

**REGIONAL TRANSPORT AUTHORITY – KOTTAYAM**  
**24-05-2022**

**DECISION**

**I. Fresh Stage Carriage Permits**

**Item No. 1**

**J1/KL157729/2022/K**

Heard the representative of the STU. Considered the application for the grant of fresh regular permit to Stage Carriage KL-15-7729 to operate on the route Pala – Ponkunnam via Paika and Mundakayam as Ordinary Service for a period of 5 years from the date of issue and granted fresh Regular permit with the set of proposed timings.

**Item No. 2**

**J1/KL38A1989/2019/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The application was considered by this Authority, in its meeting held on 26-02-2021 vide Item No. 4 and adjourned the same with a direction to the applicant to furnish all en route intermediate points on the basis of the objection raised in the meeting. Accordingly applicant has submitted the application by incorporating all the en route intermediate points.

Accordingly the application is considered and perused all the relevant documents and the enquiry report furnished by the field officer in this regard.

Here the offered vehicle KL 38 A 1989 holds a valid regular permit on another route and the applicant has not offered a suitable vehicle at the time of consideration of application. Moreover the applied route is very notorious for clash of timings due to oversaturation of stage carriage services. Therefore the application for the grant of fresh regular permit is hereby rejected.

**Item No. 3**

**J1/2428/2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The application is considered and perused all relevant documents and enquiry report

furnished by the field officer in this regard. The objections received in this regard are also perused.

The enquiry officer specifically reported that the en route portion between **Uzhavoor and Pala** is an ill served sector and the proposed service is offering stage carriage service through rural areas. As per the report, the proposed service will provide better travelling facility to travelling public and students towards nearby towns. As per the report of the field officer, total overlapping distance is 1.9 km, i.e. 4.83 % of the total route length of 39.3 KMS which is within the permissible limit as per G O(P) 8/2017/Trans dated 23-03-2017.

Therefore, fresh regular stage carriage permit is granted to a suitable stage carriage with seating capacity not less than 28 in all to operate on the route Uzhavoor - Erattupetta via Kurichithanam, Marangattupilly, Vallichira, RV Jn, Pala Kottaramattam BS, Pala Hospital Jn, Pala Old BS, Municipal Stadium, Maharani Kavala, Edappady, Bharananganam and Panackapalam with two sets of trips starting from Uzhavoor to Pala at 11.40 AM and 2.15 PM respectively via Kudakkachira, Valavoor and Mundupalam as ordinary subject to the settlement of the timings.

**Item No. 4**

**J1/1394/2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The application is considered and perused all relevant documents and the enquiry report furnished by the field officer in this regard. The objections received in this regard are also perused.

There are objections that at present the stage carriage KL 05 AM 4505 is operating with a valid regular permit and requested not to consider the application for fresh permit.

On perusal, it is noticed that the stage carriage KL 05 AM 4505 holds a regular permit on another route and the applicant has not offered a suitable vehicle at the time of the consideration of the application. Hence the application for the grant fresh regular permit is hereby rejected.

**Item No. 5**

**J1/2236/2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The application for the

grant of fresh regular permit and temporary permit are considered and also perused the Judgment of the Hon'ble High Court of Kerala in WP (C) 4257 of 2022 dated 14-02-2022 whereby the Hon'ble directed to consider the above two applications.

Accordingly the above two applications are considered and perused all relevant documents and the enquiry report furnished by the field officer in this regard. The objections received in this regard are also perused.

On perusal it is noticed that the stage carriage KL 34 D 7687 is holds a regular permit and at present operating with temporary permit issued U/S 87 (1) (d) of the MV Act 1988. Therefore it is evident that at present the Stage Carriage KL 34 D 7687 holds a regular permit as well as temporary permit. Moreover the field officer has not reported any sort of necessity in considering the application for temporary permit.

Again the applicant has not offered a suitable vehicle at the time of considering the application. Hence the application for the grant of fresh regular permit and temporary permit is hereby rejected.

