DECISIONS OF RTA, KASARAGOD
MEETING HELD ON 26.10.2019
AT COLLECTORATE CONFERENCE HALL, KASARAGOD

Present:
1. Dr. D. Sajith Babu IAS, Chairman RTA and District Collector
2. Sri. T C Vinesh, Member RTA and Deputy Transport, Commissioner [NZ]

Item No: 1
Heard, This is an application for variation of permit in respect of stage carriage KL 13 N 3069 operating on the route Pandy-Adoor, Mulleriya-Bovikana-Kasaragod on the strength of permit. At present the vehicle is departing from Pandy at 5.12 pm and reaching Kasaragod at 7.09 pm via Adoor, Mulleriya. This is a peak hour trip. In the proposed variation, this trip is seen deviated by avoiding Adoor and Kottiyadi. There are strong objections in the meeting by pointing out that this change in trips will very adversely affect the travelling public. The report of the enquiry officer is silent on the difficulties by proposed deviation of trips. Hence, Secretary is directed to submit a detailed report on comparative advantages of the proposed extension, change of trips and change of timings with respect to the existing trips & timings for the public. Hence, decision on the application for variation of permit is adjourned.

Item No: 2
Heard, This is an application for variation of permit in respect of stage carriage KL 18 A 7862 operating on the route Madakkara-Kanhagad-Karakkode-Chalakkadavu. It is reported by the enquiry officer that the portion of the existing route from Cheruvathur to Mavungal via Nileshwar, Alamipally and Kanhangad is on the notified sector. There were 6 trips to Kanhangad in the existing time schedule. But in the proposed time schedule, there are 7 trips to Kanhangad. Hence, Secretary is directed to report whether there is additional trips through notified route by violating clause 19 of G.O(P)No. 8/2017. Hence decision on the application for variation of permit is adjourned.

Item No: 3
Heard, this is an application for variation of permit in respect of stage carriage KL 57 A 3933 operating on the route Kasaragod-Kannadithode Via Cherkala-Poinachi. The proposed variation contains curtailments of the route portions from Moonamkadavu to Kundamkuzhi curtailments will adversely affect the travelling public. Also there are objections from travelling public against allowing this curtailment. This authority finds that the variation of permit applied is against in the interest of travelling public of the above areas. Hence application for variation of permit is rejected.

Item No: 4
Heard, this is an application for variation of permit in respect of stage carriage KL 14 P 5299 operating on the route Odayamchal-Vavadukkam-Udayapuram-Kasaragod. The proposed variation contains curtailment of the route portions from Udayapuram to Odayamchal. The report of the enquiry officer reveals the proposed curtailment will adversely affect the travelling public. Also there are objections from travelling public against allowing this curtailment. This authority finds that the variation of permit applied is against in the interest of travelling public of the above areas. Hence application for variation of permit is rejected.
Item No.5

Heard, this is a proposal submitted by Mangalapdy Panchayath for approval for an Auto-stand at Jotukal. There are severe objections before this authority against allowing this proposal. A fresh enquiry by a different person in presence of PWD officials. Secretary of Gramapanchayath is not competent to do the same. Hence, decision on the proposal for approval of new auto stand is adjourned.

Item No.6

Heard, this is a proposal submitted by Vorkady Grama Panchayath for approval for an auto-stand at bakery junction. There are severe objections before this authority against allowing this proposal. A fresh enquiry by a different person in presence of PWD officials. Secretary of Gramapanchayath is not competent to do the same. Hence, decision on the proposal for approval of new auto stand is adjourned.

