

**MINUTES OF THE MEETING OF REGIONAL TRANSPORT  
AUTHORITY ERNAKULAM HELD ON 26-09-2022**

**Present:- Chairperson-**

**Dr. (Smt.) Renu Raj I.A.S, The District Collector, Ernakulam**

**Member:-**

**1. Sri. Vivek Kumar I.P.S, District Police Chief, Ernakulam  
(Rural)**

**2. Sri., Shaji Madhavan, Deputy Transport Commissioner [Law],  
CZ- II, Ernakulam.**

**Item No.01**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh Inter district Ordinary Moffusil permit on the route Aroor Temple – North Paravur via Kumbalam, Vyttila, Bypass, Edappally, Manjummel Kavala, Koonammavu as Ordinary Moffusil Service.

Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder service.The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edapplly Junction. The matter has considered by RTA, Ernakulam in it's meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

This authority considered the application for fresh permit and realized that the route portion in this permit application is passing through the sector between Moothakunnam-North Paravur-Edappally (N H). Hence the application for fresh permit is **adjourned** for the final decision of the above item. (Supplementary item No-6 of RTA, Ernakulam meeting dtd. 26/04/2022 ).

Secretary, RTA is entrusted to expedite the detailed study of Supplementary item No-6 of RTA, Ernakulam meeting dtd.26/04/2022 and also directed to place the matter before this authority after obtaining a detailed report.

### **Item No.02**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh Intra district Ordinary Moffusil permit on the route North Paravur – Vyttila Hub via Varapuzha Bridge and Edappally Bypass as Ordinary Moffusil Service.

Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder service.The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edapplly Junction. The matter has considered by RTA, Ernakulam in it's meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

This authority considered the application for fresh permit and realized that the route portion in this permit application is passing through the sector between Moothakunnam-North Paravur-Edappally (N H). Hence the application for fresh permit is **adjourned** for the final decision of the above item. (Supplementary item No-6 of RTA, Ernakulam meeting dtd. 26/04/2022 ).

Secretary, RTA is entrusted to expedite the detailed study of Supplementary item No-6 of RTA, Ernakulam meeting dtd.26/04/2022 and also directed to place the matter before this authority after obtaining a detailed report.

### **Item No.03**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh Intra district Ordinary Moffusil permit on the route North Paravur – High Court Jn- Vypin via

Cherai, Kalamukku and Goshree Bridges as Ordinary Moffusil Service.

Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder service.The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edapplly Junction. The matter has considered by RTA, Ernakulam in it's meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

This authority considered the application for fresh permit and realized that the route portion in this permit application is passing through the sector between Moothakunnam-North Paravur-Edappally (N H). Hence the application for fresh permit is **adjourned** for the final decision of the above item. (Supplementary item No-6 of RTA, Ernakulam meeting dtd. 26/04/2022 ).

Secretary, RTA is entrusted to expedite the detailed study of Supplementary item No-6 of RTA, Ernakulam meeting dtd.26/04/2022 and also directed to place the matter before this authority after obtaining a detailed report.

#### **Item No.04**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in the vacant timings of permit of stage carriage KL 42 K 4580, in respect of a Suitable Stage Carriage having seating capacity 33 to operate on the route North Paravur – High Court Jn- Vypin via Cherai, Nayarambalam, Elamkunnappuzha, Kalamukku as Ordinary Moffusil Service. The learned counsel has intimated that he is ready to offer a suitable vehicle with seating capacity not less than 33 in all within the time limit specified U/R 159[2] of KMV Rules-1989, if the regular permit is granted.

This authority considered the application in detail. The enquiry officer has reported that there is no objectionable

overlapping on notified routes. Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder service.The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edappally Junction. The matter has considered by RTA, Ernakulam in it's meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

But in this case the arguments in the representation submitted by Secretary ,Private Bus Owners Association is not sustainable. Because the application for fresh permit is against the vacancy of a regular stage carriage permit of KL 42 K 4580, which was live up to 27/04/2022 and was used by the travelling public.

The proposed route will not objectionably overlaps any notified route. Therefore, there is no legal impediments for the grant of proposed regular permit. Hence regular permit is granted in favour of Sri. Ijas Ahammed in respect of suitable stage carriage subject to settlement of timings and production of records of the vehicle within the time stipulated U/R 159[2] of KMV Rules-1989.

#### **Item No.05**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in the vacant timings of permit of stage carriage KL 07 AV 8320, in respect of a Suitable Stage Carriage having seating capacity not less than 33 to operate on the route Pookkad- High Court Jn via Elankunnapuzha, Kalamukku Jn, Vypin as Ordinary Moffusil Service. The learned counsel has intimated that he is ready to offer a suitable vehicle with seating capacity not less than 33 in all within the time limit specified U/R 159[2] of KMV Rules-1989, if the regular permit is granted.

This authority considered the application in detail. The enquiry officer has reported that there is no objectionable overlapping on notified routes. Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder service.The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edapplly Junction. The matter has considered by RTA, Ernakulam in it's meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

But in this case the arguments in the representation submitted by Secretary ,Private Bus Owners Association is not sustainable. Because the application for fresh permit is against the vacancy of a regular stage carriage permit of KL 07 AV 8320, which was live up to 16/09/2021 and was used by the travelling public.

The proposed route will not objectionably overlaps any notified route. Therefore, there is no legal impediments for the grant of proposed regular permit. Hence regular permit is granted in favour of Sri. Mansoor C M in respect of suitable stage carriage subject to settlement of timings and production of records of the vehicle within the time stipulated U/R 159[2] of KMV Rules-1989.

### **Item No.06**

Heard; the learned counsel represented the applicant. This is the application for the grant of fresh Inter district Ordinary Moffusil permit on the route Koonammavu-Panangad- Chathamma via Cheranalloor, Edapally Gate, Edappally Jn, Bye pass, Medical center, Vyttila Hub and Kundanoor as Ordinary Moffusil Service.

Secretary ,Private Bus Owners Association filed a representation against grant of fresh permit in the sector between Moothakunnam-North Paravur-Edappally stating that the sector between Moothakunnam-North Paravur-Edappally (N H) is well served by Private Stage Carriages, K.S.R.T.C and Metro feeder

service. The construction of NH 66 in six line is about to comment within a short period and that will increase the traffic congestion at Varappuzha Bridge and Edappally Junction. The matter has considered by RTA, Ernakulam in its meeting dtd. 26/04/2022 vide supplementary item No-6 and adjourned for detailed study.

Secretary, Private Bus Owners Association filed a representation against grant of fresh permit and Variation of permit in the sector between Edappally Aroor bypass. The reason stated that the sector is well served by Private Stage Carriage and KSRTC. During peak hours a heavy traffic jam is occurred. Moreover, currently there is no travel hassle in the said sector. The matter has considered by RTA, Ernakulam in its meeting dtd. 26/04/2022 vide supplementary item No-5 and adjourned for detailed study.

This authority considered the application for fresh permit and realized that the route portion in this permit application is passing through the sector between Moothakunnam-North Paravur-Edappally (N H) and in the sector between Edappally Aroor bypass. Hence the application for fresh permit is **adjourned** for the final decision of the above item. (Supplementary item No-5 and Supplementary item No-6 of RTA, Ernakulam meeting dtd. 26/04/2022).

Secretary, RTA is entrusted to expedite the detailed study of Supplementary item No-5 and 6 of RTA, Ernakulam meeting dtd. 26/04/2022 and also directed to place the matter before this authority after obtaining a detailed report.

### **Item No.07**

Heard; the learned counsel represented the applicant. Perused the Judgment of Hon`ble High Court Of Kerala in WPC No 14434 of 2022. This is the application for the grant of fresh regular permit on the route Kodanad -Angamaly-High Court Jn Via Malayattoor, Manjapra, Athani, U C College, Kadungallure, Muppathadam, Pathalam, Cheranelloore, Moolampilly (Container Road) as Ordinary Moffusil service., in respect of a suitable stage carriage having seating capacity not less than 28 seats. The learned counsel has intimated that he is ready to offer a suitable vehicle with seating

capacity not less than 28 in all within the time limit specified U/R 159[2] of KMV Rules-1989, if the regular permit is granted.

The matter has considered by RTA held on 26/04/2022 vide Supplementary item No-4 and adjourned for getting more clarification in the matter regarding overlapping in the Aluva-Vadakkumpuram Complete exclusion scheme and to get road fitness details about the virgin portion in this route.

