding this matter there are civil cases existing in Hon’ble court at Parur and Kakkanad. It is also informed that the judgement pronounced by the Hon’ble court in civil case is favorable to him. He is requested time for 15 days to produce the copy of the judgement and is allowed by this authority.

It is also evident in the WP(C) No. 11281/2015 dtd. 29/06/2017, where in Hon’ble High Court of Kerala mentioned that actual possession of the bus was handed over to the petitioner by the 3rd respondent on payment of an amount of Rs.9,13,000/-. Thereafter 3rd respondent acted against the interest of the petitioner, whereby the vehicle was seized by M/S Vijaya Bank, Aluva Branch purportedly under the provisions of SARFAESI Act.

Hence this authority realized that the possession of stage carriage KL-42-C-7698 covered by the permit was changed to the petitioner as
well as to the financier unauthorisedly. It is clear violation of sub-section C of section 86 of MVAct 1988. The above findings amounted to cancel the permit on the route Gothuruth- Ernakulam in respect of stage carriage KL-42-K-1203 is hereby **cancelled**.

**Item No.48**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to the replacement of vehicle in respect of S/C KL 07 AP 1500 operating on the route Thuruthur - Aluva via Manancherykunnu, Puthanvelikkara, Stationkavala, Malavana ferry, Elanhikkara, Kanakkankadavu, Chalakka, Chengamanad, Athani as moffusil service with another stage carriage KL-34-1941 of later model having material difference of 35.71%. On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam.

**Item No.49**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to the replacement of vehicle in respect of S/C KL-41-D-1251 operating on the route Vypin-munambam With Extession From Kalamukku Jn. Collector’Ssquare through Goshree Bridges as moffusil service with another vehicle KL-06-F-6602 of later model having material difference of 35.71%. On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam.

**Item No.50**

This item is the application to consider the request of Sri. Bibin Baby permit holder of stage carriage KL-07-BD-505.

This authority is not in a position to consider the matter because this authority once considered this matter and had taken decision. The
applicant has an opportunity to approach before appropriate appellate authority for reconsidering the decision of this authority dtd. 30/09/2008. Hence the matter **rejected**.

**Item No.51**

Heard; Adv. K V Gopinathan Nair, the learned counsel represented the permit holder of stage carriage KL-08-Y-1011. This is the **request of permit holder to obtain extension time to submit application for Vehicle replacement** KL-08-Y-1011 with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit on the route MUNNOORPILLY-PERUMBAVOOR VIA KARUKUTTY-ANGAMALY-KALADY & PANTHAKKAL as moffusil service. The vehicle KL-08-Y-1011 completed the age of fifteen years on 31/07/2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Even though the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition. **Rule 152 of the Kerala Motor Vehicles Rules,1989 explained the consequence of failure to use the transport vehicle, as follows.**

“It shall be a condition of the permit of every transport vehicle(other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire
period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.


Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage. Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and he is incapable of maintain a stage carriage providing better service to the
public. Hence the application is hereby rejected and the regular permit 7/135/1999 issued to stage carriage KL-08-Y-1011 on the route MUNNOORPPILLY-PERUMBAVOOR VIA KARUKUTTY-ANGAMALY-KALADY & PANTHAKKAL as moffusil service is hereby cancelled.

**Item No. 52**

Action taken by the Secretary RTA by issuing clearance certificate after acceptance of surrender of permit in respect of stage carriage KL-07-AS-1071 operate on the route Vypin-parur With a Trip to Gothuruthu via Cherai and Extension from Kalamukku Jn. To Collector’S Square through Goshree BridgeS as moffusil service is hereby **ratified** and regular permit issued on the route Vypin-parur With a Trip to Gothuruthu in respect of the above vehicle is **cancelled**.

