

**DECISION OF RTA,KASARAGOD
MEETING HELD ON 29-04-2022**

AT COLLECTORATE MAIN CONFERENCE HALL,KASARAGOD

Present:1.Smt.Bhandari Swagath Ranveerchand IAS,

ChairpersonRTAand District Collector

**2.Sri. Vaibhav Saxena IPS, Member RTA and District
Police Chief**

**3.Sri.R Rajeev, Member RTA and Deputy Transport,
Commissioner [NZ]**

Item No.1

Heard, **Fresh permit is granted**, subject to clearance of Govt. Dues, if any, and settlement of timings

Item No.2

Heard, **Fresh permit is granted**, subject to clearance of Govt. Dues, if any, and settlement of timings

Item No.3

Heard, This is an application for variation of permit in respect of S/C KL 60 B 1589 on the intra district route KANHANGAD- NILESHWAR-THAIKADAPURM-KADINHIMOOLA as ordinary service. The permit holder applied for Variation of permit as (1)Curtailment- 3 single trip Kanhangad Nileswar on NH (2) Extention of trip from Nileswar to Kayyur via Palayi Shutter Cum bridge (8.5 K M route length) and (2) extension of trip is from Thaikadapuram to Azhithala of 1.05 kms. Examined the application, the MVI Kanhangad reported that curtailment is in notified route NH sector, well served by KSRTC and other private Stage Carriages. The extension as shown (1) is beneficial to the public since the route portion is newly introduced. Extension (2) is more beneficial to the passengers of that area. Hence, **variation of permit as applied is granted**, subject to the availability of Road Fitness Certificate for the virgin portion from the concerned authority and subject to settlement of timings.

Item No.4

Heard, This is an application for variation of permit in respect of S/C **KL 60 M 5172** operating on the intra district route MANDAPAM - CHITTARIKKAL KANHANGAD -KUNNUMKAI -PARAPPA(VIA) MUKKADA- NILESHWAR-BEEMANADI-VELLARIKUNDU as ordinary. The permit holder submitted variation request for trip curtailment of one round trip at 4.30 PM from Kunnumkai to Nileshwaram via Kalichamaram and Choyamkode and to retain the existing trip from Kunnumkai to Parappa in the evening as it is.

Variation has already been granted in the RTA meeting held on 26-02-2021. But timings could not settle due to the vehement objections raised by both private S/C operators as well as KSRTC. As a result the applicant submitted a modified application for variation of permit by curtailment of one round trip at 4.30 PM from Kunnumkai to Neeleshwar via Kalichamaram and Choyamkode and to retain the existing trip from Kunnumkai to Parappa in the evening as it is. Examined the application, the MVI Vellarikund reported that the variation is beneficial to the passengers of that area. Hence, **variation of permit as applied is granted** ,subject to the settlement of timings.

Item No.5

Heard, This is an application for variation of permit in respect of S/C **KL 59 9134 (replaced by KL 13 AP 1771)** operating on the inter district route [Kannur-Kasaragod] PAYYANNUR MOUKKOD KANHANGAD (VIA) TRIKARIPUR CHERVATHUR- KADUMENI as ordinary service on the strength of permit number 14/47/1997 is valid up to 22/07/2022. The permit holder applied for cancellation of the variation of permit which was granted in the RTA meeting held on 26-02-2021 since timings were not settled and issued.

Examined the application, it is found that the variation granted in the RTA meeting held on 26-02-2021 is still not implemented since the timings of the same was not amicably settled due to the vehement objections raised by both private S/C operators as well as KSRTC. Hence, **variation of permit by additional trip from Perumbatta to Moukode granted by RTA in its meeting held on 26-02-2021 is hereby revoked.** The existing permit granted prior to variation is retained as it is.

Item No.6

Heard, **Renewal of permit is granted**, subject to clearance of Govt. Dues, if any.

Item No.7

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

Item No.8

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

Item No.9

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.10

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. Dues, if any.

Item No.11

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.12

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.13

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.14

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.15

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.16

Heard, this is an application for Transfer of permit in respect of Stage Carriage **KL 58 A 4145** permitted to operate on the intra district route **PARAPPA-KOTTAPURAM VIA BIRIKULAM-MUYANGANAM AND NILESWARAM**. Examined the application, it is found that the vehicle is hypothecated with . In the present case the permit holder has neither produced No Objection Certificate issued by the financier nor any communication or declaration to the above effect as stipulated as per Sect. 51 of MV Act. Hence application for **Transfer of permit is adjourned** .