Item No.7

Heard, this is an application for fresh regular stage carriage permit to operate on the route Vellachal-Bandadukka(Via) Cheemeni-Vellarakundu-Rajapuram-Malakallu-Kolichal. The report of the enquiry officer reveals that the total length of the route is 68.9 KM. There is no overlapping with notified route/approved scheme in this proposal and also no virgin portion. It is also reported that the proposal will be beneficial to the travelling public. Hence fresh regular stage carriage is granted to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit of applying and granting fresh regular permit to ordinary, city/town and LSOS stage carriage as eight years, within thirty days communication of this decision as per rule 159[2] of KMV rule 1989. Failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.8

Heard, this is an application for a fresh regular stage carriage permit to operate on the route Padannakadappuram-Cheruvathur-Payyannur-Madakkara(Via)Ayitty-Vellap-Udumbunthala-Olavara Mundya as ordinary service. This is an inter-district route in which a distance of 1.8 km lies in Kannur district. Concurrence from sister RTA, Kannur is necessary for further consideration of the application. Therefore, the decision on the above application is adjourned for want of concurrence from Sister RTA, Kannur. Secretary, RTA will seek concurrence from Sister RTA, Kannur and place the application before this authority, after obtaining prior concurrence.
Item No.9

Herad, this is an application for fresh regular permit to operate on the intra district route Konnakakkad-Vellarkundu-Prappa-Odayanchal-Nileshwar-Kanahngad(via) Choyamkode-Kalichanadukkam-Balal-Arayi as ordinary service. The field officer reported that route length is 92.3km and overlapping with notified route is 2.2 km which is within the permissible limit and also there is no virgin portion. Hence fresh regular permit is granted to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the grant permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit of applying and granting fresh regular permit to ordinary, city/town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per rule 159[2] of KMV rule 1989. failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.10

Heard, this is an application for variation of permit in respect of stage carriage KL 60 M 618 operating on the route Kamballur-Cherupuzha-Vellarikundu(Via)Beemandi and Chittarickal. The report of the enquiry officer is not specific on the below mentioned aspects.

(A) Details of extension of route in the proposal.

(B) Details of curtailment of route in the proposal

(C) Details of curtailment of trips, deviation of trips etc with its comparative advantages to the public.

Hence, Secretary is directed to conduct a specific enquiry on the above aspects and submit a report before this authority in the next meeting. Hence, decision on the application for variation of permit is adjourned.

Item No.11

Heard, this is an application for variation of permit in respect of stage carriage KL 60 K 2640 operating on the route Chittarikkal-Cherupuzha-Thirumeni-Beemanady-Kamballur(via) Nallompuzha-Narkkilakkad. The report of the enquiry officer is not specific on the below mentioned aspects.

(a) Details of deviation,

(b) Comparative advantages to the public by the new trips through deviation sought portion and trips proposed to curtail in the existing time-schedule.

For specific report, the decision on the application for variation of permit is adjourned.
Item No.12

Heard, This is an application for variation of permit in respect of stage carriage KL 14 H 3033 operating on the route Manadikkam-Kasaragod(via)-Bandadukka-Erinhipuzha-Cherkala. In the report submitted by the enquiry officer, it is mentioned that the applicant intends to change the timing at Kuttikol and Kasaragod. This change of timings are not mentioned in the proposed set of timings published in the agenda. Secretary is directed to verify this matter and place the application in the next meeting of RTA with exact proposed set of timings. Hence, decision on the application for variation of permit is adjourned.

Item No.13

Heard, This is an application for variation of permit in respect of stage carriage KL 18 D 2736 operating on the route Eramam-Payyannur-Trikaripur-Padannakadappuram and Cheruvathur. In the proposed variation, there is no virgin portion, no curtailment or extension of portions. The proposed variation of permit for additional trips is allowed since it is reported beneficial to the travelling public. Hence, variation of permit granted, subject to the settlement of timings.

Item No.14

Heard, This is an application for variation of permit in respect of stage carriage KL 59 9134 operating on the route Payyannur-Moukkod-Kanhangad(via)Trikaripur-Cheruvathur-Kadumeni. There are many objections before this authority for allowing the proposed set of timings. Hence, applicant is directed to submit a modified proposed schedule of timings by providing extension of trips from Perumbatta to Moukkode without changing the existing set of timings. Hence, decision on the application for variation of permit is adjourned.