**Item No. 6**

**J1/2429/2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. This is an application for the grant of fresh regular permit and as per the enquiry report of the field officer, the proposed route is an inter district one having route portions under the jurisdiction of RTA, Muvattupuzha and Ernakulam. Therefore Secretary is instructed to seek concurrence from the sister RTAs. Hence adjourned.

**Item No. 7**

**J1/3245/2022/K**

Heard the counsel appeared for the applicant, the representative of the STU and the objectors. It seems that the counsel for the applicant is not sure about the exact portions through which the route traverses and submission regarding the application seems skeptical. The counsel submitted the proposed route length as 21 KMs which differs markedly from the route length of 17.6 KMs furnished by the field officer.

Hence the application cannot be considered on its merits and the Secretary is hereby entrusted to obtain a specific route enquiry

report in tune with the application for further consideration in the very next meeting. Hence adjourned.

**Item No. 8**

**J1/7736/2022/K**

Heard the learned counsel appeared for the applicant, the representative of STU and the objectors. The application is considered and perused all relevant documents and enquiry report furnished by the field officer in this regard. The objections received in this regard are also perused.

On perusal of the enquiry report, it is reported that the proposed route is offering stage carriage service through the remote hilly areas of Kanjirappally Taluk and is beneficial to passengers and students in these areas. As per the report of the field officer, total overlapping distance is 100 meter i.e. 2.22% of the total route length of 45 KMs which is within the permissible limit as per G O(P) 8/2017/Trans dated 23-03-2017.

Hence fresh regular stage carriage permit is granted to stage carriage KL 62 4993 or another suitable stage carriage with seating capacity not less than 38 in all to operate on the route Elamkadu-Erumely via Yendayar, Koottickal, Mundakayam, Varikkani Jn, Panackachira, Koruthodu, Kuzhimavu, Kalaketty, Mookkenpetty, Kanamala Jn, Edakadathi, Mukkoottuthara, Manipuzha, Erumely, Kannimala as ordinary service subject to the settlement of the timings.

**Item No. 9**

**J1/9103/2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The application is considered and perused all relevant documents and enquiry report furnished by the field officer in this regard. The objections received in this regard are also perused.

On perusal of the enquiry report, it is reported that the route portion includes certain ill-served areas and also has many tribal settlement areas. Again it is reported that the proposed route is offering stage carriage service through the remote hill areas of Kanjirappally Taluk and is beneficial to passengers and students in these areas. As per the report of the field officer, total overlapping distance is 100 meter, i.e. 2.35% of the total route length of 42.4 KMs which is within the permissible limit as per G O (P) 8/2017/Trans dated 23-03-2017.

Hence fresh regular stage carriage permit is granted to stage carriage KL 33 7557 or another suitable stage carriage with seating capacity not less than 48 in all to operate on the route Kombukuthy - -Inchakuzhy via Mundakayam, Pakkanam Madukka, Koruthodu, Kuzhimavu, Paschima as ordinary service subject to the settlement of the timings.

## **II. Variation of Permit Conditions**

**Item No. 10**

**C1/118291/2016/K**

Heard the learned counsel appeared for the applicant, the representative of the STU and the objectors. The learned counsel for the applicant requested to adjourn the consideration of the application.

On verification of the concurrence granted by the sister RTA, it is evident that the proposed variation of route from Adichipuzha to Perumthenaruvi via Athikayam, Thonikkadavu by means of extension from Adichipuzha is helpful and beneficial to the travelling public of the remote and tribal areas and hence decided to grant concurrence.

Therefore this Authority considered the application on its merits rather than the request made by the counsel for the applicant at this juncture. Hence the variations of conditions of regular permit in respect of stage carriage KL 05 AD 190 (Now KL 33 L 34) as Kottayam – Perumthenaruvi via Manarcadu, Karukachal, Pathanadu, Manimala, Ranni, Adichipuzha, Athikayam and Thonikadavu is granted subject to the settlement of the timings.