**Item No. 53**

Heard; Adv. G. Prabhakaran, the learned counsel represented the permit holder of stage carriage KL-17-A-1233. This is the request of permit holder to obtain extension time to submit application for Vehicle replacement KL-17-A-1233 with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit on the route Tripunithura - Eoor - Wellington Island. The vehicle KL-17-A-1233 completed the age of fifteen years on 10/11/2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Even though the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition. **Rule 152 of the**
Kerala Motor Vehicles Rules, 1989 explained the consequence of failure to use the transport vehicle, as follows.

“It shall be a condition of the permit of every transport vehicle (other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.
Therefore, this authority viewed that the permit holder is not qualified for
the continuance operation of the stage carriage service and he is incapable of maintain a stage carriage providing better service to the public. Hence the application is hereby rejected and the regular permit 7/581/2005 issued to stage carriage KL-17-A-1233 on the route Tripunithura - Eroor - Wellingdon Island via Vytilla, Thevara, Boatjetty, Kaloor and Palarivattam is hereby cancelled.

Item No.54
Heard; Adv. G. Prabhakaran, the learned counsel represented the permit holder of stage carriage KL 07 AP 3456. This is the request of permit holder to obtain extension time to submit application for Vehicle replacement KL 07 AP 3456 with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit on the route Kalady-Angamaly. The vehicle KL 07 AP 3456 completed the age of fifteen years on 21/10/2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Even though the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition. **Rule 152 of the Kerala Motor Vehicles Rules, 1989 explained the consequence of failure to use the transport vehicle, as follows.**

“*It shall be a condition of the permit of every transport vehicle (other than private service vehicle permit) that the*
vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.

Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and he is incapable of maintain a stage carriage providing better service to the public. Hence the application is hereby rejected and the regular permit
7/433/2012 issued to stage carriage KL 07 AP 3456 on the route Kalady-Angamaly is hereby cancelled.

**Item No.55**

Heard; Adv. Jithesh Menon, the learned counsel represented the permit holder of stage carriage KL 07 AM 2946. This is the application to peruse the Judgment in MVAA No 210/2018 dtd. 31/08/2018 of State Transport Appellate Tribunal Ernakulam and to re-consider delayed application for replacement of vehicle in respect of Stage carriage KL 07 AM 2946. This authority perused the Judgment in MVAA No 210/2018 dtd. 31/08/2018 and the application. The application had placed before the RTA EKM dated 19/05/2018 vide item no. 62. and the application was rejected and the regular permit 7/4501/2014 issued to stage carriage KL 07 AM 2946 on the route Thoppil Jn-Aroor Jn has been cancelled.

But as per the Judgment in MVAA No 210/2018 dtd 31/08/2018 the State Transport Appellate Tribunal has directed to this authority to consider the application for replacement filed by the appellant accepting requisite fee on merits and pass orders in accordance with law within two months from the date of the receipt of the copy of this judgment after hearing all the parties concerned. After complying the procedures ordered by the Hon: State Transport Appellate Tribunal the matter again placed by The Secretary, RTA before this authority. Hence this authority hereby **granted** the replacement of stage carriage KL 07 AM 2946 with later model stage carriage KL-11 X 1530 subject to accepting requisite fee.

The request for temporary permit for 4 months in respect of stage Carriage KL-11 X 1530 in the place of KL 07 AM 2946 is infructuous,
since the permit holder can operate his service by replacing the permit vehicle KL 07 AM 2946 with stage carriage KL-11 X 1530. Hence the application for temporary permit for 4 months is hereby rejected.

Item No.56

Heard;Adv. G.Prabhakaran, the learned counsel represented the permit holder of stage carriage KL 05 P 6030. This is the request of permit holder to obtain extension time to submit application for Vehicle replacement

KL 05 P 6030 with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit on the route Pala - Kaloor via. Chakkampuzha, Ramapuram, Koothattukulam, Anchelpetty, Piravam, Mulamthuruthy, Kolenchery kadavu, Nadakkavu, Thripunithura, Vytila and K K Road. The vehicle KL 05 P 6030 completed the age of fifteen years on 16.09.2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Eventhough the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition. Rule 152 of the Kerala Motor Vehicles Rules,1989 explained the consequence of failure to use the transport vehicle, as follows.
“It shall be a condition of the permit of every transport vehicle (other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.

Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and she is incapable of maintain a stage carriage providing better service to the
Item No.57

Heard;Adv. M Jithesh Menon, the learned counsel represented the permit holder of stage carriage KL 06 D 5267. This is the application for condonation of delay in submitting the application for renewal of regular permit in respect of S/C KL 06 D 5267 on the route Vypin-Munambam with Extension to Collectors square Square(High Court Jn) via Cherai,Njarakkal and Kalamukku as Ordinary moffusil service. On perusing the matter this authority realized that the vehicle is under HPA with Shriram Transport Finance Company Ltd. NOC from Financier which has not produced yet. Since the loan account has huge arrears the financier have strong objection regarding the renewal of the regular permit. Hence the application for condonation of delay in submitting the application for renewal of regular permit in respect of S/C KL 06 D 5267 is hereby adjourned.

Item No.58

Heard;Adv. G.Prabhakaran, the learned counsel represented the permit holder of stage carriage KL-07-AN-9426. This is the application for condonation of delay in submitting the application for Vehicle replacement in respect of Stage Carriage KL-07-AN-9426 and to consider the application for replacement in respect of stage carriage KL-07-AN-9426 operating on the route Angamaly - Ernakulam High Court Jn with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a regular permit valid upto 22/05/2011 on the route Angamaly - Ernakulam High Court Jn. Now the vehicle the vehicle is conducting service on the...
strength of temporary permit u/s 87(1)d The vehicle **KL-07-AN-9426** completed the age of fifteen years on 21/09/2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Even though the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition. **Rule 152 of the Kerala Motor Vehicles Rules,1989** explained the consequence of failure to use the transport vehicle, as follows.

"It shall be a condition of the permit of every transport vehicle(other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the
road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.

Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and he is incapable of maintain a stage carriage providing better service to the public. Hence the application is hereby rejected and the regular permit 7/1559/2006 issued to stage carriage KL-07-AN-9426 on the route Angamaly - Ernakulam High Court Jn is hereby cancelled.

**Item No.59**

Perused the check report file the stage KL-03-J-7797 operating on the route Tripunithura - Mattancherry. Two check reports are outstanding against the vehicle. Even though charge Memo and Show Cause notice issued, the permit holder has failed to remit fine against the committed offence. Hence the matter is placed for the consideration of this authority.

Considering the gravity of offence committed by the permit holder and repeated violation of permit conditions, as the permit holder has failed to response on repeated charge memo and notice issued, this
authority realized that the permit holder is a repeated offender. However, the permit holder is given an option to compound the offences as per the above two check reports by remitting Rs.10000/- for each within 15 days of receipt of this decision.

Even though the permit valid upto 17/09/2019 the permit holder failed to operate the service wef.28/08/2018. It is violation of Rule 152 of the Kerala Motor Vehicles Rules,1989. Hence The Secretary, RTA is directed to issue **show cause notice**.

**Item No.60**

Heard;Adv. M Jithesh Menon, the learned counsel represented the permit holder of stage carriage **KL-05-P-9225**. This is the application for condonation of delay in submitting the application for **Vehicle replacement** in respect of Stage Carriage **KL-05-P-9225** and to consider the application for replacement in respect of stage carriage **KL-05-P-9225** operating on the route VAIKOM -KALOOR-AMRITHA HOSPITAL-KIZHAKKAMBALAM with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit upto 11/11/2018 on the route VAIKOM -KALOOR-AMRITHA HOSPITAL-KIZHAKKAMBALAM. The vehicle **KL-05-P-9225** completed the age of fifteen years on 21/09/2018, and hence thereafter, the vehicle cannot be operated as stage Carriage. Eventhough the permit holder was well aware to replace the vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder
breached the permit condition. Rule 152 of the Kerala Motor Vehicles Rules, 1989 explained the consequence of failure to use the transport vehicle, as follows.