In view of the above decision Secretary, RTA has conducted a detailed enquiry through the Joint Regional Transport Officer, Angamaly. Perusing the enquiry report this authority perceived that there is a traverse of only 70 M in the Aluva – North Paravur route which falls under Alwaye- Vadakkumpuram Scheme(No-27106-TA2/65/PW dtd.17/06/1965), which is an inevitable traverse in the complete exclusion scheme. More over it is also realized that the route portion from Neeleswaram to Chandrapura junction via Naduvattom (3.8Km) and Aduvassery to UC College via Thadikkakadavu and Veliyathunadu (10.3 Km) are virgin portion. Executive Engineer PWD Roads Ernakulam has issued a fitness certificate for the virgin portion, showing as the portion as road worthy for conducting bus service.

The proposed route will not objectionably overlap any notified route. Therefore, there are no legal impediments for the grant of proposed regular permit. Hence regular permit is granted in favour of Sri. Shibu M T in respect of suitable stage carriage subject to settlement of timings and production of records of the vehicle within the time stipulated U/R 159[2] of KMV Rules-1989.

### **Item No.08**

Heard; the learned counsel represented the permit holder of stage carriage KL 36 A 4100.This is the application for variation of regular permit in respect of stage carriage KL 36 A 4100 permitted to operate on the route Thalayolaparambu- Kaloor Via Kanjiramattom, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Junction , Petta ,Vyttila , Kadavanthra and M G Road as ordinary mofussil service on the strength of regular permit valid upto 23/02/2027. The permit holder is desired to be varied so as to

operate additional Trip at 5.20 AM from Thalayolaparambu to Kaloor and to curtailing last trip at 7.10 PM from Thalayolaparambu to Kaloor and halt at Thalayolaparambu.

The present route portion and variation portion are passing through the notified route Ernakulam – Muvattupuzha notified route vide GO(P) No-05/2017. But in the agenda and in the route enquiry report not mentioned anything about Ernakulam – Muvattupuzha notified route. More over in the agenda the details of notified routes at Kottayam district only detailed. Hence the proposed variation is hereby **adjourned** for the want of specific report regarding the overlapping in the notified routes.

### **Item No.09**

Heard; the learned counsel represented the permit holder of stage carriage KL 42 Q 3887. This is the application for variation of regular permit in respect of stage carriage KL 42 Q 3887 permitted to operate on the route Vypin-Munambam with extension up to Ernakulam Collector's Square as ordinary mofusil service on the strength of regular permit valid upto 23/01/2025. The permit holder is desired to be varied so as to operate trip no 3 and 8 avoiding Kalamukku Junction to Vypin portion and adding 2 single trips from High Court Junction to Vypin and return.

On perusal of the agenda, report and file this authority perceived that the proposed curtailment from Kalmukku to Vypin and from Vypin to high court Jn will adversely affect the travelling public. Hence the propped variation is hereby **rejected**.

### **Item No.10**

Heard; the learned counsel represented the permit holder of stage carriage KL 38 C 9669. This is the application for variation of regular permit in respect of stage carriage KL 38 C 9669 permitted to operate on the route Munambam- High Court Via Cherai,Njarakkal,Goshree as Mofussil service on the strength of

regular permit valid upto 07/08/2026. The permit holder is desired to be varied so as to operate the “10<sup>th</sup> trip extended to High Court Junction from Vypin and changing the starting and halting place from Vypin to Njarakkal by adding two additional shuttle trips –Njarackal to High Court Junction.

On perusal of the agenda, report and file this authority realized that if the proposed variation is allowed, the permit should be treated as a fresh permit and the time variation may leads to unhealthy completion between operators in the sector. Hence on the point of view of travelling public the proposed variation is hereby **rejected**.

### **Item No.11**

Heard; the learned counsel represented the permit holder of stage carriage KL- 37- 2000 (old Reg no KL-07-AW-9730). This is the application for variation of regular permit in respect of stage carriage KL- 37- 2000 (old Reg no KL-07-AW-9730) permitted to operate on the route Kakkanad- Poochakkal as Moffusil Service on the strength of regular permit valid upto 17/08/2024. The permit holder is desired to be varied so as to operate the “Thavanakadavu-Kakkanad by extending the 1,2,3,4 trips from Poochakkal to Thavanakadavu and intend to change starting and halting place to Thavanakadavu instead of Kakkanad by re arranging the trips by introducing an additional trip from Thavanakadavu-Kakkanad in the early morning and also avoid the last trip from Poochakkal to Kakkanad

On perusal of the agenda, report and file this authority perceived that the proposed variation portion lying in the jurisdiction of RTA, Alappuzha. Hence concurrence from sister RTA is very necessary. So the item is **adjourned** for the want of concurrence from RTA, Alappuzha.

### **Item No.12**

Heard; the learned counsel represented the permit holder of stage carriage KL-07-BF-9394.

Perused the Order of The Hon'ble STAT in M V A A No. 32/2022 dtd 18/07/2022.

This is the application for variation of regular permit in respect of stage carriage KL-07-BF-9394 permitted to operate on the route Thuthiur-Edakochi-Perumbadappu- Via- Jetty, &Thoppumpady City Ordinary service on the strength of regular permit valid upto 27/05/2026. The permit holder is desired to be varied so as to operate the 6<sup>th</sup> trip starting from Perumpadappu at 3.17 pm via New Civil Line road from Kakkanad Civil line Junction(Noel Home) to Kakkanad Pvt Bus stand and the 7<sup>th</sup> trip from Kakkanad to Pambaimoola via Chittoor road and Iyattumukku without any change in the existing time schedule.

On perusal of the agenda, report and file this authority perceived that the proposed variation may leads to time clash with the existing services. The proposed variation includes curtailment which will adversely affect the travelling public. Hence in the view of public interest the proposed variation is hereby **rejected**.

### **Item No.13**

Heard; the learned counsel represented the permit holder of stage carriage KL-05-AB-2446. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage KL-05-AB-2446 issued with a regular permit on the intra district on the route Aluva-Fortkochi – Cheriyakadavu Pally Via Boat Jetty ias city service. The regular permit was expired on **21/05/2022**, but application for renewal of permit is filed on 09/05/2022. Which was belated by 3 days .

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exist for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued before 09/05/2006. Therefore, the delay in filing application is condoned. The Secretary RTA is **permitted** to renew the regular permit.

### **Item No.14**

Heard; the learned counsel represented the permit holder of stage carriage KL-07-BK-2277. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage KL-07-BK-2277 issued with a regular permit on the intra district on the route Edachira-Fort Kochi Via Kakkanad-vazhakkala-palarivattom-boatjetty-perumanoor Jn.-thoppumpady as city service. The regular permit was expired on **06/04/2022**, but application for renewal of permit is filed on 26/04/2022. Which was belated by 17 days .

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exist for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued before 09/05/2006. Therefore, the delay in filing application is condoned, the applicant is directed to remit compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.15**

Heard; the learned counsel represented the permit holder of stage carriage KL-07-BB-2464. This is the application to re-consider the renewal of regular permit on the route MALAVANA FERRY-ELOOR FERRY Via Chendamangalam, N.Parur as intra Moffusil permit for the period from 20/05/2017 to 19/05/2022, to consider the request of permit holder to condone the delay in filing renewal of the above permit for a period from 20/05/2022 to 19/05/2027 which was belated by 5 days and to consider the application for renewal of above regular permit for the period from 20/05/2022 to 19/05/2027.

Heard; the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL-07-BB-2464 is permitted to operate on the route MALAVANA FERRY-ELOOR FERRY Via Chendamangalam, N.Parur as intra Moffusil permit. This authority considered the application in detail and perused the permit file, the route is having the length of 32 Km in which 1.1 Kms from Mannam jn to Chennamangalam

Jn Overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965, which is exclusively reserved for the State Transport Undertaking. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva - Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the applications for the renewal of regular permit are adjourned.

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

### **Item No.16**

Heard; the learned counsel represented the permit holder of stage carriage KL-40-464. This is the application to re-consider the renewal of regular permit on the route Manjarpra - Angamaly - Athani - North Parur via. Manjapra Church, Pullani, Komara Kapela, Thuravoor, Telk, Maikkad, Chengamanad, Kunnukara and Manjaly New Bridge as Moffusil Permit for the period from 16.08.2015 to 15.08.2020 and to consider the application for renewal of above regular permit for the period from 16.08.2020 to 15.08.2025.