**Item No. 11**

**V1/3459/2020/K**

Heard the learned counsel appeared for the applicant, Perused the Judgment of the Hon'ble High Court of Kerala in WP(C) 13417 of 2019 dated 03-12-2019. The application for variation of conditions of permit by means of deviation via Amalagiri was once considered by this Authority and rejected on the basis of the then prevailing Clause 4 in GO(P) 8/2017/ Trans dated 23-03-2017. Later the Hon'ble High Court quashed the Clause 4 in the above

mentioned G O. Therefore as per the direction contained in the Judgment of the Hon'ble High Court in WP(C) 13417 of 2019 dated 03-12-2019, the application for variations of conditions of permit is reconsidered on the basis of the observation made by the Hon'ble Court.

The applicant has submitted a written statement as directed by the Hon'ble Court and the same is also perused. The applicant has pointed out that the proposed variation is meant for excluding the portions of route from Kottayam – Neendoor complete exclusion Scheme.

On verification of the enquiry report furnished by the field officer, it is realized that though the proposed deviation is not included in any notified scheme and the same will not be excluded fully from the above mentioned complete exclusion scheme. On perusal of enquiry report, it is clear that the proposed curtailment of the route portion is quite detrimental to the interest of the travelling public and will deprive of the present travelling facility enjoyed by the commuters of this area. The field officer has also reported that there are so many educational institutions are situated in the proposed curtailed route at Mannanam and a famous pilgrim centre is also situated there.

Hence the application for variations of conditions of permit in respect of stage carriage KL 35 D 126 on the route Koottickal – Kottayam is rejected after reconsidering the same on its merits.

**Item No. 12**

**J5/6274/2021/K**

Heard the learned counsel appeared for the applicant and objectors. The application was once considered and adjourned for consideration in the open meeting. Accordingly perused the application and the Judgment of the Hon'ble High Court of Kerala in WP(C) 941 of 2022 dated 31-01-2022. The Hon'ble Court directed to consider the application in accordance with Law.

In the report furnished by the enquiry officer, it is specifically reported that proposed curtailment portion includes very ill served area and causes acute hardship for the existing passengers. Hence it is very clear that the proposed curtailment is against the interests of the common commuters fully depending on the service of this stage carriage at present.

Hence the application for variations of conditions of permit in respect of stage carriage KL 33 C 5112 on the route Ponkunnam –

Changanacherry is rejected in the interests of the regular commuters utilizing the service of this stage carriage.

**Item No. 13**

**J5/8033/2022/K**

Heard the learned counsel appeared for the applicant. On perusal of records, it is noticed that the portions of proposed curtailment of the route from Kottayam to Medical College by a distance of 8 KMs lies in Kottayam – Neendoor complete exclusion scheme.

The proposed variation application is meant for excluding the portions of the route that lies in the Kottayam – Neendoor complete exclusion scheme.

Hence variations of conditions of permit in respect of stage carriage KL 33 F 6532 on the proposed variation route Changanacherry Old Bus Stand to Kottayam is granted subject to the awaiting Government decision in this regard with the existing set of clash free timings on the varied route.

**Item No. 14**

**J5/8033/2022/K**

Heard the learned counsel appeared for the applicant. Perused the judgment of the Hon'ble High Court of Kerala in WP (C) 14985 of 2022 dated 06-0-5-2022. On perusal of records, it is noticed that the portions of proposed curtailment route from Kottayam to Medical College by a distance of 8 KMs lies in the Kottayam – Neendoor complete exclusion scheme.

The proposed variation application is meant for excluding the portions of route that lies in Kottayam – Neendoor complete exclusion scheme. Hence variations of conditions of permit in respect of stage carriage KL 05 X 7088 on the proposed varied route Kottayam – Changanacherry is granted subject to the awaiting Government decision in this regard with the existing clash free set of timings on the varied route.