Item No.15

Heard, this is an application for variation of permit in respect of stage carriage KL 60 M 5172 operating on the route Mandapam-Chittarickal-Kanahngad-Kunnunmkai-Parappa(via)Mukkada-Nileshwar-Beemanadi-Vellarikundu. It is reported by the enquiry officer that the proposed curtailment of 8km from Vellarikundu to Parappa is on the ill-served portion and will adversely affect the travelling public. Hence, application for variation of permit is rejected.

Item No.16

Heard, this is an application for variation of permit in respect of stage carriage KL 13 U 1011 operating on the route Moukkode-Payyannur-Padanna(via)-Cheemeni-Cheruvathur-Trikaripur. It is reported that the proposed portion of curtailment from Kakkadavu to Cherupuzha (4km) is on the ill served sector. In the existing schedule of timings, there are four trips touching Cheruvathur. But in the proposed schedule of timings, there are five trips proposed touching Cheruvathur (which is on the notified route). Hence (1) Secretary is directed to conduct a detailed enquiry on how the travelling public will be affected by the curtailment of the above existing portion. (2) Whether there is any overlapping with notified route when the vehicle is reaching at Cheruvathur (10.39am) after starting from Padanna at10.24am. Place the application along with the detailed report on the above points before this authority in the next meeting. Hence, decision on the application for variation of permit is adjourned.
**Item No.17**

Heard, this is to consider the application for renewal of stage carriage permit in respect of KL 13 L 545 permitted to operate on the intra district route Ksaragod-Thalapadi as ordinary service. The regular permit valid up to 17-03-2019 and the permit renewal application received on 11-03-2019. The delay occurred in submitting the application is condoned and **renewal of permit is granted** subjected to clearance of Govt. dues and production of NOC from the financier, if applicable.

**Item No.18**

Heard, this is to consider the application for renewal of stage carriage permit in respect of KL 13 M 3040 permitted to operate on the inter district route Pyyannur-Kakkadavu-(via)Trikaripur-Cheruvathur as ordinary service. The regular permit valid up to 01-08-2019 and the permit renewal application received on 04-07-2019. The application for **renewal of permit is granted** subjected to clearance of Govt. dues and production of NOC from the financier, if applicable.

**Item No.19**

Heard, this is to consider the application for renewal of stage carriage permit in respect of KL 14 L 2333 permitted to operate on the route Kannur-Kasaragod (via) Payyannur-Karivellur-Kanhangad and Mavungal as LSOS. The regular permit valid up to 12-12-2019 and the permit renewal application received on 30-05-2019. The application for **renewal of permit is granted** subjected to clearance of Govt. dues and production of NOC from the financier, if applicable.

**Item No.20**

Heard all the concerned. Perused the Judgment of Hon’ble High Court of Kerala dated 08.04.2019 in WP©No.10977/2019. On perusal of records and reports made available, it seen that the regular permit 14/712/1995 to operate on the inter –district route Thalappady-Thrissur as LSFP was valid up to 27.01.2015. The length of the route is 350 km. Application for renewal of permit was filed in time. During the pendency of application for renewal of permit, after hearing the permit holder, by cancelling the permit, as per the request of the permit holder, the vehicle covered by the permit was issued with clearance certificate on 02.03.2017. Hence, the permit was not in existence since then. Later, during 2019, an application for replacement was filed by mentioning the incoming vehicle as KL 13 AH 8545. The permit of the vehicle was already cancelled and no vehicle covered by the permit since 02.03.2017, the application for **renewal of permit is rejected**. Since the application for renewal of permit is rejected and no valid permit is existing on the date of application for replacement, the application for replacement itself is defective and hence, the same is also rejected.