Item No.17

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.18

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.19

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.20

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.21

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.22

Heard, **Transfer of permit is allowed**, subject to clearance of Govt. dues, if any.

Item No.23

Heard, **Transfer of permit (Death) is allowed**, subjected to clearance of Govt. dues, if any.

Item No.24

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

Item No.27

Perused the file and the orders issued by Secretary, Regional Transport Authority, Kasaragod with regard to the cancellation of Regular Permit granted to S/C KL 13 AJ 5998 (leased) on the route Josegiri – Kanhangad (via) pulingome –Cherupuzha – Peringome – Cheemeni –Cheruvathur valid

upto 09-03-2020. **Cancellation of Regular Permit in respect of S/C KL 13 AJ 5998 is hereby ratified.**

Item No.28

Perused the file and the orders issued by Secretary, Regional Transport Authority, Kasaragod with regard to the cancellation of Regular Permit granted to S/C KL 60 K 6944 on the route Balal – Parappa – Kanhangad – Vllarikundu – Bheemanady – Kunnumkai (via) Alaithattu – Odayanchal and Rajapuram valid upto 26-08-2021. **Cancellation of Regular Permit in respect of S/C KL 60 K 6944 is hereby ratified.**

Item No.29

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

Item No.30

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

Item No.31

Heard. This is an application filed by Sri. N A Nellikunnu MLA, through Dist. Collector Kasaragod to approve a new Bus Stop at Nellikatta in Kasaragod- Badiadka Road comprised in Chengala Grama Panchayath. Inspection report in this regard from Inspector SHO, Badiadka Police Station is received. It reveals that there is a Bus Stop at Nellikatta junction already exists and all buses including KSRTC are providing stop to board into and unload the passengers without any difficulty. The proposed new Bus stop situated only 15 mtrs away from existing Bus stop and there is no need of another Bus stop at the said place. The inspector also reported that if another Bus stop approved at Nellikatta, it will be caused for conflicts between the natives. Moreover, the stopping of buses in a short distance of 15 meters will adversely affect the free flow of traffic which may cause for road mishap. Enquiry conducted through Sri. Sudhakaran P, MVI, Regional Transport Office, Kasaragod and he has also reported in a manner that

validates the report of inspector SHO Badiadka Police Station. Hence application for new Bus Stop at Nellikatta is **rejected**.

Item No.32

Heard. This is an application filed by The Chairperson, College Union, Khansa Womens College for advanced studies, Kumbala to approve a new Bus Stop near to the College in Kumbala - Badiadka Road comprised in Kumbala Grama Panchayath. The Motor Vehicle Inspector Kasaragod has reported that there exists two bus stops in both ends of the road within 300 meters near to the college and there is no need of a new bus stop at the said place. Moreover, the stopping of buses in a short distance of 15 meters will adversely affect the free flow of traffic which may cause for road mishap, may also lead to unhealthy competition between the enroute operators. Hence application for new Bus Stop near Khanza Womens College, Kumbala is **rejected**.

Item No.33

Heard, This is an application filed by Sri. Harisha S, S/o Sundari, Kadambala House, Bela, Kasaragod Dist. to approve a new Bus Stop at Kadambala in Badiadka Grama Panchayath. As per the report of The Motor Vehicle Inspector Kasaragod the nearest Bus stop from the said place is 600 meters away and proposed bus stop is near to Automated Driving Testing station at Bela and it will become more useful to reach driving test and vehicle testing station also. Hence application for new Bus Stop is **granted** in front of GWLP School Kadambala. The Secretary, Badiadka Grama Panchayath is directed to ensure the construction of bus bay at the proposed place enabling to stop, pick up and alight passengers from the stop safely.

Item No.34

Heard, This is an application filed by The Secretary, Chemnad Grama Panchayath, Kasaragod Dist. to shift the existing Melparamba Auto stand to a suitable place after medical shop towards Kasaragod side. As per report of the Motor Vehicle Inspector Kasaragod, there is adequate space for providing an Auto Stand after Medical shop towards Kasaragod side to shift the existing auto stand to the newly proposed place. Hence application for shifting of existing Melparamba Auto stand to a suitable place after medical shop towards Kasaragod side is **granted**.