Following the grant of variations of conditions of permit, the secretary is entrusted to dispose the permit renewal application as per Law on the varied route after endorsing the variations of conditions of permit.

Heard the learned counsel appeared for the applicant and the objectors. There are objections that, the application is in violation of Section 80 (3) of the M V Act and some portions of road have no fitness certificate.

The learned counsel for the applicant conceded the violation of the Section 80 (3) of the M V Act as far as the proposed variation application is concerned and requested to consider the application by avoiding the extension request to Chemmanakari North Gate from Mathunkal. Since there is no provision for such consideration, the request of the learned counsel is not taken in to consideration. Based on the submission made before this Authority, the application for variations of conditions of permit in respect of KL 17 C 3133 on the route Mathunkal – Moothedathukavu is adjourned for filing a modified application as requested by the learned counsel.

### **III. Renewal of Stage Carriage Permit**

Heard the learned counsel appeared on behalf of the applicant. This is a belated application for renewal of the regular permit of stage carriage KL 05 AP 377 on the route Pallickathodu-Kottayam via, Kooroppada, Kandankavu, Oravackal, Manarcadu and Kanjikuzhy as Moffusil service for a further period of 5 years from the date of expiry. This permit is issued prior to 14-07-2009. The permit holder requested to condone the delay in filing the permit renewal application and the same was perused. Hence renewal of regular permit is granted to the stage carriage KL 05 AP 377 on Pallickathodu - Kottayam route by condoning the delay in filing permit renewal application subject to the realization of compounding fees, clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

Heard the learned counsel appeared on behalf of the applicant. This is a belated application for renewal of the regular permit in respect of stage carriage KL-05-AS-1924 on the route Kainady-Kottayam via Eara, Karunattuvala , Kurichy OP, Chingavanam, Borma kavala and Mariyappally as Town service for a further



period of 5 years from the date of expiry. This permit is issued prior to 14-07-2009. The permit holder requested to condone the delay in filing the permit renewal application and the same was perused. Hence the renewal of regular permit is granted to the stage carriage KL-05-AS-1924 on the route Kainady-Kottayam by condoning the delay in filing permit renewal application the subject to the realization of compounding fees, clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 18**

**J3/7205/2022/K**

Heard the learned counsel appeared on behalf of the applicant. This is a belated application for renewal of the regular permit in respect of stage carriage KL-05-Q-721 on the route Velloothuruthy-Kottayam via Chingavanam, Bukkanan , Pakkil, Kaduvakulam and Manipuzha as Town service for a further period of 5 years from the date of expiry. This permit is issued prior to 14-07-2009. The permit holder requested to condone the delay in filing the permit renewal application and the same was perused. Hence the renewal of regular permit is granted to the stage carriage KL-05-Q-721 on the route Velloothuruthy-Kottayam by condoning the delay in filing permit renewal application subject to the realization of compounding fees, clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 19**

**V1/3099/2021/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for the renewal of the regular stage carriage permit in respect of stage carriage KL 05 Y 1537 on the route Njaliakuzhi-Thiruvalla via Pandanchira, Palachuvadu, Thengana, Mosco, NES Block, Manthanam, Chanjody, Paippadu, Bathel Pady, and Kizhakkan Muthoor as Moffusil service for a further period of 5 years from the date of expiry. As per the report of the enquiry officer, this is an inter district route having 22.6 KMs of route length, lies in Kottayam and Pathanamthitta districts. Out of total 22.6 KMs of route length, 15 KMs lies in Kottayam district and 7.6 KMs lies in Pathanamthitta district. Total distance of overlapping is 700 meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-

2017. Hence renewal of regular permit is granted to the stage carriage KL 05 Y 1537 in Njaliakuzhi-Thiruvalla route subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 20**

