

**DECISION OF THE REGIONAL TRANSPORT AUTHORITY, THRISSUR**  
**MEETING HELD ON 17.09.2022**

(Venue : Conference Hall, Civil Station, Ayyanthole)

**Present :**

**CHAIRMAN :** SMT. HARITHA V KUMAR, IAS  
DISTRICT COLLECTOR &  
CHAIRMAN, R T A,  
THRISSUR.

**MEMBER :** SMT. AISHWARYA DONGRE, IPS  
DISTRICT POLICE CHIEF,  
THRISSUR RURAL,  
( MEMBER, R T A, THRISSUR)

**MEMBER :** SHRI. JAMES M P  
DEPUTY TRANSPORT COMMISSIONER ,  
CENTRAL ZONE-1, THRISSUR.  
( MEMBER, R T A, THRISSUR)

## **Item No 1**

Perused the judgment of the Hon'ble High Court of Kerala dated 10/01/2022 in WP(C) No. 27543/2021.

Heard the counsel appearing for the applicant, counsel of KSRTC and other affected parties. This is an application for fresh regular stage carriage permit on the route Veerolipadam – Wadakkanchery as ordinary service, filed on 13/03/2017. As per enquiry report of the field officer, the total length of route is 12 Km. Out of which 1.7 Km from Ottupura Bus stand to Railway Station Junction objectionably overlaps with the notified route by violating clause 5 (c) of G O (P) No. 42/2009/Tran dated 14/07/2009. The counsel representing KSRTC vehemently objected to the grant of this permit by violating the above notification. .

Hence the application for fresh stage carriage permit is **rejected**.

## **Item No 2**

Heard. This is an application for the grant of fresh regular permit for a suitable stage carriage to operate on the intra district route Kodakara –Mala – Poyya as Ordinary Service. The total route length is 32 Km. There is an overlapping of 0.5 Km which is within the limit, prescribed in the Clause 5 (c) of G O (P) No. 42/2009/Tran dated 14/07/2009. Enquiry officer has reported that the permit applied will be beneficial for the travelling public and students of the thickly populated area. There is also no virgin portion as per the report. Hence to enhance the travelling facility of the public, fresh regular stage carriage permit is **granted**, subject to settlement of timings and remittance of fees, if not paid.

## **Item No 3**

Heard. This is an application for renewal of regular permit on the inter district route Thrissur - Palakkad as LSOS valid upto 11.10.2021, in respect of the stage carriage KL 48 A 2357. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 4**

Heard. This is an application for renewal of regular permit on the inter district route Palakkad - Kodungallur as LSOS valid upto 09.07.2021, in respect of the stage carriage KL 08 BE 373. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 5**

Heard. This is an application for renewal of regular permit on the inter district route Nattika Cotton Mill - Kozhinjapara as LSOS valid upto 07.08.2021, in respect of the stage carriage KL 45 B 3. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 6**

Heard. This is an application for renewal of regular permit on the inter district route Thiruthoor - Angamaly as Ordinary Service valid upto 28.10.2021, in respect of the stage carriage KL 37 8393. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 7**

Heard. This is an application for renewal of regular permit on the inter district route Chelakkara - Pynkulam - Palakkad - Thrissur as LSOS valid upto 19.08.2019, in respect of the stage carriage KL 08 AU 1114. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 8**

Heard. This is an application for renewal of regular permit on the inter district route Panamanna South - Thanikudam as LSOS valid upto 14.11.2021, in respect of the stage carriage KL 63 9420. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 9**

Heard. This is an application for renewal of regular permit on the inter district route Vypin - Palakkad as LSOS valid upto 14.10.2021, in respect of the stage carriage KL 11 AJ 5871. The total

route length is more than 140 Km. As per Rule 2o(a) of KMVR 1989, Ordinary Limited Stop Service means a service, which is operated on a route having a distance of not exceeding 140 Kilometres with limited number of stops, having at least one stop in every fare stage. Hence to consider the application for renewal of permit the applicant is directed to file proper application for curtailing the portion in excess of 140 Km.

Hence for the compliance of above direction, decision on the application for renewal of permit is **adjourned**.

### **Item No 10**

Heard. This is an application for renewal of regular permit on the inter district route Kuthampully - Thrissur as LSOS valid upto 11.10.2021, in respect of the stage carriage KL 08 AN 4575. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 11**

Heard. This is an application for renewal of regular permit on the inter district route Thrissur – Kuttipuram as LSOS valid upto 28.09.2020, in respect of the stage carriage KL 08 BG 5175. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 12**

Heard. This is an application for renewal of regular permit on the inter district route Kondayur - Thrissur as LSOS valid upto 26.01.2021, in respect of the stage carriage KL 48 D 3002. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 13**

Heard. This is an application for renewal of regular permit on the inter district route Chelakkara – Elanad – Thrissur - Palakkad as LSOS valid upto 12.11.2020, in respect of the stage carriage KL 48 8911. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence

renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 14**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 56 A 81 operating on the intra district route Pampady - Pullazhy as Ordinary Service. Though the permit was granted as per the decision of RTA Thrissur dated 19/10/2005 in item no. 10, the permit is seen issued only on 10/05/2007. The enquiry officer has reported that out of the total route length 81.5 Km, a distance of 24 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

Hence the application for renewal of permit is **rejected**.