**Item No.21**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.
Item No.22
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.23
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.24
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.25
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.26
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.27
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.28
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Item No.29
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Item No.30
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Item No.31
Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.
**Item No.32**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

**Item No.33**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

**Item No.34**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

**Item No.35**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

**Item No.36**

Heard, **Transfer of permit is allowed**, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

**Item No.37**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**

**Item No.38**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**

**Item No.39**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**

**Item No.40**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**

**Item No.41**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**

**Item No.42**

Heard, as per the decision in the 22nd meeting of SITCO, **Counter signature is granted**
Item No.43

Perused the judgment of Hon’ble High Court of Kerala dated 14.05.2019 in WP©No.12663/2019. Fifth respondent in this case is not present in spite of notice issued. The decision of this authority dated 07.11.2017 in item No.37 is still in force since it is not challenged or set aside. As per Section 117 of Motor Vehicles Act 1988, determining the parking places for public service vehicles is vested with concerned Local Authority (Kanhangad Municipality in this case). Exhibits P2 to P2(h) applications mentioned in the above judgment were not placed before this authority by issuing notices to petitioners. Hence Joint Regional Transport Officer, Kanhangad shall pass appropriate orders on these application as directed by Hon’ble High Court of Kerala in the above judgment, as per the direction in the decision of this authority dated 07.11.2017 in item No.37. Any practical difficulties experienced by the Municipality in this regard can be brought to the attention of appropriate legal forum/authority.

Item No.44

Heard, This is to consider the request for sanctioning new bus stop in front of SRTO Vellarikundu and Puliyamkulam Test Ground. Secretary RTA is directed to consult with the concerned local authorities as stipulated under Rule 206 of KMV Rules, 1989 and submit a detailed report before this authority in the next meeting. Hence, decision on the request is adjourned.

Item No.45

No other items

Item No.46

Date for the next meeting of RTA will be fixed and published later.

Supplementary Item No.1

Heard, this an application for fresh regular permit in respect on the intra district route Bandadukka-Alamipally-New Busstand(via) Kundamkuzhi-Moonamkadavu-Periya-Kodvalam-District Hospital as ordinary service. The field officer reported that the total route length is 52.5km and overlapping portion with notified route is 2.5km which is within the permissible limit. No virgin portion. The enquiry officer reported that this proposal will be beneficial to the travelling public. Hence fresh regular stage carriage permit is granted to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to ordinary, city/town and LSOS stage carriage as eight years, within thirty days communication of this decision as per rule 159(2) of KMV rule 1989; failing which the grant of the regular permit will be treated as revoked without further notice.
Supplimentary Item No.2

Heard, this is an application for variation of permit on the route Kasaragod-Madhur-Perla-Malla Temple(via) Seethamgoli-Badiadka-Cherkkala-Bovikanam. There are severe objections before this authority against curtailing the only trip to Malla Temple at noon. The place Kasaragod is on the notified route as per the report. From the existing time schedule there are 6 trips touching Kasaragode. In the proposed time schedule there are 8 trips passing through Kasaragod. KSRTC objected there is scheme violation in this proposal. The enquiry officer has not specifically reported whether there is any violation of clause 19 of G.O(P)No.8/2017 in this case. Hence, as per Section 72(1) of Motor Vehicle Act, 1988, the applicant is directed to submit a modified proposal by retaining the present trip and timings at Malla Temple. Secretary shall enquire and report whether the additional two trips touching Kasaragode will violate clause 19 of G.O(P)No.08/17. For compliance of the above directions decision on the application for variation of permit is adjourned.

Supplimentary Item No.3

Heard, Transfer of permit is allowed, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Supplimentary Item No.4

Heard, Transfer of permit is allowed, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

Supplimentary Item No.5

Heard, Transfer of permit is allowed, subjected to clearance of Govt. Dues, if any, and production of NOC from HP Co. if applicable.

1. Dr. D. Sajith Babu IAS,
Chairman RTA and District Collector
Regional Transport Authority, Kasaragod

2. Sri. T C Vinesh,
Deputy Transport Commissioner [NZ]
Member, RTA, Kasaragod