**J3/18301/2021/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for renewal of the regular stage carriage permit in respect of the stage carriage KL 17 E 2073 on the route Ettumanoor-Kuruppanthara via Kottamuri, Vedagiri, Kallampara, Kurumulloor, Chamakkala, Manjoor South and Kuruppanthara market as Moffusil service for a further period of 5 years from the date of expiry. As per the report of enquiry officer, this is an intra district route having 16 KMs of route length lies in Kottayam district. Total distance of overlapping is 200 Meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-2017. Hence renewal of regular permit is granted to the stage carriage KL 17 E 2073 in Ettumanoor-Kuruppanthara route subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.21**

**V1/19461/2021/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for renewal of the regular stage carriage permit in respect of the stage carriage KL 35 K 2325 on the route Poonjar-Kanjrapally via Erattupetta and Thidanadu as Moffusil for a further period of 5 years from the date of expiry. As per the report of enquiry officer, this is an intra district route having 21.7 KMs of route length lies in Kottayam district. Total distance of overlapping is 400 Meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-2017. Hence renewal of regular permit is granted to the stage carriage KL 35 K 2325 on the route Poonjar-Kanjrapally route subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 22**

**J5/9099/2022/K**

Heard the learned counsel appeared on behalf of the applicant. This is a belated application for renewal of the regular stage carriage permit in respect of stage carriage KL 17 E 6380 on the

route Kodungoor – Kodungoor Circular via Kayyoori, Pallickathodu, Kooraly, Ponkunnam, Chirakadavu Temple, and Sasthamkavu as Mofussil service for a further period of 5 years from the date of expiry. This permit is issued prior to 14-07-2009. The permit holder requested to condone the delay in filing the permit renewal application and the same was perused. Hence renewal of regular permit is granted to the stage carriage KL 17 E 6380 on the route Kodungoor – Kodungoor Circular by condoning the delay in filing permit renewal application subject to the realization of compounding fees, clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 23**

**J5/8701/2021/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for renewal of the regular stage carriage permit in respect of stage carriage KL 67 A 5631 on the route Pala - Koothattukulam via Puthenpallykkunnu, Lalam Church, Kurisupally Jn, Stadium Jn ,Old BS ,Rajadhani Jn , Nedumpara, Vellappura, Chakkampuzha, Chirakandam, Ramapuram, Palaveli, Amanakara,Thamarakkadu, Perumkutty, Mangalathuthazham, Onam kunnukavu, Jayanthi Road and Aswathy Junction as Mofussil service for a further period of 5 years from the date of expiry. As per the report of enquiry officer, this is an inter district route having 27.5 KMs of route length, lies in kottayam and Ernakulam districts. Out of total 27.5 KMs of route length, 22.5 KMs lies in Kottayam district and 5 KMs lies in Ernakulam district. Total distance of overlapping is 500 meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-2017. Hence renewal of regular permit is granted to the stage carriage KL 67 A 5631 on the route Pala - Koothattukulam subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.24**

**J5/4830/2022/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for renewal of the regular stage carriage permit in respect of the stage carriage KL 05 AD 6905 on the route Vazhamana – Kaippuzhamuttu via Vaikom, Ullala, Thalayazham, Edayazham as Mofussil service for a further period of 5 years from the date of expiry. As per the report of enquiry officer, this is an

intra district route having 22 KMs of route length lies in Kottayam district. Total distance of overlapping is 900 Meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-2017. Hence renewal of regular permit is granted to the stage carriage KL 05 AD 6905 on the route Vazhamana - Kaippuzhamuttu route subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 25**