Heard; the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL-40-464 is permitted to operate on the route Manjarpra - Angamaly - Athani - North Parur via. Manjapra Church, Pullani, Komara Kapela, Thuravoor, Telk, Maikkad, Chengamanad, Kunnukara and Manjaly New Bridge as Moffusil Permit. This authority considered the application in detail and perused the permit file, the route is having the length of 32 Km in which **3 kms from** 1.1 Kms from Mannam jn to Chennamangalam Jn Overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965 ,which is exclusively reserved for the State Transport Undertaking. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva - Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the applications for the renewal of regular permit are adjourned.

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

### **Item No.17**

Heard; the learned counsel represented the permit holder of stage carriage KL-41-F-907. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage KL-41-F-907 issued with a regular permit on the intra district on the route Aluva-Fortkochi Via Kalamassery, Jetty, Menaka as city service. The regular permit was expired on **13/05/2022**, but application for renewal of permit is filed on 13/05/2022. Which was belated by 15 days .

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued before 09/05/2006. Therefore, the delay in filing application is condoned, the applicant is directed to remit compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.18**

Heard; the learned counsel represented the permit holder of stage carriage KL-47-F-1314. This is the application to re-consider the renewal of regular permit on the route Vayalkara - Eramalloor ferry as Ordinary Mofussil permit as Mofussil Permit for the period from 01/10/2017 to 30/09/2022 and to consider the application for renewal of above regular permit for the period from 01/10/2022 to 30/09/2027.

Heard; the learned Counsel represented the applicants and the Counsel represented KSRTC. renewal of regular permit in respect of stage Carriage KL-47-F-1314 is permitted to operate on the route Vayalkara - Eramalloor ferry as Ordinary Mofussil permit. This authority considered the application in detail and perused the permit file, the route is having the length of 66 Km in which **1.5 km** from North paravoor to Vedimara overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965 ,which is

exclusively reserved for the State Transport Undertaking. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva - Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the applications for the renewal of regular permit are adjourned.

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

### **Item No.19**

Heard; the learned counsel represented the permit holder of stage carriage **KL 05 AG 3553**. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL 05 AG 3553** issued with a regular permit on the intra district on the route Koothattukulam- Kaloor via Thirumarady, Andichira, Piravom, Nadakkavu and MG Road as ordinary moffusil service. The regular permit was expired on

28/05/2022, but application for renewal of permit is filed on 02/07/2022. Which was belated by 51 days .

This authority considered the application in detail. The permit holder requested to condone the delay stating that he was ill during the period. Medical Certificate dated 19.05.2022 from St.Mary's Ayurvedic Clinic, Koothattukulam produced. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued before 09/05/2006. Therefore, the delay in filing application is condoned, the applicant is directed to remit compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.20**

Heard; the learned counsel represented the permit holder of stage carriage **KL 05 AN 3699** and KSRTC. Perused the order of Hon'ble High Court of Kerala vide judgment dated 22.06.2022 in WP ( C) No 20203 of 2022

This is the application to re-consider the renewal of regular permit in respect of stage Carriage **KL 05 AN 3699** operating on the route Kumaly-Konnakkad as LSOS, To Re-consider the application for delay condonation in submitting the above permit Renewal application and to consider the application for 4 months temporary permit u/s 87[1]d.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervene into this matter. Hence the application to renew the regular permit and the application for delay condonation are **adjourned**.

The Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

### **Item No.21**

Heard; the learned counsel represented the permit holder of stage carriage **KL-05-AP-3738** and KSRTC. This is the application to re-consider the renewal of regular permit in respect of stage Carriage KL-05-AP-3738 operating on the route Kottayam -- Perikkalloor Kottayam -- Perikkalloor Via Medical College, Ettumanoor, Pala, Uzhavoor, Koothattukulam, Piravom, Mulamthuruthy , Kandanad, Thrippunithura, Ernakulam , Koonammavu , N.Paravoor, Kodungalloor, Iringalakuda , Thrissur , Edappal, Kuttippuram, Kozhikkode, Adivaram, Lakkidi, Kalpatta, Meenangady, S. Battery & Pulppally as LSOS for the period from 30/12/2012 to 29/12/2017 and from 30/2/2017 to 29/12/2022 and to consider the application for 4 months temporary permit u/s 87[1]d.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervene into this matter. Hence the application to renew the regular permit and the application for delay condonation are **adjourned**.

The Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

### **Item No.22**

Heard; the learned counsel represented the permit holder of stage carriage **KL 07 BG 4600**. This is the application for the **Renewal of regular permit** , in respect of Stage Carriage **KL 07 BG 4600** on the route Eroor-Chellanam-Aluva-Kumbalanghy Via Thripunithura,Vyttila, Kannamaly, Thoppumpady, Boat Jetty, Edappally, Kalamasserry and Perumpadappu as Ordinary City service.

This authority considered all the parameters of the application on 02/08/2021 and rejected the above application for renewal of permit. Now the matter is again placed before this authority for consideration. But as per Section 89 of The Motor Vehicles Act-1988, this authority has no jurisdiction to re-consider the matter. Hence RTA is not inclined to intervene to the matter at this time. There is no change in the previous decision.

### **Item No.23**

Heard; the learned counsel represented the permit holder of stage carriage KL-17-J-3106. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL 17 J 3106** on the route Kaippuzhamuttu - Ernakulam Via Puthenpalam, Ullala, Vaikom Toll, Chembu,Poothotta, Thrippunithura, Gandhi Square, Petta, Vytila as inter district LSOS service. The regular permit was expired on 11/05/2022, but application for renewal of permit is filed on 04/05/2022. Which was belated by 8 days .

This authority considered the application in detail. The permit holder requested to condone the delay and stating that he was ill during the period. Medical Certificate dated 04.05.2022 from Senior Medical Officer, Govt. Ayurveda Dispensary, T V Puram produced. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit was issued before 09/05/2006. Therefore, the delay in filing application is **condoned**, and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.24**

Heard; the learned counsel represented the permit holder of stage carriage **KL 31 A 3949** . This is the belated application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL 31 A 3949** on the intra-district route Njarakkal-Vyppin-Ernakulam High Court Junction -Via Valappu, Valappu Beach,Puthuvype Beach, Murukkumpadam Beach and

Murukkumpadam Junction, Elamkunnapuzha, Kalamukku and Gosree Bridges as ordinary moffusil service. The regular permit was expired on 22/01/2022, but application for renewal of permit is filed on 10/02/2022. Which was belated by 34 days .

This authority considered the application in detail. The permit holder requested to condone the delay and stating that he was ill during the period. Medical Certificate dated 03.01.2022 from General Hospital Ernakulam produced. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is condoned, the applicant is directed to remit compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

#### **Item No.25**

Heard; the learned counsel represented the permit holder of stage carriage **KL 32 A 2719**. This is the belated application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL 32 A 2719** on the route Aluva - Willingdon Island-Via Asokapuram, Kochin Bank , NAD,HMT Jn,South Kalmasserry,Edappally, Palarivattom,Kaloor Menaka, Thevara Junction, Vathuruthy-Athani as ordinary service. The regular permit was expired on 10/04/2022, but application for renewal of permit is filed on 23/05/2022. Which was belated by 58 days .

This authority considered the application in detail. The permit holder requested to condone the delay and stating that he was out of station and the vehicle was not in operation during that period due to repairs. He remitted Compounding fee Rs.7500/-.

As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is condoned, the applicant is directed to remit

compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.26**

Heard; the learned counsel represented the permit holder of stage carriage **KL-42-6113**. This is the application to consider the renewal of regular permit of stage carriage **KL-42-6113** on the route North Paravur-Cherai-High Court jn Via Perumpadanna, Cherai, Janatha, Kuzhippilly, Aniyal, Kudungassery, Elamkunnapuzha, Valappu, Murukkumpadam, Vallarpadam as Moffusil Service. The regular permit had expired on 03/07/2021, but application for renewal of permit is filed on 24/09/2021, which was belated. But in the agenda note submitted by the Secretary, RTA the reason for delay occurred for filing the renewal of permit application and request for delay condonation is not included. Hence now this authority is not in a position to intervene the matter. Hence the application for renewal of permit is **adjourned**.

### **Item No.27**

Heard; the learned counsel represented the permit holder of stage carriage **KL-07-AP-5666** . This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL-07-AP-5666** operating on the route Irumpanam-Manjummel Via Menaka as City service. The regular permit was expired on 18/03/2022, but application for renewal of permit is filed on 14/03/2022, which was belated.

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is condoned, and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.28**

Heard; the learned counsel represented the permit holder of stage carriage **KL-17-A-5434**. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL-17-A-5434** on the route Chottanikkara –Aluva via Tripunitghura ,Menaka, Palarivattom, and Kalamassery,as City service. The regular permit was expired on 11/07/2019, but application for renewal of permit is filed on 28/11/2019, which was belated.