“It shall be a condition of the permit of every transport vehicle (other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.
Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and he is incapable of maintain a stage carriage providing better service to the public. Hence the application is hereby rejected and the regular permit 7/100097/2003 issued to stage carriage **KL-05-P-9225** on the route VAIKOM -KALOOR-AMRITHA HOSPITAL-KIZHAKKAMBALAM is hereby cancelled.

**Item No.61**

This is the application to consider the renewal of regular city permit in respect of A/R **KL 07 BJ 5312** and to consider the request of permit holder to condone the delay in filing renewal of permit. The regular permit was expired on 09/06/2018, but application is filed on 20/10/2018. Which was belated by 146 days.

This authority considered the application in detail. The permit holder intimated that he was sick, produced the medical certificate from a registered medical practitioner and requested to condone the delay. The permit holder has remitted Rs. 2000/- as compounding fee for Permit less operation Therefore, the delay in filing application is **condoned** and the Secretary RTA is **permitted to renew** the city permit in respect of A/R **KL 07 BJ 5312**.

**Item No.62**

This is the application to consider the renewal of regular city permit in respect of A/R **KL 07 BY 7494** and to consider the request of permit holder to condone the delay in filing renewal of permit. The regular permit was expired on 28/01/2018, but application is filed on 17/09/2018. Which was belated by 247 days.

This authority considered the application in detail. The permit holder intimated that he was sick, produced the medical certificate from
a registered medical practitioner and requested to condone the delay. The permit holder has remitted Rs. 2000/- as compounding fee for Permit less operation Therefore, the delay in filing application is **condoned** and the Secretary RTA is **permitted to renew** the city permit in respect of A/R **KL 07 BY 7494**.

**Item No.63**

This is the application to consider proposal for collecting Cart fee from Auto rickshaw passangers using railway station pre paid systems in Ernakulam South and Ernakulam North railway station as per the meeting held on 15/01/2018 at the Office of Assistant Commissioner of Police Traffic west Kochi City. At present pre paid auto rickshaw counters at Ernakulam North and South railway station collecting one rupee from each passenger as service charge to meet the salary of the employee in the counter, and to buy and repair the electronic equipment. But on 10/04/2018, the railway authority has renewed cart fees (License to park the vehicle at railway station premises) as Rs 1475/- for 6 months. But the prepaid auto rickshaw employees started strike stating that the amount could not be affordable to them. Hence a meeting conducted by the Assistant city police Commissioner with Auto rickshaw Thozhilali Co-ordination members and Railway Officers to solve the issues. Hence it is decided that an additional amount of 50/- paisa may be collected from the passengers for each coupon to meet the expense. The decision of the above meeting submitted before The Hon: Chairman of
RTA, Ernakulam vide letter No-658/TD/ACTR(west)/2018 dtd 17/09/2018. The Hon: Chairman directed to The Secretary, RTA to place the matter before the meeting of this authority. This authority perused the matter in detail and hereby allowed to collect an additional amount of 50/- paisa from the passengers for each coupon to meet the expense.

Item No.64

Heard; Adv. M Jithesh Menon, the learned counsel represented the permit holder of stage carriage KL-07-AN-8514. This is the application for condonation of delay in submitting the application for Vehicle replacement in respect of Stage Carriage KL-07-AN-8514 and to consider the application for replacement in respect of stage carriage KL-07-AN-8514 operating on the route Malavana Ferry- Kodungalloor with another vehicle. This authority considered the application in detail. The above mentioned stage carriage was covered by a valid regular permit upto 04/09/2016 on the route Malavana Ferry- Kodungalloor. Now the vehicle is conducting service on the strength of temporary permit u/s 87(1)d. The vehicle KL-07-AN-8514 had completed the age of fifteen years on 17/08/20, and hence thereafter, the vehicle cannot be operated as stage Carriage. The permit holder argued that that the delay in filing replacement application was caused by the wrong registration date entry in the RC availed to him, from Joint RTO North Paravoor. In the registration certificate issued by Joint RTO North Paravoor the registration date is entered as 18/08/2004 instead of 18/08/2003. But this authority viewed that it was the duty of the registered owner to rectify the mistake. Hence this authority can’t give any consideration in this matter. Even though the permit holder was well aware to replace the
vehicle with another suitable vehicle before completing 15 years of old vehicle covered by the permit, he has not complied the permit condition attached to the permit. Sub Section[1]a of Section 86 of Motor Vehicles Act-1988 stipulates that the transport Authority which granted a permit may cancel the permit or may suspend it for such periods as think fit on the breach of any condition contained in the permit. Here, the permit holder breached the permit condition.