### **Item No 15**

Heard. This is an application for renewal of regular permit on the inter district route Kodungallur – Pattambi as LSOS valid upto 18.03.2021, in respect of the stage carriage KL 08 BJ 8059. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 16**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 55 H 3107 operating on the intra district route Elanad – Thrissur - Thiruvilwamala as LSOS. Though the permit was granted as per the decision of RTA Thrissur dated 19/10/2005 in item no. 13, the permit is seen issued only on 26/07/2007. The enquiry officer has reported that out of the total route length 61.1Km, a distance of 24 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective

permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

Hence the application for renewal of permit is **rejected**.

### **Item No 17**

Heard. This is an application for renewal of regular permit on the inter district route Govindapuram - Guruvayur as LSOS valid upto 06.04.2022, in respect of the stage carriage KL 37 5559. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 18**

1) Heard. This is an application for renewal of regular permit on the inter district route Thiruvilwamala – Kuttipuram as LSOS valid upto 28.06.2021, in respect of the stage carriage KL 08 BH 4100. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

2) While considering the above application a complaint has been received before this authority alleging that the above vehicle is not operating all its trips to Thiruvilwamala. **Secretary shall conduct a specific enquiry on this complaint regarding the curtailment of trips to Thiruvilwamala** and furnish a report before this authority in the next meeting without fail.

### **Item No 19**

1) Perused the judgment of Hon'ble High Court of Kerala dated 16/10/2021 in WP(C) No. 15701/2019(K). The objection of Sri K H Ummer and the additional petitioner Smt P K Sheena has to be considered by the registering authority. Secretary is directed to enquire and examine the contentions raised by the objector and ensure that the directions of the Hon'ble Tribunal is **complied with scrupulously**.

2) Heard all the concerned. Renewal of regular permit in respect of stage carriage KL 04 R 2129 is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 20**

Heard. Renewal of regular permit in respect of stage carriage KL 15 7869 is **granted**, subject to clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 21**

1) a) Heard. The regular permit in respect of stage carriage KL 47 C 9990 was valid upto 11/09/2017, on the inter district route Ernakulam – Guruvayur as LSOS . Application for renewal of this permit is seen filed on 03/07/2017. On 16/07/2022, the permit renewal application for further 5 years with effect from 12/09/2022 was also filed. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence **renewal of permit for the period from 12/09/2017 to 11/09/2022 is granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

b) **Renewal of permit for a period of 5 years from 12/09/2022 is granted** subject to endorsement of renewal of permit vide decision (a) above , subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

2) Decision on the application of **variation of permit is adjourned** for revalidating the permit as per decision (1) above. Application for variation of permit shall be placed before this authority after revalidating the permit and issuing due notices to the applicant.

## **Item No 22**

1) Perused the judgment of Hon'ble STAT Ernakulam dated 13/06/2019 in MVAA No. 56/2018.

2) Heard all the concerned. This is an application for renewal of permit (No.8/28/2005) valid upto 25.10.2015 to operate on the intra district route Vellakkarithadam – Peechi Dam – Kodungallur as LSOS, which is under suspended animation since 21.12.2012 as per the order dated 06/12/2012 of Hon'ble STAT Ernakulam in MP No. 1405/2012 in MVARP No. 441/2012. No vehicle was substituted by the permit holder to make this permit operational till date. As a result the permit is non operational for the conveyance of travelling public. Applicant has failed to use transport vehicle, without obtaining permission from this authority as required under Rule 152 of KMV Rules 1989, for the last 10 years.

The application for renewal of permit filed on 09/10/2015 by mentioning the vehicle registration number as KL 02 AA 7144, the application for replacement of vehicle by KL 11 AN 7658 dated 26/10/2017 were rejected by this authority vide decision communicated to the applicant on

15/02/2018 vide Order No. C3/176062/2017/R. On perusal of records, both the above vehicles were not under the possession of the applicant neither at the time of applications nor later. Challenging the above decision of this authority an appeal in MVAA No. 56/2018 is filed before Hon'ble STAT Ernakulam. The Hon'ble Tribunal has set aside the decision of this authority as per the judgment dated 13/06/2019 in MVAA No. 56/2018 for the only reasons that the applications were considered and orders were passed without giving the applicant an opportunity to be heard by opting consideration of the matter u/R 130 of KMV Rules, 1989. In compliance to the directions of the above judgment, by issuing due notice to the applicant, the applications for renewal of permit, replacement of vehicle and another application for renewal of permit dated 26/10/2021 which is filed in vacuum – all these applications are now considered. The applicant was heard. He has stated no valid reasons for not offering the service for the conveyance of the public for the last 10 years.

There cannot be renewal of permit in vacuum without vehicle. The mere pendency of a defective application for renewal of permit doesn't make the permit alive essential for replacing the vehicle. The permit holder failed to offer any suitable vehicle to make the permit operational by way of replacement for the last 10 years. This laxity on the part of the permit holder is not reasonable on any grounds and it is violation of Rule 152 of KMV Rules, 1989. In consonance with the similar observations of Hon'ble High Court of Kerala in the judgment dated 07.09.2015 in WP(C) No. 24250/2015 (Usman Vs RTA Malappuram) the application for renewal of permit is not maintainable and hence **rejected**. In view of the above decision on application for renewal of permit, the application for replacement is not maintainable and hence **rejected**.