Item No.35

Heard, This is an application filed by Sri.Rahanas C K, Neerali House, Poothakkal, Achikkanam, Anandashramam Via, Kasaragod Dist. to consider the refixation of fare stages on the route Kanhangad-Chemmattamvayal Poothakkal-Mundott – Kanhirapoil.The matter is examined and viewed as follows. Transport Commissioner (NZ) has directed to fix the fare stages in the above route after conducting proper site visit on the basis of the irregularities detected by the Vigilance Team during the surprise check on 22/08/2015.Accordingly joint route inspection was conducted by Motor vehicle inspectors of SRT Office Kanhangad.Sri.Bharathan K and Sri,Vijayan M , and the reported that at present 7 fare stages are existing in the route and total route length is 15.1 KM. GO (P) NO.4/2018 Trans dtd 26/02/2018 states that “in respect of routes where stages have been already fixed such fare stage shall be retained without changes. However for the purpose of calculation the distance between two stages will be taken generally as 2.5KM per ordinary/mofussil/city/city fast passenger/town services, since the fare stages are generally fixed not only on the consideration of distance but also taking in to consideration of the factors like importance of places and convenience of passengers”.

The inspection team have recommended the following modification to consider for fixing new stages on the basis of factors like distance and importance of places.

PROPOSED STAGES ON THE ROUTE KANHANGAD-KANHIRAPOIL

SI NO	PLACES	DISTANCE	STAGES
1	Kanhangad	0 KM	Starting point
2	Puthiyakandam(Vandematharam)	2.7KM	Stage-1
3	ChemMattamvayal Junction	5.8KM	Stage-2
4	Adambil	7.9KM	Stage-3
5	Theeyyarpalam	9.9KM	Stage-4
6	Mundott	12.7KM	Stage-5
7	Kanhirapoil	15.1KM	Stage-6

The matter was placed before the RTA, Kasaragod dated 10-04-2018 vide item No.19 and RTA took the following decision. ***“The enquiry officer suggested a reduction of 1 stage from 7 stages for 15.1KMs to six stages.This is found reasonable.The existing operators objected on the basis of varios Court orders stating that this authority is not authorized to change the stages and an amending committee can only consider this application. In this situation the item has been adjourned for detailed verification of connected decision of Hon’ble High Court and place before next RTA with clear details.”.***

In view of decision of RTA Kasaragod , Secretary RTA, Kasaragod directed JRTO Kanhangad and directed to furnish a study report in this matter considering the various Court Judgment and Government orders related to the revision of fare stages. As per reference 3rd above Secretary STA ,Thiruvananthapuram has directed to take necessary action in the matter.

A detailed enquiry report submitted by Motor Vehicle Inspector, Kanhangad. In the report it stated that, the RTA has decided to adjourned the matter due to the mere objections raised by the bus operators stating that various Court orders are existing against the changing of fare stages and RTA has no authority to re fix the existing fare stages and as per Kerala Motor Vehicles Rule 211 Regional Transport Authority has the power to rectify the anomalies in the existing fare stages ***“Rule 211 stipulates that in the case of stage carriages the state or Regional Transport Authority shall after such enquiry as it may desirable fix fare stages on all routes, the maximum distance of each such stage shall not ordinarily exceeds 6KM and 500 meters .When stages are so fixed fare shall be collected according to stages”.***

Hence power to rectify the anomalies in the existing fare stage is vested up on the concerned RTA. It is not known that there any standing Court order exist prohibiting the RTA from re fixing the fare stages. Whereas Hon’ble High Court of Kerala has ratified the decision of some RTAs through various Writ Petitions, that is WPC No.9803/2016 dated 20/07/2016. The RTA held on 26-02-2021 considered the matter as Item No.78 and took the following decision:

“Heard, This is application for the revision of fare stages on the route Kanhanagd- Chemmattamvayal –Poothakkal- Mundott – Kanhirapoil. The matter was placed before the RTA, Kasaragod dated 10-04-2018 vide item No.19 and adjourned the application with direction to the Secretary RTA to ***to detailed verification of connected decision of Hon’ble High Court and place before next RTA with clear details.”.*** The enquiry officer reported that as per Kerala Motor Vehicles Rule 211 Regional Transport Authority has the power to rectify the anomalies in the existing fare stages ***“Rule 211 stipulates that in the case of stage carriages the state or Regional Transport Authority shall after such enquiry as it may desirable fix fare stages on all routes, the maximum distance of each such stage shall not ordinarily exceeds 6KM and 500 meters .When stages are so fixed fare shall be collected according to stages”.*** The above facts that this authority decided to constitute a subcommittee ie, Deputy Transport Commissioner, Sri.Rahanas (complainant), C.Ravi (Bus owners association) for conducting an enquiry and submit a report to the RTA. whether this change of fare stage is desirable prior to the next RTA”.

As such the committee so constituted as above conducted a joint inspection on 01-12-2021 headed by Sri Rajiv, Deputy Transport Commissioner, North Zone, Kozhikode and submitted his report before the Secretary, RTA.

PROPOSED REVISION OF FARE STAGES ON THE ROUTE KANHANGAD-KANHIRAPOYIL ROUTE

SI NO	PLACES	DISTANCE	STAGES
1	Kanhangad	0 KM	Starting point
2	Mavunkal	03.03KM	Stage-1
3	ChemMattamvayal	05.07KM	Stage-2
4	Alayicompany	06.08KM	Stage-3
5	Theeyyarpalam	9.07KM	Stage-4
	Poothakkal	10.08KM	-----
6	Mundott	12.04KM	Stage-5
7	Kanhirapoil	14.08KM	Stage-6

The report further states that the stages fixed previously are not par with the stipulations issued in this regard. The entire route portion passes through rocky land which was not a populated area and considering the economical viability of the operators, the fare stages were fixed without considering the distance in between when the stage carriage services were introduced through this sector. So the committee is of the view that if the existing fare stages are entirely refixed at par with the existing rules, it would obviously attract so many problems and clashes between the employees and commuters, so to avoid such a situation, the above refixation with abolishing one fare stage, i.e. at Poothakkal, may be considered.

PROPOSED REVISION OF FARE STAGES ON THE ROUTE KANHANGAD-KARAKODE

SI NO	PLACES	DISTANCE	STAGES
1	Kanhangad	0 KM	Starting point
2	Mavungal	3.03KM	Stage-1
3	ChemMattamvayal	5.07KM	Stage-2
4	Alayicompany	6.08 KM	Stage-3
5	Theeyyarpalam	9.07 KM	Stage-4
	Poothakkal	10.08KM	_____
6	Mundott motta	11.08KM	Stage-5
	Vellacheri palam	12.09 KM	_____
7	Kundara	13.09 KM	Stage-6
8	Karakode	14.16 KM	Stage-7

The report further states that as per the existing instructions, maximum stages to be permitted for a route distance of 15 KMs are 6, however further abolishing of existing fare stages other than the stages shown above will adversely affect the economic viability of the existing operators which may lead to the stopping of Private Stage Carriage services through the sector. Hence the suggested refixation are not par with the existing instructions. However, the practice of collecting exorbitant fares from the commuters are to be curbed to keep the healthy passenger transport system in the country.

RTA discussed the matter in detail and concludes that the proposed stages putforth by Deputy Transport Commissioner North Zone Kozhikode on the above route is hereby **approved** on the strength of section 211 of KMV rules 1989.

Item No.36

Nil.

Item No.37

This will be intimated later.

Supplementary Item No.1

Heard, **Fresh permit is allowed for KSRTC**, Subject to settlement of timings.

Supplementary Item No.2

Heard, **Fresh permit is allowed for KSRTC**, Subject to settlement of timings.

Supplementary Item No.3

Heard, **Fresh permit is allowed for KSRTC**, Subject to settlement of timings.

Supplementary Item No.4

Heard, **Fresh permit is allowed for KSRTC**, Subject to settlement of timings.

Supplementary Item No.5

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

Smt.Bhandari Swagath Ranveerchand IAS, Chairman RTA and District Collector.

Sri. Vaibhav Saxena IPS, Member RTA and District Police Chief.

Sri.R Rajeev, Member RTA and Deputy Transport Commissioner North Zone, Kozhikode.