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. The permit holder produced the no-objection certificate from the financier. Therefore, the delay in filing application is condoned, and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.29**

Heard; the learned counsel represented the permit holder of stage carriage **KL-42-R-5656** and the Counsel represented KSRTC. This is the belated application to consider the renewal of regular permit in respect of stage Carriage **KL-42-R-5656** on the route Maliankara- High Court Jn Via Moothakunnam, Gothuruth, Vadakkumpuram, Chendamangalam ,N Parur Puthuvype as ordinary moffusil service for a further period of 5 years from 04/06/2022..

This authority considered the application in detail and perused the permit file, the route is having the length of 41.4 km in which **4.2 km** from Chendamangalam Jn to Vadakkumpuram overlaps the notified Route Aluva – Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965 ,which is exclusively reserved for the State Transport Undertaking. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva - Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking.

Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the applications for the renewal of regular permit are adjourned.

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

### **Item No.30**

Heard; the learned counsel represented the permit holder of stage carriage KL 05 AT 5669 and KSRTC. Perused the order of Hon'ble High Court of Kerala vide judgment dated 08/07/2022 in WP ( C) No 22394/2022.

This is the application to re-consider the renewal of regular permit in respect of stage Carriage KL 05 AT 5669 operating on the route Kumaly-Konnakkad as LSOS and to consider the application for 4 months temporary permit u/s 87[1]d.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon:

High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervening into this matter. Hence the application to renew the regular permit and the application for delay condonation are **adjourned**.

The Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

### **Item No.31**

Heard; the learned counsel represented the permit holder of stage carriage **KL-07-BX-7380**. Perused the judgment of Hon'ble State Transport Appellate Tribunal dated 30.04.2019 in M.V.A.A No.71/2019, judgement in WP(C ) No 13441/2019 of Hon'ble High Court of Kerala dated 10.05.2019, the judgment in MVAA No-252/2019 dtd.16/07/2021, the report submitted by Enquiry officer as per the direction of RTA Decision of held on 26/04/2022.

This is the application to re-consider the belated application for renewal of regular permit in respect of S/C **KL-07-BX-7380** on the route Edathala-Eramallur Via Pukkattupady,EdappallyToll,Edappally Bye Pass, Medical Centre, Vyttila,Kumbalam and Aroor as Moffusil service for a further period of 5 years from 20.08.2016, to re-consider the application for condoning the delay in submitting the application for renewal of regular permit and to consider the application for Temporary permit U/S 87(1)c in respect of the vehicle KL-07-BX-7380.

This authority considered the application in detailed and realized that Smt Indira Vijayan, legal successor and mother of the deceased permit holder Sri.Vinuraj Vijayan produced the stage carriage KL-07-BX-7380 under lease agreement with the registered owner of the above stage carriage. But both the parties of the lease agreement have not appeared for hearing before Secretary, RTA. Hence Secretary, RTA is entrusted to to place the matter before this authority only after ascertaining the genuineness of the lease agreement.

Without ascertaining genuineness of offering of the stage carriage the decision taken in this matter is infructuous, hence **adjourned**.

### **Item No.32**

Heard; the learned counsel represented the permit holder of stage carriage **KL 08 AM 7832** and the Counsel represented KSRTC. This is the application to consider the renewal of regular permit in respect of stage carriage KL 08 AM 7832 is operating on the route GOTHURUTH-MUNAMBAM Via Vadakkampuram,N.Paravoor,Cherai (Regular permit 7/100/1997 validity expired on 02/05/2017) as Ordinary Mofussil Service for further period of 5 years from 03/05/2017 to 02/05/22 and to consider the application for renewal of regular permit for the period from 03/05/2022 to 02/05/2027.

This authority considered the application in detail and perused the permit file, the route is having the length of 18 km in which **5 km** from N.Paravoor to Vadakkumpuram overlaps the notified Route Aluva - Vadakkumpuram Complete Exclusion Scheme vide Notification No 27106/TA2/65/PE Dated 17/06/1965 ,which is exclusively reserved for the State Transport Undertaking. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva - Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. Moreover, the KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme.

This authority is of considered opinion that no regular or temporary permit can be granted on the portion of Aluva-Vadakkumpuram complete exclusion scheme. Therefore the application for the renewal of permit is liable to be rejected. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to

take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the applications for the renewal of regular permit are adjourned.

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

### **Item No.33**

Heard; the learned counsel represented the permit holder of stage carriage KL 05 AE 9178 and KSRTC. This is the application to re-consider the renewal of regular permit in respect of stage Carriage KL 05 AE 9178 operating on the route Nedumkandam-Sreekandapuram as LSOS service.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervening into this matter. Hence the application to renew the regular permit is **adjourned**.

The Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act against submission of application for temporary permit, to continue service on the same route on public interest.

### **Item No.34**

Heard; the learned counsel represented the permit holder of stage carriage KL 43 E 9833. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage KL 43 E 9833 operating on the route Edakochi-Fortkochi as City service permit. The regular permit was

expired on 13/01/2022, but application for renewal of permit is filed on 14/02/2022, which was belated.

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is condoned, the applicant is directed to remit compound fee for permit less operation and the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.35**

Heard; the learned counsel represented the permit holder of stage carriage KL 05 Z 9410. This is the application to consider the renewal of regular permit of stage carriage KL 05 Z 9410 operating on the route Kaipuzhamuttu-Thoppumpady(**Inter District Service**) on the strength of regular permit valid up to 25/07/2022 as LSOS service.

This authority considered the application in detail. As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the Secretary RTA is **permitted** to renew the regular permit.

### **Item No.36**

Heard; the learned counsel represented the permit holder of stage carriage KL 40 8640. This is the application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage KL 40 8640 operating on the route Cheranallore-Tripunithura as City ordinary Service. The regular permit was expired on 24/08/2022, but application for renewal of permit is filed on 11/08/2022, which was belated.

This authority considered the application in detail. The permit holder requested to condone the delay. As per the report of the route enquiry officer, there is no legal impediment exists for the

renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is **condoned**. But on perusing the agenda this authority perceived that the no-objection certificate from financier has not procured. Hence for the want of no-objection certificate from financier the application for renewal of permit of stage carriage KL 40 8640 is **adjourned**.

### **Item No.37**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 02 AA 1701 operating on the route EDAKOCHI - F KOCHI VIA W ISLAND AND THOPPUMPADY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.38**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-04-Q-2030 operating on the route Eroor Gate - Puthukkalavattom Via Tripunithura, Vyttila, South, Boat Jetty, Kaloor, Pottakuzhi, Deshabhimani Jn, Elamakkara And Punnakkal as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.39**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-07-AZ-580 operating on the route CHERANALLOORE-FORTKOCHI VIA S.CHITTOOR,KACHERIPADY,BOATJETTY AND THOPPUPADY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.40**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-07-BK-1284, operating on the route Panangad- Ponekkara Perumbalam Ferry Via Madavana Jn,Vyttila,Kadavanthara, Kk

Road, Menaka, Mg Road, Kaloor, Palarivattom, Edappally High School, Vyttila, Petta Jn, Sn Jn, Thripunithura, Puthiyakavu, Amela as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.41**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-09-AT-627 , operating on the route CHERTHALA - THOPPUMPADY VIA KADAKKARAPPALLY, ANTHAKARANAZHY, PALLITHODE, CHELLANA M, KANNAMALY as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.42**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-17-D-2343, operating on the route CHOTTANIKKARA - ALUVA VIA THIRUVAMKULAM THRIIPPUNITHURA MENAKA AND KALAMASSERY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.43**

1. Perused the judgment of Hon'ble High Court of Kerala in WP(C) No.26341/2022 dated 17/08/2022.

2. Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-17-E-1579, operating on the route MUNAMBAM-N PARAVUR-KAKKANAD as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.44**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-23-C-1865, operating on the route FORT KOCHI- W ISLAND VIA

THOPPUMPADY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.45**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-36-C-2025 operating on the route VAZHAMANA-VAIKOM-UNIVERSITY CENTRE VIA TRIPUNITHURA VYTTILA KALOOR AND SOUTH KALAMASSERY as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.46**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-36-1375 is operating on the route INFOPARK-KALOOR VIA BRAHMAPURAM, KARIMUGAL, FACT CD, CHITHRAPUZHA, TRIPUNITHURA, VYTTILA, SOUTH AND MENAKA as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.47**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-40-335 operating on the route Thalyolaparambu-Kaloor Via Mulamthuruthy,Chottanikkara,Thiruvankulam,Karingachira,Puthiy a Road,Vilakku,Sn Jn,Petta,Vytila,M G Road as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.48**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-41-A-45 operating on the route PUKKATTUPADY-MATTANCHERRY VIA EDAPPALLY TOLL-M.G.ROAD AND