**J5/KL03N6096/2022/K**

Heard the learned counsel appeared on behalf of the applicant. This is an application for renewal of the regular stage carriage permit in respect of stage carriage KL 03 N 6096 on the route Anjilithanam - Changanacherry Perunna BS via Paipadu, Nalukody, Aramala, Mukkattupady, Rajeswary as Moffusil service for a further period of 5 years from the date of expiry. As per the report of enquiry officer, this is an inter district route having 9.2 KMs of route length, which lies in Kottayam and Pathanamthitta districts. Out of the total 9.2 KMs of route length, 9 KMs lies in Kottayam district and 0.2 KMs lies in Pathanamthitta district. Total distance of overlapping is 200 meters and the same is within the permissible limit as per clause 5 (c) of the GO (P) 8/2017/Tran dated 23-03-2017. Hence renewal of regular permit is granted to the stage carriage KL 03 N 6096 on the route in Anjilithanam - Changanacherry Perunna BS route subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No. 26**

**J6/3835 /2022/K**

Heard the learned counsel appeared for the applicant, the representative of the STU. The DTO, Kottayam requested to reject the application for renewal of permit since the route violates the Kottayam – Neendoor Complete exclusion scheme and filed a written objection in this regard.

Perused the records and objection. On perusal of records, it is noticed that the portions of route objectionably overlaps with notified schemes than the permissible limits as per the provision contained in GO(P) 8/2017/Trans dated 23-03-2017. Hence the application for the grant of renewal of regular permit in respect of stage carriage KL 06 C 9854 is rejected on the above grounds.

#### **IV. Transfer of Permit**

**Item No. 27**

**J3/6510/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 28**

**J3/3896/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 29**

**J3/217/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 30**

**J3/8036/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No.31**

**J3/5535/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 32**

**J3/3896/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No.33**

**J3/9096/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 34**

**V1/19461/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No.35****J3/599/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 36****J3/903/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 37****J4/19640/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 38****J4/20667/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 39****J4/KL05Y2614/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 40****J4/6766/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 41****J4/KL35F4290/2022/K**

Heard learned counsel. Perused the Judgment of the Hon'ble High Court of Kerala in WP (C) 4633 of 2022 dated 23-02-2022. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No.42****J4/9454/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 43****J4/20666/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 44****J5/8742/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 45****J5/8742/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 46****J5/KL17E6162/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any

**Item No. 47****J5/KL35F6766/2022/K**

Heard learned counsel. Perused the Judgment of the Hon'ble High Court of Kerala in WP (C) 12197 of 2022 dated 08-04-2022. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 48****J5/9885/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 49****J5/9786/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 50****J5/18010/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No.51****J5/KL38E6767/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 52****J5/18010/2021/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 53****J5/3553/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any

**Item No. 54****J6/4010/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 55****J6/1370/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.



**Item No. 56****J6/1009/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 57****J6/5669/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 58****J6/8118/2022/K**

Heard learned counsel. Perused the Judgment of the Hon'ble High Court of Kerala in WP (C) 11416 of 2022 dated 07-04-2022. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 59****J6/3026/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 60****J6/8741/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 61****J6/8039/2022/K**

Heard learned counsel. Transfer of permit allowed as applied for to the successor subject to the production of no objection certificate from the financier, if applicable and clearance of all Government dues, if any.

**Item No. 62****J6/5517/2022/K**

Heard. This is an application for condoning the delay in the production of current records for endorsing the transfer of permit already granted by this Authority on 19-11-2019. Perused the records and the application. In light of the peculiar situation that

arose following the outbreak of Covid 19 pandemic, the delay in production of the currents records is condoned.

## **V. Surrender of Stage Carriage Permit – For Ratification**

### **Item No.63**

Surrender accepted and ratified.

The request for resuming the service of the stage carriage KL 05 AT 8359 on the route Vaikom- Kanjirappally preferred by the representative of the erstwhile permit holder, is not entertained, since this Authority considered only the ratification request of the Secretary. The Secretary has already accepted the surrender and cancelled the permit in respect of the stage carriage KL 05 AT 8359 as per the request of the permit holder in accordance with the provisions of prevailing Law. Hence the request deserves no merit for consideration.