**Rule 152 of the Kerala Motor Vehicles Rules,1989** explained the consequence of failure to use the transport vehicle, as follows.

“It shall be a condition of the permit of every transport vehicle(other than private service vehicle permit) that the vehicle shall be so maintained as to be available for the service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State or Regional Transport Authority is
satisfied that the permit holder was prevented by sufficient cause from running the service or that the permit holder had obtained the previous permission of the State or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

Here, the permit holder has not offered suitable vehicle before the expiry of the validity of the vehicle to be operated as stage carriage.

Therefore, this authority viewed that the permit holder is not qualified for the continuance operation of the stage carriage service and he is incapable of maintaining a stage carriage providing better service to the public. Hence the application is hereby rejected and the regular permit 7/43/1996 issued to stage carriage KL-07-AN-8514 on the route Malavana Ferry- Kodungalloor is hereby cancelled.

**Item No.65**

This authority hereby ratified all the action taken by Secretary, RTA.

**Item No.66**

This is an item proposed by The Chairman, RTA, Ernakulam in relation with the fitment of Global Positioning System (G.P.S.) system in waste disposal tankers.

An effective strategy for municipal waste disposal and management can offer improved solutions for the various problems associated with waste materials. It ensures there is gradual improvement of new and cost-effective facilities which aim to encourage higher environmental protection standards. An effective management strategy
will also see to it that landfills are purposefully located to ease waste collection, transfer, and monitoring or recycling. This can be achieved through the implementation of waste disposal plan which must include proper monitoring and regulation of municipal solid and food waste, livestock waste, sewage sludge, clinical waste, and construction waste.

The disposal of wastes into the water sources and public places creates many social harmful problems. Which causes the quality of the water to deteriorate and affects aquatic ecosystems. Pollutants can also seep down and effect ground water deposits. The sewages and industrial wastes are discharged into the rivers. Because of this, pollutants enter groundwater, rivers, and other water bodies.

For avoiding the creation of the above mentioned harmful situations, a close monitoring of the waste disposal tankers are essential. Hence this authority hereby decided to make sure that all the waste disposal tankers are fitted with government approved Global Positioning System (G.P.S.) system wef. 01/04/2019. The secretary, RTA is hereby entrusted to monitor the implementation of this decision.

**Item No.67**

This authority hereby fixed **19/01/2019** as the date for next meeting of RTA, Ernakulam.

**Additional Item No.01**

Heard; Adv. M Jithesh Menon, the learned counsel represented the permit holder of stage carriage KL-05-AB-2446 (Old Vehicle 43 A 6669). This is the application for Variation of permit in respect of S/C KL-05-AB-2446 (Old Vehicle 43 A 6669) on the route Aluva-Fort Kochi (via) Ernakulam south, Thoppumpady and Mundamveli as ordinary city service. The
permit is desired to be vary so as to operate Aluva-Cheriyanadavu pally by extending the trip from Mundamveli to Cheriyanadavu Pally.

