

**DECISIONS OF REGIONAL TRANSPORT AUTHORITY,**

**PALAKKAD DATED 11.11.2022**

**Item No.01**

Heard, all the concerned. Considering the various aspects, issues prevailing traffic arrangements and road conditions in Palakkad town, it is decided to modify the decision of this authority dated 24.12.2019 in Supplementary item No.01. The re-construction of the demolished Municipal Bus Stand at Palakkad town is yet to start. As per the above decision, all stage carriage services which earlier operated from the Municipal Bus stand shall use Municipal Stand as bus bay. The stage carriages coming from Stadium Bus stand and proceeding towards Mannarkkad, Cherplassery sides were proposed to pass through Sulthanpet Junction, GB Road by touching Municipal Bus stand (by making G B Road as one way for bigger vehicles) in the earlier decision of this authority. Since making GB Road as one-way and allowing operation of stage carriages through this road is not practicable owing to congested sulthanpet junction, present traffic arrangements existing in the town and prevailing road conditions, this authority is constrained to modify the above decision with respect to stage carriages coming from Mannarkkad and Cherplssery side as below.

**All stage carriages coming from Mannarkkad, Cherplassery side shall traverse through Olvakkode, Victoria College Junction, Tharekkad(Moyan's School Junction) and deviate to Municipal Bus stand, use present bus bay at Municipal Bus Stand and come back through Tharekkad(Moyan's School Junction), Head Post Office, Sulthanpet Junction towards Stadium Bus stand. The decision of this authority dated 24.12.2019 in supplementary item No.01 with the above modification will remain in force as a temporary measure till**

**the reconstruction of Municipal Bus Stand.** The above decision is modifiable on suitable scientific practicable public friendly recommendations/suggestions aimed to ease the traffic congestion in Palakkad town, submitted before this authority by an accredited agency or organization. Secretary shall take immediate necessary steps to implement the above decision jointly with Traffic Authority.

**Item No.02**

1. Perused the judgment of Hon'ble High Court of Kerala dated 20.07.2022 in WP(C)No.23475 of 2022.
2. Heard, the petitioners through their counsels and all the concerned. Considered the request dated 07.07.2022 submitted by Sri.Manikandan and others to allow them to conduct downward journey of stage carriages from Malampuzha to Palakkad via Manthakkad, Kadukkamkunnam, Karathody, Andimadam and Sai Junction in deviation to the decision of this authority which directs the downward operation of stage carriages from Malampuzha to Palakkad via Manthakkad, Chithra Junction, NSS Engineering College, Ummini Junction, Railway Colony and Thanavu Junction consequent to the temporary closure of railway Level Cross No. 160 till the opening of Railway over bridge for stage carriages(Ref: Decision of RTA, Palakkad dated 20.10.2021 arrived as by circulation of papers under Rule 130 of KMV Rules, 1989). The report submitted by the Kerala Police Department strongly objects the proposal of the petitioners mentioned in Ext. P2 ( above request dated 07.07.2022 seeking permission to allow the downward journey of stage carriage from Malampuzha to Palakkad via Andimadam), by pointing out the narrow road and recent accident occurred which resulted in the loss of valuable human life because of a bus service conducted from both sides of the road without permission.

In view of the above incident, this authority concludes that the request of the petitioner is detrimental to the safety of travelling public. Since the present traffic arrangement is a temporary one (till the completion of over bridge at Akathethara), the **request dated 07.07.2022 filed by Sri.Manikandan and others is hereby rejected, since it is against the safety of travelling public.**

### **Item No.03**

Heard the representative of the applicant and all the concerned. Reconsidered the request of Secretary, Mundur Grama Panchyath for sanctioning the newly constructed bus stand at Mundur. Perused the records, reports & no-objection certificates issued by Police Department and PWD. It is reported that the constructed bus stand complies all the requirements and conditions stipulated under Rule 207 & 344(2) of KMV Rules, 1989. Hence, **the constructed bus stand at Mundur is approved,** subject to maintenance of the bus stand by Mundur Grama Panchayath as prescribed in Rule 344(3) of KMV Rules 1989. Every stage carriages passing through MundurChungam Junction towards Kongad, Cherplassery side (except those permitted to operate through NH 966 towards Mannarkkad side and back) shall make use of this bus stand for setting down picking up passengers as specified in Rule 207 of KMV Rules, 1989.

### **Item No.04**

Heard, reconsidered the request of Hon'ble Member of Parliament, Palakkad for sanctioning a new bus stop near the bus waiting shelter constructed in front of Palakkad Railway Junction. As per Rule 206 of KMV Rules, **a new bus stop near the bus waiting shelter constructed in front of Palakkad Railway Junction is sanctioned,** subject to marking of bus bay by the concerned authority.

### **Item No.05**

Heard, this is an application for sanctioning a new bus stop in front of Government AP Higher Secondary School, Elappully. The present bus stops at Kunnachi Junction towards Palakkad side and Pollachi side are situated face to face on both sides of Palakkad road closer to the T junction. Motor Vehicles Inspectors, Palakkad have reported in favour of shifting the bus stop towards Palakkad side ( in front of AP Higher Secondary School) without changing the existing bus stop at Kunnachi Junction towards Pollachi direction. But the report of the Executive Engineer, PWD Roads Division, Palakkad and Police Department are not in favour of this proposed bus stop in front of school. Hence, for a conclusive decision on this proposal, it is decided to remand the matter to the Traffic Regulatory Committee of Elappully Grama Panchayath formed under Section 72 of Kerala Police Act 2011. Secretary shall submit the decision of Traffic Regulatory Committee in this matter in the next meeting for reconsideration of the application. Hence **decision on the application for sanctioning a new bus stop in front of Government AP Higher Secondary School, Elappully is adjourned.**

### **Item No.06**

Applicant is absent while the matter is considered. Hence, **decision on the application for fresh regular stage carriage permit is adjourned.** Secretary shall place the application before this authority in the ensuing open forum after issuing due notice to the applicant by intimating the date, time and venue of the meeting properly by way of notice.