### **Item No 23**

1) Heard. The application placed before this authority for renewal of permit is seen disposed by Secretary RTA by granting the same as per Order No. C3/10303/2020 dated 22/12/2020. Hence decision on the application is disposed as **infructuous**.

2) Decision on the application of replacement of vehicle is **adjourned** for revalidation of the permit.

### **Item No 24**

Heard. This is an application for renewal of permit in respect of stage carriage KL 48 3070 on the inter district route Thrissur – Shornur operating as LSOS and valid upto 12/10/2021. The vehicle covered by the permit has attained 15 years of age as on 03.01.2022, set for LSOS stage carriages. Application for renewal of permit was filed on 06.08.2021. Vehicle is not held under HPA. Due to the age restriction, the vehicle KL 48 3070 has become unsuitable for operation. On 08/08/2022, an application for replacement of vehicle is filed with later model stage carriage KL 48 J 3676, owned by the permit holder himself. The material difference in terms of seating capacity is within the limits of 25% and it seems to be beneficial for travelling public. Also the enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit.

Hence **renewal of permit and replacement of vehicle** are **granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid.

### **Item No 25**

Heard. This is an application for renewal of permit in respect of the stage carriage KL 08 AK 529 on the intra district route Althara - Thrissur, valid upto 24/08/2022 and replacement of the stage carriage by another stage carriage KL 02 BL 4738. **Renewal of permit is granted** subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

Decision on the application for **replacement of stage carriage is adjourned** for validation of the permit. The Secretary RTA shall place the application for replacement of vehicle before this authority in the next meeting, along with the feasibility report after endorsing the granted renewal as per the above decision and issuing due notice to the applicant.

### **Item No 26**

Heard. This is an application for transfer of permit subsequent to the death of the permit holder Sri U K Vijayakumar, in respect of stage carriage KL 08 AZ 4330 to the name of his wife Smt. Indiradevi. Permit was valid upto 14/12/2020. Also an application for renewal of permit is filed by the deceased permit holder on 03/12/2020 before his demise on 08.10.2021.

**Transfer of permit (death) and renewal of permit** are **granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid.

### **Item No 27**

Heard. These are applications for renewal of regular permit and transfer of regular permit on the intra district route Nehru Nagar - Thiruvilwamala as ordinary service valid upto 22.12.2021, in respect of the stage carriage KL 08 AQ 1800. The application for renewal of permit is filed on 26.11.2021. **Renewal of permit is granted** subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid.

Decision on the application for **transfer of permit is adjourned** for revalidation of the permit as granted by the above decision. Hence the Secretary RTA shall place the application for transfer of permit in the next meeting of this authority for reconsideration with due notice to all the concerned.

### **Item No 28**

1) Perused the judgment of Hon'ble STAT Ernakulam dated 31.03.2022 in MVARP No. 100/2015 and 101/2015.

2) Heard. The regular permit (8/72/1990) presently covered by KL 58 A 2354 is seen expired on 23/07/2010. The permit holder Sri A Raman Nair is seen expired on 11/10/2009. The applications for transfer of permit subsequent to death, renewal of permits for further successive periods are considered.

The connected records in connection with MVARP No. 100/2015 and 101/2015 are yet to be obtained from Hon'ble Tribunal. Secretary shall urgently obtain the above connected records and re submit the same after complying usual procedures in connection with application for transfer of permit subsequent to death of permit holder along with detailed notes, with due notices to all the concerned, before this authority for reconsideration of these applications. Hence decision is **adjourned**.

### **Item No 29**

Heard. This is an application for transfer of permit subsequent to the death of the permit holder Sri Balan K K, in respect of stage carriage KL 08 AG 4959 to the name of his wife Smt. Vasanthi, operating on the inter district route Thrissur – Shornur. Permit was valid upto 15/08/2021. Though the death of the permit holder was intimated on 04/12/2018 after the demise of Sri Balan on 19/11/2018, the application for transfer of permit was submitted on 18/07/2019 which is not within the stipulated time as specified in section 82(3) of M V Act, 1988. Heard the proposed transferee and this authority is convinced that the applicant was prevented by good and sufficient cause from making an application within the time specified. Also an application for renewal of permit is filed by the proposed transferee on 05.08.2021. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit.

Hence **transfer of permit (death) and renewal of permit** are **granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid.

### **Item No 30**

1) Perused the judgment of Hon'ble High Court of Kerala dated 14.09.2021 in WP(C) 18939 of 2021.

2) Heard. This is an application for transfer of permit subsequent to the death of the permit holder Smt. P Sathi, in respect of stage carriage KL 08 AN 3757 to the name of her son Sri. Krishnankutty. Permit was valid upto 28/11/2021(validity of permit extended to 31.12.2021 as per Central Govt. Notifications). Also an application for renewal of permit is filed by the proposed transferee on 29/11/2021 after the demise of Smt Sathi on 23/12/2020.

**Transfer of permit (death) and renewal of permit** are **granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid.

### **Item No 31**

1) Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 48 B 900 operating on the intra district route Elanad -Thrissur as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 18/01/2007 in item no. 128, and is seen issued only on 02/08/2007. The enquiry officer has reported that out of the total route length 46.4 Km, a distance of 24 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

Hence the application for renewal of permit is **rejected**.