The matter was placed before the RTA Ernakulam held on 17/03/2018. And RTA pronounce decision as follows

“Heard; the learned counsel represented the permit holder of stage carriage KL-43-A-6669. This authority considered the application in detail. The regular permit was issued before 14/07/2009 and the existing route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009, which is further amended by GO(P) No.08/2017/Tran dtd 23/03/2017. The regular permit is coming under the classification of saved permit and further extension or variation in above saved permit is prevented by Clause[4] of the notification published vide GO(P) No.08/2017/Tran dtd 23/03/2017. In view of the above legal impediment, the application for variation of permit is hereby rejected.”

Decision communicated to the permit holder vide proceedings order C3/8655/2018/E DTD 17/03/2018 and was challenged before the Hon’ble High Court of Kerala by filing WP© 25386/2018. On 15/11/2018 the permit holder produced the judgment of the said WP©. In the judgment the Hon’ble High Court set aside the decision taken by the RTA dated 17/03/2018 and directed RTA Ernakulam to reconsider the application for variation by considering the law laid down by the Division Bench of the Hon’ble High Court in the judgment in WA No. 1098/2018 dated 20/08/2018 and pass necessary order within two months from the date of receipt of the judgment.

In view of judgment in WP© 25386/2018 this authority realized that since the Clause[4] of the notification published vide GO(P) No.08/2017/Tran dtd 23/03/2017 quashed by the Hon: High Court of
Kerala there is no legal impediment to allow the proposed variation. Hence this authority hereby granted the proposed variation without disturbing the existing time schedule.

**Additional Item No.02**

Heard; Adv. K V Gopinathan Nair, the learned counsel represented the permit holder of stage carriage KL-07-AR-2777. Perused the Judgment in MVAA No. 122/2017 of Hon’ble State Transport Appellate Tribunal Ernakulam dtd 27/10/2018. The RTA was granted regular permit to stage carriage KL-07-AR-2777 on the route Thiruvankulam- Piravom during the year 1996, subsequently the regular permit renewed up to the year 2006 and the permit holder was allowed to operate on the portion from Thiruvankulam to Kaloor with successively issued temporary permits under proviso to section 104 of MV Act. Now, the Secretary RTA has intimated that while preparing notes for the renewal of regular permit in respect of stage carriage KL-07-AR-2777 during the year 2006, there crept error in route on which regular permit issued to the vehicle and hence the regular permit was renewed as Piravom-Kaloor instead of Thiruvankulam-Piravom. This authority in earlier sitting it was decided to rectify the mistake crept while renewing the permit during the year 2006. Hence Secretary RTA was directed to make necessary correction in the regular permit so as to continue operation on the route Piravom-Thiruvankulam as originally granted by this authority and issue detailed proceedings in this regard.

The vehicle not included in the annexure published along with GO(P) No.05/2017/Tran dtd 21/02/2017 on the assumption that the vehicle KL-07-AR-2777 is covered by regular permit.

**As per Clause[4] of the GO(P) No,05/2017/Tran dtd 21/02/2017 notification,** it is clarified that the existing regular permits in the private sector as on the date of publication of the
scheme in the Gazette will be allowed to operate. Temporary permits in the annexure also will be permitted to operate and they will be permitted to convert their permits as regular permit. No fresh permits shall be granted nor shall the existing permits varied in favour of any other operators enabling them to conduct service overlapping on the route as such or portion thereof.

Clause[19] of the notification says that Regional Transport Authority shall not grant any temporary or regular permits on the portions other than those mentioned in clause5(C) of the notification.

Here, the regular permit was issued to operate in between Thiruvankulam and Piravom and the route will not overlaps Ernakulam-Muvattupuzha notified route. The vehicle of the regular permit holder is not included in the annexure attached with GO(P) No.05/2017/Tran dtd 21/02/2017 which containing 28 vehicles operating with temporary permits alone. Therefore, the permit holder is not entitled to get the benefit of GO(P) No.05/2017/Tran dtd 21/02/2017 and the grant of any permit in between Thiruvankulam and Kaloor will be against the above notification.