## **VI. MISCELLANEOUS – PERMIT RELATED**

### **Item No. 64**

**C2/21644/2014/K**

Heard the learned counsel represented the permit holder. The learned counsel submitted that, the Hon'ble High Court in WP(C) 22543 of 2014 dated 25-01-2021 directed to cancel the permit, if the petitioner fails to remit the fine imposed by the Hon'ble Court and the petitioner has remitted the fine. Therefore the counsel contended that, the petitioner has already remitted the fine and there is no need for cancellation of permit.

Perused all the records and Judgment of the Hon'ble High Court. The certificate of fitness and permit of the stage carriage KL 35 3802 was expired on 23-04-2010 and 11-08-2014 respectively. Here it is noticed that the stage carriage KL 35 3802 is not operating for the past 12 years. This is against the conditions of permit as well as the prevailing Rules. Moreover the Hon'ble High Court has also directed the RTA to proceed for cancellation of permit.

Moreover, the financier of the vehicle KL 35 3802 M/s Shriram Transport Finance Co. Ltd has also filed a written objection against the Renewal of Permit of the above Stage Carriage. The representative of the HP company has also requested to take necessary steps to Cancel the registration of the vehicle S/C KL 35 3802.

The reply and version furnished by the permit holder to the show cause notice issued calling for explanation as to why the permit in respect of the S/C KL 35 3802 should not be cancelled is not satisfactory. Hence the regular permit No. 5/1532/2009 in respect of stage carriage KL 35 3802 is hereby cancelled in compliance with the judgment of the Hon'ble High Court in WP(C) 22543 of 2014 dated 25-01-2021 and also on the basis of breach of violations of conditions permit committed by the permit holder.

The Registering Authority, Kottayam is hereby instructed to take steps to cancel the registration of the stage carriage KL 35 3802 on the basis of the report that the vehicle is at present in a dilapidated condition and not fit for further use.

**Item No. 65**

**C2/21644/2014/K**

Heard. The learned counsel represented the permit holder and the objectors. The learned counsel submitted that the service towards Perinadu was defaulted following the bridge construction work at Chenappady. The objectors pointed out that, the permit holder has willfully disobeyed the statutory Orders issued by the Hon'ble STAT and RTA regarding the service in the entire route.

Perused the complaints, enquiry reports regarding the curtailment and the submissions.

On the basis of the submission regarding the construction of bridge at Chennappady, this Authority observes that the permit holder has no privilege to decide upon himself to curtail the trip and here the permit holder had failed to inform the matter duly to the concerned Authority for alternate steps. This Authority also seriously observes that the permit holder has not responded to the show cause notice issued calling for explanation as to why the Permit issued in respect of the stage carriage KL 07 CE 4122 should not be cancelled for the repeated trip curtailment between Kanjirappally and Perunad as per the order of this authority issued in the last meeting. Even after the repeated Orders and directions, the Permit holder gives scant regard to these orders and directions and thereby willfully disobeying the statutory orders.

Since this is a subjudice matter, this Authority decides to strictly enforce the interim order of the Hon'ble STAT regarding the service in entire route. Therefore the permit holder is hereby strictly instructed to conduct service on the entire route in accordance with

the conditions of permit in respect of stage carriage KL 07 CE 4122 on the route Pala - Perinad via Edappady, Bharananganam, Panackapalam, Erattupetta, Thidanadu, Pinnakkanadu, Kalaketty, Kappadu, Kanjirappally, Chenapady, Mukkada and Athikkayam as Ordinary Service.

The Joint Regional Transport Officer, Kanjirappally is hereby instructed to daily monitor the service of the stage carriage KL 07 CE 4122 and report the same to Secretary, RTA for further action. The Secretary is instructed to submit the matter along with report Joint Regional Transport Officer, Kanjirappally in the next meeting for further consideration. Hence adjourned for a final decision in the next meeting.

**Item No. 66**

**J1/84696/2019/K**

Considered the request of the applicant and sanction for granted for fresh regular permit in respect of S/C KL 40 Q 9098 or another suitable vehicle on the route Kanakkary Jn-Kaniyodi Jn as Ordinary Service is revoked.