2) In view of the above decision of application of renewal of permit , the decision on **application for transfer of permit is also rejected**.

### **Item No 32**

Heard. This is an application for variation of permit in respect of stage carriage KL 08 AJ 6030 on the route Varadiyam – Thrissur Sakthan Thampuran Bus Stand for extending portion from Varadiyam to Medical College via Kuriapala, Kavinagar, Avanoor and Velappaya for a distance of 8 Km. This authority has considered the application in its meeting held on 21.01.2020 and found the variation involved rescheduling of timings by avoiding the trips after 6:43 PM and hence Secretary was directed to report whether there is any such necessity for variation as mentioned in Sec 80(3) of MV Act and Rule 145(6) of KMV Rules. While the matter is again considered by this authority, the en route operators pointed out that in the proposed variation all the trips after 6:43 PM between Varadium and Thrissur are curtailed. But in the report of the enquiry officer dated 19/04/2022. it is mentioned that there is no curtailment of trips which is completely against the finding of this authority and the proposed set of timing submitted by the applicant. Hence Secretary is directed to specifically look into this matter and the difference in opinion and submit a detailed report before this authority if necessary by constituting a team of officers. The report of Secretary shall contain : 1) number of existing trips between Varadium and Thrissur and the frequency of stage carriages on this route 2) Number of proposed trips between Varadium and Thrissur 3) number of proposed trips between Varadium and Medical College at present 4) whether the comparative advantages of extension outweigh the effects of curtailment of trips and comparative merits and demerits of the curtailment and rescheduling of timings 5) whether variation is in accordance with the stipulations set by clause (19) of GO (P) No. 42/2009/Tran dated 14/07/2009.

Hence decision on the application for **variation of permit is adjourned**, for want of the compliance of the above directions.

### **Item No 33**

1) Perused the judgment of Hon'ble STAT Ernakulam dated 28.02.2022 in MVAA No. 15/2022.

2) Heard the counsel representing applicant, KSRTC, and all the concerned. This is an application for variation of permit in respect of KL 13 S 6667 on the route Peechi Dam – Thrissur as Ordinary Service. On 29/11/2019 an application for variation of permit was received. The proposed variation was for curtailment of 2 trips from Pattikkad to Peechi Dam and extension of route from Pananchery Panchayath to Poovanchira for 6 Kms. The enquiry report reveals that on extending route from Pattikkad to Poovanchira, the proposed route passes through Kallidukku to Chuvannamannu which is a portion of the notified route for a distance of 1.2 Km. The permit holder applied for variation under Section 83 of M V Act 1988, through notified route or approved scheme vide Notification No. G O (P) 42/2009/Tran dated 14/07/2009, which is a clear violation of clause (19) of this scheme.

The decision of this authority rejecting the application for variation of this permit vide decision communicated with endorsement no. C4/11352/2018 dated 11/11/2021, for the above reason mainly was impugned before Hon'ble STAT in MVAA No 15/2022. The appellant submitted before the Hon'ble Tribunal that he wants to operate additional trip (for the extension sought portion) through the service road and not through the scheme road. As per the directions contained in the judgment dated 28/02/2022 in MVAA No. 15/2022, this application is reconsidered to re verify whether the operation through service road is permissible.

The specific enquiry conducted through the field officer reveals that the disputed distance of 1.2 Km is also through the notified route, since route is defined as per Section 2(38) of M V Act 1988, as a line of travel traversed by a motor vehicle between one terminus and another. KSRTC has also filed vehement objection against considering this application in violation of the prevailing notification. Hence application for variation of permit filed in violation of stipulations in the notification G O (P) No. 42/2009/Tran dated 14/07/2009 is **rejected**.

### **Item No 34**

Heard. This is an application for variation of permit in respect of KL 09 W 4597 on the route Irinjalakuda – Kombathukadavu - Kodungallur – Chirakkal as Ordinary Service. The proposed variation includes curtailment of 8Kms on the 9<sup>th</sup> trip from Irinjalakuda to Kottanellur and return 10<sup>th</sup> trip, additional trip of 1.7 Kms from Irinjalakuda to Mini Civil Station as 9<sup>th</sup> and 10<sup>th</sup> trips, deviation of 2.7 Kms from Chungam Junction via Thekke Thanissery on 15<sup>th</sup> trip and additional trip to St Joseph College as 17<sup>th</sup> trip and return.

The enquiry reveals that there is a virgin portion of 250 metres from St Joseph College to St Joseph College Junction (main road). Road Fitness Certificate shall be obtained from the concerned

authority indicating the fitness of road for stage carriage operation. Violation of clause (19) by the proposed change in trips resultant of proposed variation shall be reported. Effects of variation and its comparative advantages over the curtailment of existing trips shall also be reported. For compliance of above, the decision on application for variation of permit is **adjourned**.

### **Item No 35**

1) Perused the judgment of Hon'ble STAT Ernakulam dated 16.02.2022 in MP No. 51/2002 in MVAA No. 26/2022.