In view of the above this authority in the sitting dtd. 17/03/2018 considered the matter of grant of temporary permit on the portion between Thiruvankulam and Kaloor. As there exist legal impediments, this authority withdrawn earlier order directing grant of temporary permit to stage carriage KL-07-AR-2777 in between Thiruvankulam and Kaloor.

The Secretary RTA was directed to recall temporary permit already granted to the regular permit holder and permitted to renew the regular permit as Thiruvakulam- Piravom with immediate effect, if such application is pending.
In compliance with the above decision the renewal regular permit in respect of the stage carriage KL 07 AR 2777 was under processing of the secretary, RTA on the route Piravom –Thiruvamkulam. Meanwhile on 18/05/2018 permit holder has submitted a request to take necessary steps to include the stage carriage in the annexure given along with GOP no. 5/17/Trans dated 21/02/2017 and also request to hold the renewal of regular permit till the final judgment of MVAA no. 122/2017.

Secretary, RTA considered the request of the permit holder and filed a request before the Govt. through proper channel to take necessary steps to include the stage carriage in the annexure given along with GO(P) No.05/2017/Tran dtd 21/02/2017 and it is under consideration of the Government.

Then the permit holder produced the Judgment in MVAA No. 122/2017 dtd 27/10/2018 of the State Transport Appellate Tribunal Ernakulam in which this authority was directed to renew the regular permit on the route Piravom-Kaloor in respect of the stage carriage KL 07 AR 2777. As per the version of petitioner in MVAA no. 122/2017, the government took decision and published a proposal to regularize the 28 services also by issuing regular permit on the route itself by notification dtd 22/02/2016. Since the service was conducting on regular permit, there was no occasion to include his service so as to regularize the service for issuing regular permit. Finally the government issued final notification dtd 21/02/2017 regularizing all these services by issuing regular permit. Even the services which were conducting on the temporary permit for 5 to 6 years were also allowed to convert the service by virtue of regular permit where as the permit holder of KL 07 AR 2777 conducting service for about 20 years was not included in the said list since the same is a regular permit.
Since the request to include the stage carriage in the annexure along with GO(P) No.05/2017/Tran dtd 21/02/2017 is under consideration of government; The Secretary, RTA has filed an Original Petition (Civil) before the Hon’ble High Court of Kerala against the order of STAT in MVAA No. 122/2017 dtd 27/10/2018.

From the above facts this authority realized that the decision on the matter of renewal of regular permit of stage carriage KL 07 AR 2777 on the route Piravom- Kaloor is under the consideration of Govt. and Hon’ble High Court of Kerala. So now this authority not in a position to take a decision on the above matter and hence hereby adjourned the renewal of regular permit of stage carriage KL 07 AR 2777 on the route Piravom- Kaloor.

**Additional Item No.03**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL 39 4757 operating on the route Vyttila – Vyttila circular as city ordinary service, is allowed as applied for subject to the clearance of Government dues, if any.

**Additional Item No.04**

Heard; the learned counsel represented the permit holder of stage carriage **KL-07-AZ-2254**. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing renewal of permit issued with a regular permit on the intra district on the route Chittethukara - Edakkochi - Fort Kochi (via Kakkanad) as city service. The regular permit was expired on 06/08/2018, but application is filed on 25/07/2018. Which was belated by 3 days.

This authority considered the application in detail. The permit holder intimated that he was sick, produced the medical certificate from a registered medical practitioner and requested to condone the delay. As
per the report of the route enquiry officer, there is no legal impediment exist for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued on 07/08/2003. Therefore, the delay in filing application is condoned and the Secretary RTA is permitted to renew the regular permit.

Sd/-

Sri.K. Mohammed.Y.Safirulla ,I.A.S
The District Collector& Chairman,RTA
Ernakulam

Sd/-

Sri. Shaji Joseph
The Deputy Transport Commissioner
[Law] Central Zone-II,Ernakulam &
Member,RTA Ernakulam

Sd/-

Sri. Dr. J Himendranath IPS
Deputy Commissioner of Police,
Kochi city
(authorized by District Police Chief.)