THOPPUMPADY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.49**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-42-1838 operating on the route Pizhalakkadavu-Kodungalloor via Chennoor, Edampadam, Chettibhagam Jn, North Paravoor, Moothakunnam as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.50**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-42-A-301 operating on the route CHENNUR - KODUNGALLUR VIA VARAPUZHA, CHETTIBAGAM, NORTH PARAVUR, MOOTHAKUNNAM as MOFFUSIL service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.51**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-43-C-2500 operating on the route F Kochi - Perumpadappu via Kappalandi mukku, Thoppumpady and Palluruthy as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.52**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL-56-F-243 operating on the route SOUTHCHITTOR TO MATTANCHERY VIA KACHERIPADY, BOATJETTY, THOPPUMPADY as CITY service, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.53**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 06 E 4019** operating on the route Thalayolaparambu-Kaloor, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.54**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 07 AV 3190** operating on the route Eloor - Kadavanthra South Via Kalamassery, Palarivattom, Kaloor, Menka Ernakulam South, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.55**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 07 AZ 3996** operating on the route Edayar - Aluva, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.56**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 07 BB 2713** operating on the route Manjaly-Aluva Via Puthuvassery, Swargam, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.57**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 07 BJ 3339** operating on the route Kombara -Eramalloor, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.58**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 07 CL 4964** operating on the route Panangad- North Paravur, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.59**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 13 U 3344** operating on the route Aluva-Chellanam Via Kalamasserry, Kaloor, Jetty, Padma, Thoppumpady, RC Road, Kannamaly, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.60**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 42 A 4866** operating on the route Aluva- Mattancherry, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.61**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 45 C 3006** operating on the route Njarakkal- High Court Junction, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.62**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 31 3162** operating on the route Ernakulam High Court Junction- Kodungalloor, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.63**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 38 2752** operating on the route Munambam Ferry- Vypin Ferry, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.64**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 38 4343** operating on the route Fortkochi-Pookkattupadi, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.65**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 41 3664** operating on the route Chathamma - Aluva, is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.66**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-39-H-5950** operating on the route Koothattukulam -Kaloor , is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.67**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-03-Q-5999** operating on the route Pukkattupady-Mattanchery-Fort Kochi , is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.68**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-07-BF-6693 (City Permit No.235)** operating on the route Aluva –Thevara via NAD, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.69**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-38-A-6411** operating on the route Kannampuram-Aluva-Perumbavur-Manakkapady-Kalady-Manjapra as Moffusil permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.70**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-42-C-6115** operating on the route N Paravur-High Court Jn as Moffusil permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.71**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-43-7269** operating on the route Fort Kochi -Chellanam as City Service permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.72**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-43-H-6105** operating on the route Fort Kochi -Chellanam as City Service permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.73**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-34-A-5848** operating on the route Puthenkuriz-Kaloor as moffusil permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.74**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-43-L-6677** operating on the route Perumbavur-Aluva as Mofussil permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.75**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-07-AT-7487** operating on the route N Paravur-High Court Jn as Mofussil permit, is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.76**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-27-5818** operating on the route Kumbalanghi-Elamakkara as City permit is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.77**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-17-B-6937** operating on the route N Paravur-Kaloor as Mofussil permit is **allowed** as applied for subject to the clearance of Government dues, if any.

### **Item No.78**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-35-J-5174** operating on the route Mattancherry-Aluva as City permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.79**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-07-AW-6328** operating on the route Eloor -Fort Kochi as ordinary city permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.80**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-07-BL-5730** operating on the route S Chittoor-Panangad as ordinary city permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.81**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-63-7095** operating on the route Angamaly-Chalakkudy as Mofussil permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.82**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-42-B-6381** operating on the route Perumpadappu-Fort Kochi as Ordinary City permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.83**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-07-BA-5999** operating on the route **Edakochi- Chittoor** as City permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.84**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-35-B-5511** operating on the route Ramamangalam-Kaloor as Mofussil permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.85**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL-13-W-6399** operating on the route KMP Nagar-Palluruthy-Aluva as Ordinary City Permit is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.86**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 40 B 8190 operating on the route Aluva-W/Island as City Service is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.87**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 41 A 8357 operating on the route Angamaly-Chalaky as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

#### **Item No.88**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 41 A 7983 operating on the route Kumbalanghy-Cheranallore as City Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.89**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 07 BD 9339 operating on the route Kumbalangi Chittethukara-Perumpadappu as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.90**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 01 AQ 7788 operating on the route Eloor Ferry-Gandhinagar City Ordinary Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.91**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 43 A 7832 operating on the route Kumbalanghy-Cheranallore as Town/City Service Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.92**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 43 J 9988 operating on the route Kumbalangi-Fortkochi as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.93**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 57 E 7833 operating on the route Vyttila Hub-North Paravoor as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.94**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 41 7790 operating on the route Aluva-Fort Kochi as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.95**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 36 E 9394 operating on the route Aluva-Eramalloor as Mofussil Service is **allowed** as applied for subject to the clearance of Government dues, if any.

**Item No.96**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage KL 07 BB 9266 operating on the route Kakkanad-Kumbalangi as Town/City Service is **allowed** as applied for subject to the production of financier NOC and clearance of Government dues, if any.

**Item No.97**

Heard; the learned counsel represented the grantee of regular permit Sri.Sunil Thomas,Padamattummal House,Chettikkad,Kunjithai,North Paravur. This authority considered the matter in detail. The Regional Transport Authority held on 26/04/2022 granted a regular permit in favour of Sri.Sunil Thomas on the applied route North Paravur-High Court via Cherai, Nayarambalam,Elamkunnappuzha, Kalamukku as Ordinary Mofussil service in respect of his suitable stage carriage subject to

settlement of timings on production of records of the vehicle within the time limit specified U/R 159[2] of KMV Rules-1989.

The proceedings showing the decision of RTA was communicated to the applicant Sri.Sunil Thomas on 05/07/2022. But the grantee has not offered suitable stage carriage as per the description specified by the RTA. The applicant produced the records of stage carriage KL 42 K 1203 on 15/07/2022 with a request to issue the permit granted by RTA on 26/04/2022. On verification of the records of the vehicle, KL 42 K 1203 , it is found that the vehicle is covered by a temporary permit issued by this authority on another route. Hence the applicant was directed to produce permitless certificate in respect of the vehicle. Then on 13/09/2022 Sri. Sunil Thomas has submitted a request to allow maximum time to produce the current records of another stage carriage for obtaining the regular permit granted by the RTA.

Many objections are received against allowing extra time to the grantee for the production of current records of the suitable stage carriage. But the objections are not sustainable.

Hence considering the request, this authority hereby granted maximum time specified U/R 159[2] of KMV Rules-1989 with effect from the date; when the applicant was directed to produce permitless certificate in respect of the vehicle; for the production of the current records of the suitable stage carriage. The Secretary RTA is entrusted to issue permit, if the grantee has obeyed the above decision.

If the grantee has not produced current records of the vehicle within the above time limit, the grant of regular permit stands revoked.

### **Item No.98**

Heard; the learned counsel represented the grantee of regular permit Mr.Baiju Sivan, S/o Mani, Veluthedathparambil House, Cherai P O. Perused the judgment in MP No-600/2022 in MVAA No-126/2022 dtd.13/07/2022 and 29/08/2022 of Hon: STAT.

Mr. Baiju Sivan, S/o Mani, Veluthedathparambil House, Cherai P O had submitted an application for the grant of fresh intra district regular permit in respect of Stage Carriage KL-07-AV-8181 or a suitable stage carriage to operate on the route North Parur- High Court Jn via Cherai, Njarackal, Kalamukku Jn and Vyppin as Ordinary moffusil service in the vacant timing of Stage Carriage KL-07-AW-4668.

The above application was considered by RTA, Ernakulam in its sitting dtd. 26/04/2022 vide item No-02 and regular permit was granted in favour of Sri. Baiju Sivan in respect of a Stage Carriage KL-07-AV-8181 or a suitable stage carriage with seating capacity not less than 33 in all to operate on the route North Parur- High Court Jn via Cherai, Njarackal, Kalamukku Jn and Vyppin as Ordinary moffusil service in the vacant timing of Stage Carriage KL-07-AW-4668, subject to settlement of timings and production of current records of the vehicle within the time stipulated under Rule 159[2] of KMV Rules ,1989.