**Item No. 67**

**J4/KL34D2709/2021/K**

Considered the request of the applicant and sanction for variation of conditions of permit in respect of stage carriage KL 34 D 2709 on the route Pala-Ponkunnam is revoked.

#### **VII. MISCELLANEOUS - Others**

**Item No. 68**

**G1/14593/2018/K**

Heard. The applicant and all the affected parties. The Joint Regional Transport Officer Vaikom has reported that the width of the road towards the proposed bus station at Velloor has been widened to accommodate the smooth and safe passage of stage carriages proceeding to the bus station. It is also reported that all the passenger amenities has been provided in the proposed bus station at Velloor. Hence the proposed bus station complies with the requirements as stipulated under the Motor Vehicles Act and Rules. Therefore the sanction is hereby accorded for the proposed Bus Station at Velloor with immediate effect.

**Item No. 69**

**J1/474/2022/K**

Heard. The applicant and all the affected parties. The Joint Regional Transport Officer, Pala citing the report of Motor Vehicle Inspector has reported that, the proposed bus stop is very close to the existing bus stops which will result in variation of running time and over speeding of stage carriages. Again the rearrangement will badly affect the existing and prevailing facility of travelling public especially the students. On the basis of the above findings, it is noticed that the request for bus stop in front of St. Antony's HSS, Mutholy is not feasible and the request is hereby rejected.

**Item No. 70**

**J1/476/2022/K**

Heard. The applicant and all the affected parties. The Joint Regional Transport Officer, Changanacherry citing the report of Motor Vehicle Inspector has reported that, the proposed bus stop is very adjacent to the existing bus stops and the proposed bus stop is not practically feasible for the stage carriages operating towards Amara and Venkotta areas. On the basis of the enquiry report the application is rejected.

## **DEPARTMENTAL ITEMS**

### **Departmental Item No. 1**

Ratified.

### **Departmental Item No. 2**

Any other item permitted by the Hon'ble Chairperson, RTA, Kottayam

### **Departmental Item No. 3**

**Erratum**

### **Departmental Item No. 4**

To be fixed later.

### **Supplementary Item No. 1**

This is the proposal for formulating a master plan for the traffic reforms in Kottayam town since there were reports that the present traffic regulation has become obsolete. Since the proposal is envisaged for future requirements, it is hereby decided to constitute a special committee for formulating a detailed master plan under the Kottayam Municipal Level Traffic Regulatory Committee by including the District Planning Officer and District Information Officer. The committee should seek proposal from all the concerned and based on the proposal a draft master plan should be formulated and the same should be published, calling for objections and suggestions. The detailed master plan should be referred to the next meeting of the RTA for consideration. Hence adjourned.

### **Supplementary Item No. 2**

Heard the learned counsel represented the permit holders and objectors. This is an application for the grant of renewal of regular permit in respect of stage carriages KL 05 AQ 8056 and KL 05 AR 5455 on the inter district route Elamkadu – Panathoor. Perused the Judgment of the Hon'ble High Court of Kerala in WP (C) 11074 of 2020 dated 12-01-2022.

On perusal of the records and the enquiry report of the field officer, Kottayam the total route length is 590 KMs and portions of the route traverses through the jurisdiction of 6 sister RTAs. The total route length is above the limit of 140 KMs stipulated for ordinary services as per Rule 2(o) (a) of the Kerala Motor Vehicles Rules 1989. Here the permit holders have not submitted an application for limiting the route length below 140 KMs. Hence the Secretary is entrusted to obtain detailed route enquiry report from the all the en route sister RTAs and refer the matter to the next meeting for further consideration. Hence adjourned.

Sd/-  
Member  
Regional Transport Authority &  
Deputy Transport Commissioner  
Central Zone-II, Ernakulam

Sd/-  
Chairperson  
Regional Transport Authority &  
District Collector, Kottayam