2) Perused the judgment of Hon'ble STAT Ernakulam dated 30.07.2020 in MVARP No. 76/2020 and judgment of Hon'ble High Court of Kerala dated 06/10/2020 in WP(C) 18211 of 2020 (B).

3) Heard. This is an application for granting variation of permit in respect of KL 09 AJ 5000 operating on the route Azhikode – Chettikad. The proposed variation includes curtailment of portion from Cheraman to Okay bus stop (via Block) and extension from Cheraman to Okay Bus stop (via P S Kavala) for 2 trips. This application was considered and rejected by this authority as per the decision communicated vide Endorsement no. C3/7012/2020 dated 11/01/2022. Perused the order dated 16/02/2022 in MP No. 51/2002 in MVAA No. 26/2022. The order directs Secretary RTA Thrissur (2<sup>nd</sup> respondent) to consider Ext. P6 report and grant it provisionally if there is no other legal impediment.

Perused the report of the Assistant Engineer, LSGD Section, Eriyad Grama Panchayath (Ext. P6 report) mentioned in the order of the Hon'ble Tribunal dated 16/02/2022, detailing the width of the Thiruvallur - Cheraman road. The panel enquiry report dated 14/07/2022 is not specific whether the proposed variation is in violation of clause (19) of GO (P) No. 42/2009/Tran dated 14/07/2009. At present the vehicle is operating between Cheraman to Okay bus stop (via Block). In the proposed variation, the operation Cheraman to Okay bus stop is deviated through a new route via P S Kavala. Hence Secretary is directed to report the frequency of stage carriages both on the existing route (via Block) and the proposed route (via P S Kavala). Secretary shall also specifically report whether the benefits of proposed variation will outweigh the difficulties of the travelling public of the excluded portion and also the violation of clause (19) of GO (P) No. 42/2009/Tran dated 14/07/2009, if any.

There is no provision in M V Act and Rules to grant variation of permit, provisionally. Hence **decision of application of variation is adjourned** for an absolute report including all the above mentioned details and also awaiting the final verdict of the Hon'ble STAT in MVAA No. 26/2022.

### **Item No 36**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 37**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 38**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 39**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 40**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 41**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 42**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 43**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 44**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 45**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 46**

This is an application for transfer of permit from the name of Sri Suresh P K to Sri Sudheer C V. On perusal of records, an objection against the transfer of permit has been filed by Sri Ragesh U S before the Secretary RTA Thrissur. In this connection an O S 1419/2019 is also seen pending before the Hon'ble Principal Munsiff Court, Thrissur against the proposed transfer. Hence decision on the **application for transfer of permit is adjourned** with direction to Secretary to issue notice to the applicants and objector and submit before this authority along with details of OS 1419/2019 in the ensuing meeting.

### **Item No 47**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 48**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 49**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 50**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 51**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 52**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 53**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 54**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 55**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 56**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 57**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 58**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 59**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 60**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 61**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 62**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

#### **Item No 63**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 64**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 65**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 66**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 67**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 68**

Heard the counsels appeared for the applicants. This is an application for transfer of permit in respect of KL 08 AA 746 from the name of Smt. Vimala to the name of Sri Abhi E D. The validity of the permit is seen expired on 06/05/2022. While the application is considered by this authority, an objection is filed alleging that the application filed for transfer of permit is not signed by the transferor Smt. Vimala. Alleging the local carving of the engine number in respect of KL 08 AA 746, a complaint is also seen received by the Secretary.

Secretary shall submit a final report in this regard and issue notices to the applicants, directing the applicants to personally appear before this authority. After revalidating the permit, the application for transfer of permit may be placed before this authority for reconsideration, hence **decision is adjourned.**

### **Item No 69**

Heard all the concerned through their counsels. The regular permit is seen expired on 04/07/2021. Moreover an objection is received from Sri Roshy, who is the plaintiff in OS 4529/2014 filed before the Hon'ble Additional Munsiff Court, Thrissur against considering this application for transfer of permit.

Hence Secretary shall place the application for transfer of permit before this authority after revalidating the permit along with a detailed report on the above OS 4529/2014 and on the objection raised by Sri Roshy. Also genuiness of the application of transfer of permit may be ascertained afresh and reported to this authority. All the concerned shall be issued with due notices and the matter be placed again before this authority. Hence decision on the application for **transfer of permit is adjourned.**

### **Item No 70**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 71**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 72**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 73**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 74**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 75**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 76**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 77**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 78**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 79**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 80**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 81**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 82**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 83**

1) Heard the counsels appeared on behalf of the applicants. The permit holder Sri Shibin C S has submitted that the proposed transferee Sri Sudheesh K S has expired on 19/03/2021 and not pressed to proceed with the joint application of transfer of permit dated 29/07/2019. Hence, **permitted to withdraw the joint application for transfer of permit dated 29/07/2019.**

2) Heard. Transfer of permit **allowed**, from the name of Sri Shibin C S to the name of Sri Ajanthakumar K S since the application is reported genuine by the enquiry officer and also subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 84**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 85**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 86**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 87**

1) Perused the judgment of Hon'ble High Court of Kerala dated 20.06.2022 in WP(C) 19868/2022. The respondent Secretary RTA Thrissur is seen passed an order no. C1/6448/2022/R dated 19/07/2022 and the directions of Hon'ble High Court are seen complied.