In compliance with the decision of this authority Secretary, RTA convened timing conference many times and adjourned due to various matters. Then the grantee of regular permit filed MP No-600/2022 in MVAA No-126/2022. As per the judgment in MP No-600/2022 in MVAA No-126/2022 dtd.13/07/2022 Hon: STAT directed to Secretary, RTA to stay the rider imposed in the order of RTA, Ernakulam dtd.26/04/2022 vide item No-02; that is making the grant subject to settlement of timings; and also directed to Secretary, RTA to issue permit with the vacant timings of stage carriage KL-07-AW-4668 on the route Ernakulam High Court Junction- North Paravur in respect of stage carriage KL-07-AV-8181 for a period of two months. In view of the order Secretary, RTA placed the matter before this authority for consideration.

Considering the judgment in MP No-600/2022 in MVAA No-126/2022 dtd.13/07/2022 this authority hereby **ordered to issue** the granted permit with the vacant timings of stage carriage KL-07-AW-4668 on the route Ernakulam High Court Junction- North Paravur subject to ascertaining the existence of vacancy of timings of stage carriage KL-07-AW-4668 through a filed officer.

### **Item No.99**

Heard; the learned counsel represented the applicant Mr.Dane Shom. This is an application for grant of Temporary permit for 20 days U/S 87(1)C in respect of stage carriage KL 06 C 0939 in the vacancy of stage carriage KL 07 BC 7318 to operate on the route Panangad-Cheranelloor via Madavana, Kundannoor, Vyttila, Menaka and Edappally as City Service. On perusing the report of the enquiry officer, this authority perceive that there does not exist any urgent necessity u/s 87(1)c of MV Act to conduct service on the route Panangad-Cheranelloor via Madavana, Kundannoor, Vyttila, Menaka and Edappally, since there are several services conducted frequently on the major portions of the route. Hence the application Temporary permit for 20 days U/S 87(1)C is hereby **rejected**.

### **Item No.100**

Perused the file, heard the objections and request submitted by Model Village Family Association, Pipeline, Karimakkad, Thrikkakara to shift the Bus stops at Thrikkakara, Pipe Line junction. Thrikkakara Pipe Line Junction is the most busy junction on the Edappally-Muvattupuzha Road. This Junction has an intersection of service roads of the Kerala Water Authority running from Aluva to Ernakulam. The Roads from this junction is leading to 4 directions, i.e Edappally Toll, Pukkattupady, CUSAT and Palarivattom. The surrounding area is densely populated. A large crowd of natives, students and employees are using the Bus Stops situated on either side of the Road at the very Junction for their daily commutation. Various Institutions such as CUSAT, Model Engineering College, K.M.M. College, Cochin Public School, Hill Valley High School, a number of Go-downs, Show Rooms, Business and Commercial Establishments, Small Scale Manufacturing Units are situated in the immediate neighbourhood of this Junction. During the morning and evening there occurs a heavy traffic block due to the uncontrollable flow of vehicles to all the four directions. The Bus Stops in this Junction are situated at the Junction facing each other. When Buses stop there to pick up passengers, there arises a total blocking of the traffic at the Junction.

Representations have been made by all concerned to various Authorities to alleviate the traffic problems. Thereupon, the District Collector, Ernakulam vide Order No. DCEKM/5198/2022/A5 dated 22-06-2022, directed that a team of officers should conduct a site inspection. Consequently, a site inspection was conducted by a team of Officers of Motor Vehicles Department, Police Authorities and PWD. As per their Report, one of the major suggestions is that the presence of the two Bus Stops at the present location at the Junction hinders the free flow of traffic at the junction and this leads to cause, accidents and pollution in the area. Hence, they suggested to shift the Bus Stops.

The matter submitted by Regional Transport Officer (Enforcement) before Secretary, RTA and request submitted by Model Village Family Association, Pipeline, Karimakkad, Thrikkakara to place before RTA. Secretary, RTA conducted an enquiry through a motor vehicles inspector and from the above inspections and enquiries this authority perceive that

1. The Bus Stop on the Northern side of the Edappally - Pookkattupady Road has to be shifted by about 80 meters to the Western side (i.e in the Edappally direction) where there is sufficient space and this will not cause any inconvenience to the adjacent Super Market as there is sufficient opening and parking space provided in their premises.
2. The Bus Stop on the Southern side of the Edappally - Pookkattupady Road has to be shifted by about 40 meters to the Eastern side (i.e in the Pookkattupady direction) and is to be located in front of K.M.M. College. This will not cause any inconvenience to the adjacent K.M.M. College and the only one residential building situated nearby as there is sufficient opening and parking space provided in their premises.

Hence this authority is hereby granted the request submitted by Model Village Family Association, Pipeline, Karimakkad, Thrikkakara to shift the Bus stops at Thrikkakara, Pipe Line

junction and Secretary, RTA, Ernakulam is directed to seek the feedback from Police authorities and to place the matter before this authority to ascertain the effects of shifting of bus stop.

**Item No.101**

Perused the file, heard the objections. This is the issue related to the unauthorized dismantling of Stage carriage KL-07-AS-2491, which was covered by regular permit 7/6872/2004 on the route Fort Kochi – Perumpadappu via Palluruthy and Thoppumpady valid up to 03/12/2024. A complaint has been received in this matter. Then The matter was enquired through the Joint Regional Transport officer, Mattancherry and in the enquiry report; the field officer reported that the vehicle was dismantled on 27/06/2021. Permit holder did not offer any suitable vehicle for replacing the regular permit and the stage carriage KL-07-AS-2491 is not in existing.

As per Clause[C] of section 86 of MV Act-1988,the transport authority which granted permit may cancel the permit or may suspend it for such period as it thinks fit if the holder of the permit ceases own the vehicle covered by the permit.

In this case, the vehicle in question that is stage carriage KL-07-AS-2491 was dismantled which was covered by a regular permit 7/6872/2004 on the route Fort Kochi – Perumpadappu via Palluruthy and Thoppumpady valid up to 03/12/2024.As the holder of permit ceases own a suitable vehicle the permit becomes a non-operating one.

As per Judgment of Hon'ble High Court of Kerala in W.A. Nos. 2486, 2455 and 2769 of 2015, there is no provision in the 1988 Act 1989 Rules to keep a permit under suspended animation. The permit cannot be detached from the vehicle. The permit holder has right to replace the vehicle as per statutory provisions contained in Section 83 of 1988 Act. Permit holders are statutorily

bound to make available the vehicle through the currency of the period of permit for running the service.

Hence this authority is of considered opinion that the regular permit is liable to be cancelled. Therefore, the regular permit issued to stage carriage KL-07-AS-2491 on the route Fort Kochi – Perumpadappu via Palluruthy and Thoppumpady is hereby cancelled U/S 86[c] of MV Act-1988 .

### **Item No.102**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to surrender of the regular permit in respect of Stage Carriage KL-40-E-2223 was operating on the route Vyttila - Vyttila via. kadavanthra, Boat jetty, Kaloor, Palarivattom and Bye Pass (Clockwise direction). On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam.

### **Item No.103**

Heard; the learned counsel represented the permit holder of stage carriage KL-67-1800 and KSRTC.

This is the application to consider the 4 months temporary permit u/s 87[1]d in respect of stage Carriage KL-67-1800 operate service on the route Kottayam-Panathur Via Medical College, Ettumanoor, Kalathoorkavala, Vempally, Vyttila, Palai, Nellapara, Thodupuzha, Madakkathanam, Muvattupuzha, Mannoor, South Vazhakkulam, Aluva, Kadungalloor, Edayar, Koonammavu, N Parur, Kodungalloor, Irinjalakuda, Trissur, Edappal, Kuttipuram, Kozhikode, Vadakara, Mahe, Thalassery, Kannur, Thaliparambu, Payyannur, Neeleswaram, Kanhangad, And Rajapuram as LSOS service having route length 550 Km.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervening into this matter. Even though the Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

#### **Item No.104**

Heard; the learned counsel represented the permit holder of stage carriages KL-67-C-1006 and KL-67-C-1009 and KSRTC.

Perused the judgment of the Hon'ble High Court of Kerala in WP© No. 21618/2022 dated 01/07/2022 and perused the judgment of the Hon'ble High Court of Kerala in WP© No. 21620/2022 dated 01/07/2022.

This is the application to consider the 4 months temporary permit u/s 87[1]d in respect of stage Carriage KL-67-C-1006 and KL-67-C-1009 operate service on the route Manimala -Payyavoor Via Kanjirappally, Erattupetta, Pala Koothattukulam, Piravom, Eranakulam, N.Paravoor Kodungalloor Guruvayoor Kozhikkode Kannoor Thaliparambu as LSOS service having route length 494 Km.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervening into this matter. Even though the Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

#### **Item No.105**

Perused the file, heard the objections. This is the issue related to the unauthorized dismantling of Stage carriage KL 05 Q 2973, which was covered by regular permit 07/176/1992 on the route Poothotta- Aluva Via Thrippunithura, Menaka, Kaloor, Palarivattom, Edappally, Kalamasserry valid up to 27.11.2022

The vehicle has not conducted service from 01.04.2021 since it was under Form G at Sub Regional Transport Office, Thrippunithura. As per the written explanation submitted by the permit holder through the authorized person he intimated this authority that due to Covid 19 Pandemic he couldn't conduct the service of the vehicle for a period of 2 years and the vehicle was in continuous Form G. Due to old age and rust the vehicle was in dilapidated condition which forced him to dismantle the vehicle and sold it as scrap. The Registration Certificate of the vehicle has been surrendered. Since he owns a permit in Government notified route if it is cancelled none can obtain the route for conducting service. He made a statement that no one has been relieved from Covid 19 pandemic. Hence he requests to grant **one year** time to replace the vehicle with a later model vehicle.

As per Rule 152 of Kerala Motor Vehicle Rules, 1989 "it shall be a condition of the permit of every transport vehicle (other than a private service vehicle permit) that the vehicle shall be so maintained as to available for service for which the permit was granted, for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to the permit holder, if the vehicle has not been used for the purpose for which the permit was granted, for any day in the case of stage carriage unless a reserve bus duly authorized in this behalf has conducted substitute service in the place of the route bus which defaulted service, and for a continuous period of fifteen days or more in the case of other transport vehicles, during the period for which the permit authorizes the use of the vehicle on the road, unless the State Transport Authority is satisfied that the permit holder was prevented by sufficient cause from running the service

or that the permit holder had obtained the previous permission of the state or Regional Transport Authority to suspend the service for such period during which the vehicle was not operated”.

The vehicle is covered by a regular permit and the permit holder dismantled and scrapped the vehicle attached to it keeping the permit under suspended animation. He has dismantled and scrapped the vehicle without acquiring permit less certificate and after being dismantled and scrapped he surrendered the Registration Certificate for cancellation. As per records of the vehicle Hypothecation Agreement exists between the permit holder and Thirukochi Motor Vehicle Owners Credit Co-Operative Society Ltd. The permit holder didn't produce No Objection Certificate along with Cancellation of Registration Certificate application. As per Judgment of Hon'ble High Court of Kerala in W.A. Nos. 2486, 2455 and 2769 of 2015, there is no provision in the 1988 Act 1989 Rules to keep a permit under suspended animation. The permit cannot be detached from the vehicle. The permit holder has right to replace the vehicle as per statutory provisions contained in Section 83 of 1988 Act. Permit holders are statutorily bound to make available the vehicle through the currency of the period of permit for running the service.

As per Clause[C] of section 86 of MV Act-1988, the transport authority which granted permit may cancel the permit or may suspend it for such period as it thinks fit if the holder of the permit ceases own the vehicle covered by the permit.

In this case, the vehicle in question that is stage carriage KL 05 Q 2973 was dismantled which was covered by a regular permit 07/176/1992 on the route Poothotta- Aluva Via Thrrippunithura, Menaka, Kaloor, Palarivattom, Edappally, Kalamasserry valid up to 27.11.2022. As the holder of permit ceases own a suitable vehicle the permit becomes a non-operating one.

Hence this authority is of considered opinion that the regular permit is liable to be cancelled. Therefore, the regular permit issued to stage carriage KL 05 Q 2973 on the route Poothotta- Aluva Via Thrippunithura, Menaka, Kaloor, Palarivattom, Edappally, Kalamasserry is hereby **cancelled** U/S 86[c] of MV Act-1988 .

Since the permit is cancelled the decision in the matter of replacement of vehicle in respect of stage carriage KL 05 Q 2973 is infructuous. Hence the application for replacement is hereby **rejected**.

### **Item No.106**

Heard; the learned counsel represented the possessor of stage carriage KL 07 BA 4359 .

1. This is an item to peruse the Judgment of Hon'ble High Court of Kerala in WP (C) No 28554 of 2022 dated 01.09.2022. But in the agenda itself, it is stated that there is occurred typographical mistake in the judgment. So, this authority is not in a position to peruse the judgment and it is adjourned with a direction to the applicant to produce the corrected judgment.
2. This is an item to consider the application for Replacement of vehicle in respect of stage carriage KL 07 BA 4359 conducting service on the route Ernakulam High Court junction – Manjapra via Njarakkal, Cherai, Paravoor, Manjaly and Angamaly to a later model stage carriage KL 38 2679. But in the agenda itself, it is stated that the application for vehicle replacement has not submitted properly. The applicant neither produced original records of both incoming and outgoing vehicle nor remitted the fees for the same. Hence the application for replacement is hereby adjourned with a direction to Secretary, RTA to place the matter before this authority only after getting proper application and relevant records.
3. This is an item to consider the application for temporary permit in respect of stage carriage KL 38 2679 in place of stage carriage KL 07 BA 4359. On perusing the agenda, and file this authority

perceived that the stage carriage KL 07 BA 4359 has no valid permit and the possessor failed to submit a proper application to replace the above vehicle with stage carriage KL 38 2679. Being these are the facts this authority is not in a position to issue a temporary permit in respect of stage carriage KL 38 2679 in place of stage carriage KL 07 BA 4359. Hence the application for temporary permit is hereby **rejected**.

### **Item No.107**

Heard; the learned counsel represented the permit holder of stage carriage **KL 17 A 4102**.

Perused the judgment of Hon'ble High Court of Kerala in WPC No 26300 of 2022 dated 19.08.2022.

This is the belated application to consider the renewal of regular permit and to consider the request of permit holder to condone the delay in filing application for renewal of permit of stage carriage **KL 17 A 4102** on the route Thrissur-Thrippunithura Via Arakkakadavu Medical Centre, Palarivattom, Kaloor, Boat jetty and Vyttila Circular-Anti Clock Wise direction) as Ordinary City service and to consider the application for vehicle replacement under lease agreement in respect of stage carriage KL 17 A 4102 to a later model KL 07 BD 6097.

The regular permit was expired on 18/12/2019, but application for renewal of permit is filed on 12/12/2019. Which was belated.

This authority considered the application in detail. The permit holder requested to condone the delay and stating that he was hospitalized during that period.

As per the report of the route enquiry officer, there is no legal impediment exists for the renewal of permit and the renewal will not disturb the scheme of nationalization. Therefore, the delay in filing application is condoned, and the Secretary RTA is **permitted** to renew the regular permit.

Vehicle replacement in respect of stage carriage KL 17 A 4102 to a later model

stage carriage KL 07 BD 6097 under lease agreement is **granted** subject to the clearance of Government dues, if any.

### **Item No.108**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to accepting the surrender of permit and cancelled the regular permit of stage Carriage KL 42 K 4580 which was operating on the route Gothuruth- Ernakulam High Court Junction Via Vadakkumpuram, Chendamangalam Junction, North Paravur, Cherai, Vyppin and Gosree Bridges and issued Permit less Certificate. On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam. \_

### **Item No.109**

Heard; the learned counsel represented the permit holder of stage carriages KL-36-C-7400 and KSRTC.

This is the application to consider the 4 months temporary permit u/s 87[1]d in respect of stage Carriage KL-36-C-7400 which is permitted to operate service on the route Kottayam-Panathur Via Medical College, Ettumanoor, Kalathoorkavala, Vempally, Vyttila, Palai, Nellapara, Thodupuzha, Madakkathanam, Muvattupuzha, Mannoor, South Vazhakkulam, Aluva, Kadungalloor, Edayar, Koonammavu, N Parur, Kodungalloor, Irinjalakuda, Trissur, Edappal, Kuttipuram, Kozhikode, Vadakara, Mahe, Thalassery, Kannur, Thaliparambu, Payyannur, Neeleswaram, Kanhangad, And Rajapuram as LSOS service having **route length 550 Km. .**

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances

now this authority is not intervening into this matter. Even though the Secretary RTA is permitted to issue temporary permits for durations of 20 days U/S 87[1]d of MV Act to continue operation on the same route on public interest.