2) Heard. This is an application for replacement of stage carriage KL 18 C 441 by another stage carriage KL 07 BC 4952. Perused the reports of the enquiry officers dated 18/05/2022 and

10/06/2022. Since a complaint is received alleging the non existence of the vehicle KL 18 C 441, Secretary shall conduct a specific enquiry and report whether the stage carriage KL 18 C 441 covered by the permit is in existence. For compliance of the above direction and for want of the report, the decision on the **application of replacement of vehicle is adjourned.**

### **Item No 88**

Heard. This is an application dated 20/06/2022 for a temporary permit under Section 87 (1) (d) of M V Act 1988, in respect of KL 08 X 5384 to operate on the route Pengamuck – Chavakkad as Ordinary Service. On perusal of records it is seen that as per the decision of this authority dated 21/01/2020 in item no. 17 of the agenda, renewal of regular permit in respect of the above vehicle has been granted. But the applicant is not seen availed the granted renewal so far. Hence there is no urgent temporary need under Section 87 (1) (d) of M V Act 1988 to grant a temporary permit. Hence **application for temporary permit is rejected.**

Secretary shall issue notice to the grantee and place the matter in the ensuing meeting to proceed further with Rule 172 (3)(a) of KMV Rules 1989.

### **Item No 89**

Heard. This is a request to condone delay in producing current records in respect of KL 17 B 5769 to avail the granted renewal of permit. On perusal of records, it is seen that renewal of permit is granted by the Secretary on 25/10/2021. It is also reported by the Secretary that current records of the vehicle were produced on 08/07/2022.

Though the grantee had requested to condone the delay in producing current records of the vehicle, this authority is not in a position to grant extension or extensions of time not exceeding 4 months in aggregate for production of records as stipulated in Rule 172(3)(a) of KMV Rules 1989. Hence **the grant of renewal of permit is revoked.**

### **Item No 90**

Heard. This is to consider the application requesting allotment of maximum time for replacement of stage carriage KL 48 2223 covered by the regular permit (8/48/1994) operating on the route Thiruvilwamala – Thrissur as LSOS with validity upto 11/08/2024 by a suitable stage carriage. The vehicle has attained 15 years of age set for LSOS operation as on 03/11/2021 and has become unsuitable for LSOS operation. While this matter is considered the counsel representing the applicant intimated his intention to replace the vehicle with a suitable one shortly. Recently the Govt. of Kerala has come out with the Draft Notification No. 20/B2/2022/Trans dated 09/05/2022 to enhance the age of LSOS stage carriages from 15 years to 17 years. Considering the above facts, the decision on **allowing maximum time for replacement of vehicle is adjourned**, awaiting the final notification, pursuant to the draft notification no. 20/B2/2022/Trans dated 09/05/2022 of Govt. of Kerala.

### **Item No 91**

Heard. This is to consider to cancel the regular permit (8/150/2003) in respect of stage carriage KL 08 Z 7172 authorised to operate on the intra district route Kanjany – Thrissur – Pullazhy as Ordinary Service valid upto 01/07/2023. Secretary is seen issued notice under Rule 152 of KMV Rules 1989 seeking explanation on the part of the permit holder to show cause reasons not to proceed with the revocation of permit. While the matter is heard by this authority, the counsel appearing for the applicant intimated that he has cleared all the tax dues and is ready to put the vehicle on road for conveyance of travelling public shortly. **Accepting this undertaking, this authority has decided to drop further action.**

Secretary shall also ensure that the vehicle is operating regularly on the above route adhering to the conditions of the permit.

### **Item No 92**

Heard. The regular permit (8/222002/2002) in respect of stage carriage KL 17 C 8343 operating on the intra district route Eravakkad – Chirakkal as Ordinary Service was valid upto 02/08/2022. The permit holder surrendered the permit on 26/07/2022, intimating his intention not to conduct service further. Considering the request, the **surrender of permit is accepted and Secretary is directed to cancel the permit** after ascertaining the service of the vehicle on the above route after surrender of permit and permitless operation if any found, compounding fee shall be levied accordingly.

### **Item No 93**

Heard. This is to consider to revoke the regular permit (8/17/1990) in respect of stage carriage KL 08 AL 5305 operating on the route Thriprayar – Thrissur Medical College as LSOS with validity upto 04/04/2025. The vehicle has attained 15 years of age set for LSOS operation as on 14/12/2021 and has become unsuitable for LSOS operation. While this matter is considered the counsel representing the applicant intimated his intention to replace the vehicle with a suitable one shortly. Recently the Govt. of Kerala has come out with the Draft Notification No. 20/B2/2022/Trans dated 09/05/2022 to enhance the age of LSOS stage carriages from 15 years to 17 years. Considering the above facts, the decision on **revoking the regular permit (8/17/1990) is adjourned**, awaiting the final notification, pursuant to the draft notification no. 20/B2/2022/Trans dated 09/05/2022 of Govt. of Kerala.

### **Item No 94**

Heard the counsel representing the applicant. The application for renewal of regular permit in respect of KL 08 U 4438 authorised to operate on the route Kodungallur – Irinjalakuda- Thrissur – Chelakkara – Elanad and replacement of stage carriage KL 08 U 4438 by KL 8 AK 687 was granted by this authority as per the decision dated 21/01/2020 in Supplementary item no. 11 of the agenda. Though the decision of grant of renewal and replacement was communicated as per endorsement no. C3/76379/2019/R on 02/06/2020 with the direction to the grantee to produce current records of the vehicle within one month, the grantee failed to produce current records of the vehicle neither

within the stipulated period of one month or within the maximum allowable period of 4 months (in aggregate) to avail the renewal of permit.

Hence as per Rule 172 (3) (a) of KMV Rules 1989, the grant of renewal of permit and replacement of vehicle as per the decision of this authority dated 21/01/2020 in supplementary item no. 11 is **revoked**, since the applicant has no valid reasons to substantiate the inordinate delay on his part to produce current records.

### **Item No 95**

Heard the applicant, the authorized representative of Naipunya Institute of Management and Technology, Pongam. This is a request to demolish the bus waiting shed in front of the house of Sri Jose Kunjuvareeth and shift the bus stop to a convenient place.

The ingress and egress of the applicant to his property is badly affected by the present bus waiting shed which is built in front of his house. On perusal of report of JRTO Chalakudy, letter of DYSP Chalakudy and report of Tahsildar Chalakudy, it is convinced that his request is genuine. Hence Secretary RTA shall report the feasibility of shifting the bus stop to a convenient place as suggested by DYSP Chalakudy, in his letter dated 08/03/2021. If the suggested place for shifting the bus stop is found feasible, NOC from the concerned Road Authority, Police Department, and Local Self Government shall be obtained and place the request before this authority for reconsideration. Hence **adjourned**.

**The demolition of bus waiting shed shall be considered by the authority which sanctioned the construction.**

### **Item No 96**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BE 5632. Permit in respect of this vehicle is seen expired on 22.12.2019. Belated application for renewal of permit received on 24.05.2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 97**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 S 4988. Permit in respect of this vehicle is seen expired on 02/08/2021. Belated application for renewal of permit received on 23/06/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had

conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 98**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BE 6991. Permit in respect of this vehicle is seen expired on 23/01/2020. Belated application for renewal of permit received on 06/08/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 99**

This is a belated application for renewal of permit in respect of auto rickshaw KL 19 E 7211. Permit in respect of this vehicle is seen expired on 10/04/2021. Belated application for renewal of permit received on 08/07/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 100**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BU 6302. Permit in respect of this vehicle is seen expired on 06/07/2021. Belated application for renewal of permit received on 18/11/2021. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 101**

Heard. This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AD 6143. The fuel of this vehicle is diesel. Vehicle has attained 15 years of age as on 20/03/2020. The permit is valid upto 06/05/2021. Application for renewal of permit is filed on 13/01/2022 with request to condone delay along with the application for replacement of KL 08 AD 6143 by later model auto rickshaw KL 46 L 6931.

Since the present vehicle KL 08 AD 6143 has become unsuitable for operation due to the existing restrictions as per G O (P) No. 15/2021 dated 24/05/2021, so as the permit to operate, **renewal of permit is granted**, from the date of application, **by allowing the replacement**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 102**

Heard. This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AL 1182. The fuel of this vehicle is diesel. Vehicle has attained 15 years of age as on 24/09/2021. The permit is valid upto 19/04/2021. Application for renewal of permit is filed on 01/10/2021 with request to condone delay and on 06/05/2022 application for replacement of KL 08 AL 1182 by later model auto rickshaw KL 75 1841.

Since the present vehicle KL 08 AL 1182 has become unsuitable for operation due to the existing restrictions as per G O (P) No. 15/2021 dated 24/05/2021, so as the permit to operate, **renewal of permit is granted**, from the date of application, **by allowing the replacement**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 103**

Heard the applicants and the objectors. The objection raised against allowing transfer of permit is not sustainable as per law. Hence by overruling the objection, Transfer of permit **is granted**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 104**

Ratified.

### **Item No 105**

Nil

### **Item No 106**

Will be fixed later and published on the notice board.

### **Supplementary Item No 1**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur - Thrissur - Kuttipuram as LSOS valid upto 09.11.2020, in respect of the stage carriage KL 08 BE 6588. The enquiry officers have reported that overlapping with notified routes/approved

schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 2**

Heard. This is an application for renewal of regular permit on the inter district route Panamanna South – Thrissur - Kuttanellur as LSOS valid upto 12.10.2022, in respect of the stage carriage KL 08 AT 7227. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 3**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 58 N 2645 operating on the inter district route Chazhoor – Guruvayoor - Ernakulam as LSOS. The permit is seen issued only on 05/02/2007. The enquiry officer has reported that out of the total route length 70.6 Km, a distance of 42 Km objectionably overlaps with notified route. The clause (4) of G O(P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

Hence the application for renewal of permit is **rejected**.

### **Supplementary Item No 4**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 48 6553 operating on the inter district route Chavakkad - Olippara as LSOS with validity upto 30/01/2022. The vehicle has attained 15 years of age set for LSOS operation as on 19/07/2022 and has become unsuitable for LSOS operation. The applicant has not filed any application for replacement with a suitable vehicle. Recently the Govt. of Kerala has come out with the Draft Notification No. 20/B2/2022/Trans dated 09/05/2022 to enhance the age of LSOS stage carriages from 15 years to 17 years. Considering the above fact, the decision on **renewal of regular permit is adjourned**, awaiting the final notification, pursuant to the draft notification no. 20/B2/2022/Trans dated 09/05/2022 of Govt. of Kerala.