### **Item No.110**

Heard; the learned counsel represented the permit holder of stage carriages **KL-06-D-5528**.

This is the application to consider the request to condone the delay in production of current records on the application for Variation of Permit in respect of the stage carriage **KL-06-D-5528**.

On perusing the application, it is realized that the application for variation of permit in respect of the stage carriage KL-06-D-5528 operating on the route Andhakaranazghy -High Court Via Chellanam, Thoppumpady, M G Road, Menaka, as Mofussil Permit was granted by the Regional Transport Authority Ernakulam held (Under Circulation) on 21/01/2022. Decision communicated to the applicant on 01/02/2022 and the application produced current records on 23/05/2022. The applicant has submitted a request to condone the delay occurred in production of current records in respect of the stage carriage KL-06-D-5528. RTA considered the matter and the delay in filing records is **condoned**.

### **Item No.111**

Heard; the learned counsel represented the permit holder of stage carriages KL10 Y 8899 .

This is the application to consider the replacement of vehicle in respect of Stage Carriage KL10 Y 8899 operating on the route Palankadavu-University Centre as Mofussil Service with later model stage carriage KL 39 N 5351 under lease agreement.

On perusing the application, it is realized that there is no legal impediments to allowing the replacement of vehicle as applied. Hence the replacement is **granted** subject to the clearance of Government dues, if any.

## **Item No.112**

Heard; the learned counsel represented the permit holder of stage carriages **KL 05 AP 7620** and KSRTC.

This is the application to consider the application for renewal of permit in respect of stage carriage KL 05 AP 7620, on the route Uthimoodu-Ernakulam south as LSOS for the periods 05/03/2010 to 04/03/2020 and 05/03/2020 to 04/03/2025, To consider the application for replacement of existing vehicle KL 05 AP 7620 with later model stage carriage KL 34 G 2577, To consider the application for variation so as to operate as Ranni to Ernakulam south instead of Uthimoodu to Ernakulam by curtailing the portion Ranni to Uthimoodu, 7.6 kms., to peruse various orders of Hon: High Court of Kerala and Hon: STAT and to grant permission to take Judicial steps against the orders of Hon: STAT.

This authority considered the application in detailed and realized that the route length of this permit is more than 140 Km. At present the related matter is under the consideration of Hon: High Court of Kerala vide WA-835/2022. In these circumstances now this authority is not intervening into this matter. Hence the application to renew the regular permit, application for replacement and application for variation of permit are **adjourned**.

On perusal of the agenda and permit file this authority perceived that On 29/06/2021, the registered owner of stage carriage KL 05 AP 7620 Sri.Cijo Cherian had requested to pass clearance /permit less certificate by cancelling the lease agreement in the RC Book of the vehicle and pass necessary orders in the applications submitted for renewal, replacement and transfer of permit. In obedience to the Judgment and observations of the Hon'ble High Court Of Kerala in in WP(C) 26678/2021 dated 17/03/2021, the Secretary RTA, Ernakulam cancelled the lease agreement in respect of stage carriage KL 05 AP 7620 among the permit holder Sri.Cijo Cherian. Then the permit has come under the purview of suspended animation. But as per the Judgment in writ appeal 2486/2015, 2455/2015 and 2769/2015 dtd 11/04/2016 of Hon'ble High Court of Kerala suspended animation has been disposed. Hence this permit is liable to be cancelled. But as per

orders Hon: STAT stayed the order of cancellation of permit and extended the validity of permit. As described above there is some legal impediments. Hence Secretary, RTA is given the liberty to file revision petition against such orders of the Hon: STAT, as seeking by the Secretary, RTA for getting permission for taking legal steps.

### **Item No.113**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard to accepting the surrender of permit and cancelled the regular permit of stage Carriage KL-05-X-9315 which was operating on the route Ponekkara-Thevara Junction Via Cheranalloor,Pallikavala,South Chittoor Ferry, Kacheripady,Boat Jetty,South Junction. On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam. \_

### **Item No.114**

This item is to ratify the action taken by the Secretary, Regional Transport Authority Ernakulam with regard in respect of granting replacement of vehicle Stage Carriage KL 47 H 9124 with stage Carriage KL 42 S 1861 under **Lease agreement**. On perusing the case this authority hereby **ratified** the action taken by the Secretary, RTA, Ernakulam. \_

### **Item No.115**

Heard; the learned counsel represented the Chief Executive Officer, Kochi Metropolitan Transport Authority.

This is the application to grant permission to operate shared auto services in Kochi. As per the request Kochi Metrpolitan Traffic Transport Authority states that the authority had directed to recommend the proposal of the Mayor, Kochi Corporation for the consideration of the Motor vehicles Department for necessary orders. The Transport Commissioner had already issued an order approving shared auto services for the autos operating as feeder to Metro rail. The matter was enquired through field officer.

On perusing the application and enquiry report, permission to operate shared auto services in Kochi, as per the request Kochi Metropolitan Traffic Transport Authority is hereby **granted**. Secretary, RTA is entrusted to implement the decision after making and issuing essential conditions in this regard.

### **Item No.116**

Heard; the representatives of Aluva municipality, Police authorities and related stakeholders.

Perused the judgment of Hon'ble High Court in **WP(C) No. 7473/2019** dated 26/10/2021.

On detailed perusal of the matter this authority perceived that allowing bonnet number to autorickshaws is to limit the number of autorickshaws in municipality area; which is against the public interest. Limitation is allowable only for city permit autorickshaws. More over there is not any legal support for allotting of bonnet numbers to autorickshaws plying within the limit of Aluva Municipality. Hence the item is hereby **rejected**.

### **Item No.117**

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

### **Item No.118**

**No other items** allowed by Chairman RTA

### **Item No.119**

This authority hereby fixed **26/11/2022** as the date for next meeting of RTA, Ernakulam.

### **Supplimentary Item No.01**

Heard; the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of Stage carriage **KL 08 AA 7117** operating on the route Perumbavur – Angamaly – Parambayan Kappela as Moffusil permit, is **allowed** as applied for subject to remittance of fees and the clearance of Government dues, if any.

### **Supplimentary Item No.02**

This is the application to consider the request of RTA, Kottayam for concurrence for fresh stage carriage regular permit in respect of s suitable stage carriage on the route Erumely – Amritha Hospital via Kuruvamoozhi pump Jn, Vizhikkathod, Kanjirappally, Anakkalu, Thaidanadu, Erattupetta, Panackapalam, Bharananganam, Pala, Kurishupally, Civil station Jn, Puthenpallikunnu, RV Jn, Kottaramattom BS, Valavoor, Kudackachira, Chethimattom Jn, Uzhavoor, Monippally, Elanji, Piravom, Arakkunnam, Mulamthuruthy, Kandanad, Kureekad, Puthiyakavu, Kannankulangara, Thripunithura Gandhi Square, Maradu, Kundannur Jn, Vytila, Edappally and Ponekkara as LSOS.

As per report of field officer route length under jurisdiction of RTA, Ernakulam is 36 Km. More over as per report, Puthiyakavu Jn to Kannankulangara 2.4 Km in the route portion overlaps with Kottayam – Thekkady and Ernakulam- Thekkady notified schemes. But there are not any legal impediments to allow the concurrence. Hence this authority is hereby **granted** concurrence for fresh Regular permit in respect of s suitable stage carriage on the route Erumely – Amritha Hospital via Kuruvamoozhi pump Jn, Vizhikkathod, Kanjirappally, Anakkalu, Thaidanadu, Erattupetta, Panackapalam, Bharananganam, Pala, Kurishupally, Civil station Jn, Puthenpallikunnu, RV Jn, Kottaramattom BS, Valavoor, Kudackachira, Chethimattom Jn, Uzhavoor, Monippally, Elanji, Piravom, Arakkunnam, Mulamthuruthy, Kandanad, Kureekad, Puthiyakavu, Kannankulangara, Thripunithura Gandhi Square, Maradu, Kundannur Jn, Vytila, Edappally and Ponekkara as Limited Stop ordinary Service, without prejudice to the right of

the primary authority to decide the nature of service depending on the route length.

Sd/-

**Chairperson, RTA, Ernakulam.**

**Dr. (Smt.) Renu Raj I.A.S, The District Collector, Ernakulam**

Sd/-

**Sri. Vivek Kumar I.P.S, District Police Chief, Ernakulam (Rural)**

**Member, RTA, Ernakulam.**

Sd/-

**Sri., Shaji Madhavan, Deputy Transport Commissioner [Law],  
CZ- II, Ernakulam.**

**Member, RTA, Ernakulam.**