### **Supplementary Item No 5**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 08 AD 4050 operating on the intra district route Thrissur – Guruvayoor as Ordinary Service. Though the permit was granted as per the decision of RTA Thrissur dated 19/10/2005 in item no. 12, the permit is seen issued only on 28/07/2007. The enquiry officer has reported that out of the total route length 32 Km, a distance of 8 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

Hence the application for renewal of permit is **rejected**.

### **Supplementary Item No 6**

Heard. This is an application for renewal of regular permit on the intra district route Vellampadam - Thrissur as Ordinary Service valid upto 14.11.2021, in respect of the stage carriage KL 13 J 4444. Renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 7**

Heard. This is an application for renewal of regular permit on the inter district route Kozhikkode – Thrissur as LSOS, valid upto 08/03/2020, in respect of the stage carriage KL 46 N 5152. The enquiry officers have reported that overlapping with notified routes/approved schemes are not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

Secretary is directed to hand over the permit file to Secretary RTA Malappuram on proper acknowledgement, since major portion of the route falls within the jurisdiction of RTA Malappuram.

### **Supplementary Item No 8**

1) Perused the judgment of Hon'ble High Court of Kerala dated 16.09.2021 in WP(C) 7291/2020. By perusing the judgment of Hon'ble High Court of Kerala dated 16.09.2021 in WP(C) 7291/2020, decision on this application of variation of permit was adjourned by this authority in the

meeting held on 20/04/2022 in item no. 48 for ascertaining the violation of clause 19 of GO(P)No. 42/2009/Tran dated 14/07/2009 if any, in the proposed variation.

2) Heard. The report of the enquiry officer dated 30/08/2022 specifies that two additional trips from Kodungallur to Mala is passing through the notified route and violates clause 19 of GO(P)No. 42/2009/Tran dated 14/07/2009. Hence application for variation of permit is **rejected**.

### **Supplementary Item No 9**

1) Perused the judgment of Hon'ble High Court of Kerala dated 30.03.2021 in WP(C) No. 7093/2021 (J).

2) Heard. This application for variation of permit by change of starting and halting place from Nellai to Maramkode and increase in number of bus stops in respect of stage carriage KL 46 D 4723 was earlier considered by this authority in the meeting held on 24/12/2021 vide supplementary item no. 2 and adjourned for clarification/specific report :

1) To report the comparative advantages of the variations proposed.

2) To specifically report whether the proposed bus stops are approved ones and to enlist the details of stops on the operating route.

The report submitted by the enquiry officer dated 01/09/2022 is silent on whether the benefits of proposed variation outweighs the difficulties of travelling public due to curtailment of trips. Secretary shall ensure that the above called for report is submitted after physical verification by the enquiry officer.

Hence decision on the application for variation of permit is **adjourned** with direction to place the matter for reconsideration after obtaining above said reports.

### **Supplementary Item No 10**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 11**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 12**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 13**

Heard. Transfer of permit **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No 14**

Heard. This is a request of the grantee of renewal of permit, Sri Vidyasagar, the permit holder of stage carriage KL 08 AQ 6951 to condone delay and accept belatedly submitted current records of the vehicle to avail the granted renewal of permit. On perusal of records, it is seen that renewal of permit was granted as per the decision of this authority dated 06/10/2021 in item no. 37 of the agenda. The decision was communicated to the grantee vide endorsement no. C4/121164/2017/PR/R dated 17/01/2022. On 17/02/2022, the grantee is seen submitted a request for maximum time for producing current records of the vehicle to avail the granted renewal of permit. On 10/06/2022, the grantee filed another request along with current records to condone delay and to issue the renewed permit.

As per Rule 172 (3)(a) the maximum time allowable is four months in aggregate from the date of dispatch of order granting the renewal of permit. In this case the current records are produced after the expiry of an aggregate period of 4 months in violation of Rule 172 (3) (a) of KMV Rules 1989. Hence **by rejecting the request to condone delay, grant of renewal of permit is revoked.**

### **Supplementary Item No 15**

Heard the representative of Elavally Grama Panchayath. **Sanction is accorded** for new bus stand and auto stand at Poovathur. The Elavally Grama Panchayath shall ensure that the facilities provided at the bus stand shall be maintained for the convenience of the travelling public.

### **Supplementary Item No 16**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AY 7848. Permit in respect of this vehicle is seen expired on 04/02/2021. Belated application for renewal of permit received on 11/07/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Supplementary Item No 17**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AV 3828. Permit in respect of this vehicle is seen expired on 12/11/2021. Belated application for renewal of permit received on 13/05/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to some health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application

subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

(Sd/-)

**Shri. James M P**

Deputy Transport Commissioner  
Central Zone – 1, Thrissur  
(Member , RTA Thrissur)

(Sd/-)

**Smt. Aishwarya Dongre IPS**

District Police Chief, Thrissur Rural  
(Member , RTA Thrissur)

(Sd/-)

**Smt Haritha V Kumar**

Dist. Collector & Chairman RTA Thrissur  
Thrissur