### **Item No.07**

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Kottathara-Chandakkada-

Anakatty. The total route length of the proposed route is 60.4 Km. There is no virgin portion in the proposed route and no overlapping with notified route, as per the report of the enquiry officer. The route proposed traverses through remote areas of Attappadi Tribal Taluk. Since it is reported that the proposed permit will be beneficial to the travelling public and students of various tribal areas, **fresh regular stage carriage permit is granted**, subject to settlement of timings, remittance of application fee if not paid and production of current records of suitable stage carriage within 30 days.

### **Item No.08**

Heard, this is an application for fresh regular stage carriage permit on the intra-district route Koduvayur-Chittur. Perused the records, form P.St.S.A submitted for grant of stage carriage permit is not having mandatory particulars of the proposed vehicle as specified in Section 70(1)(b) such as type of vehicle, seating capacity and maximum laden weight etc. The route sketch submitted by the enquiry officer is not clear in specifically marking the portion/distance of overlapping with notified route. Hence, applicant is directed to submit a fresh application mentioning all the above relevant details. On submission of the duly filled in application by the applicant, fresh enquiry shall be conducted and a detailed report shall be placed before this authority for re-consideration with correct notes by Secretary. Hence, **decision on the application for fresh regular stage carriage permit is adjourned.**

### **Item No.09**

Heard, this is an application for fresh regular stage carriage permit on the route Perumparambu-Ottappalam. Perused the records. (1)Form P.St.S.A submitted for grant of stage carriage permit is not having mandatory particulars of the proposed vehicle as specified in Section 70(1)(b) such as type of vehicle, maximum laden weight etc. Applicant shall submit the duly filled in application. (2)As per the report of the enquiry officer, the virgin portion on the proposed

route is from Perumparambu to Pookattukunnu via Parappallam(1.5 Km). The Road fitness certificate issued by the Assistant Engineer, LakkidiPerurGramapanchayath is only for the portion from Pookkatukunnu Centre to ParappallamAlinchuvadu. Secretary shall obtain road fitness certificate for the entire stretch of the road connecting Perumparambu and Pookattukunnu via Parappallam. (3). As per the report of the enquiry officer, the distance between Ottappalam and Ambalavattam is 7 km. Time required to cover this distance [ie., @ 2.5 minutes/Km] is approximately 18 minutes. In the proposed time schedule, for the trip starting from Ottappalam at 4.15 pm and reaches at 4.27 pm, time suggested by enquiry officer is just 12 minutes. En-route operators alleged that it is not in accordance with the prevailing decision of STA, Kerala with regard to safe rate of running time allotted to local stage carriages. Secretary shall verify the genuineness of the version of the objectors and ensure that the whole set of timings proposed are strictly in compliance with the decision of STA, Kerala in this regard. Such a re-verified time sheet shall be submitted with a specific report from the enquiry officer. For compliance of the above directions, **decision on the application for fresh regular stage carriage permit is adjourned.**

#### **Item No.10**

Heard, due to typographical error crept in while mentioning the name of the place in the proposed time sheet('Palakkad' instead of 'Pattambi'), with correction in the agenda, this application is included in the same meeting vide supplementary item No.01 and decision is taken. Hence, **disposed as infructuous.**

#### **Item No.11**

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Cherplassery-Ambalappara. Form P.St.S.A submitted for grant of stage carriage permit is not

having mandatory particulars of the proposed vehicle as specified in Section 70(1)(b) such as type of vehicle, seating capacity and maximum laden weight etc. Hence, applicant is directed to submit a fresh application mentioning all the above relevant details. For compliance of the above direction by the applicant, **decision on the application for fresh regular stage carriage permit adjourned.**

### **Item No.12**

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Malampuzha Dam- Elival. The length of the route is 22 Km. As pointed out by en-route operators, passing time at main intermediate points on the route are not mentioned in the proposed time sheet. The report of the enquiry officer is not specific which type of stage carriage(LPV/MPV/HPV) is safe and suitable for operation through this proposed route. Hence, applicant is directed to submit a proposed time sheet by mentioning intermediate points with passing timings thereas above. On receipt of such proposal from the applicant, Secretary shall ascertain the suitability of the newly proposed time schedule also by recommending suitable type of stage carriage safe for operation through this route along with a detailed specific report. For compliance of the above directions, **decision on the application for fresh regular stage carriage permit is adjourned.**

### **Item No.13**

Heard, this is an application for fresh regular stage carriage to operate on the intra-district route Peringottukurissi-Palakkad MBS. The enquiry officer reports that the total length of the proposed route is 24 Km, out of which a distance of 2 Km from Palakkad KSRTC bus stand to Municipal Stand (via BEM School, Town Bus stand, New Railway Bridge) objectionably overlaps with notified route violating clause 5(C) of G.O (P) No. 42/2009/Tran dated 14.07.2009. This violation is rightly pointed out by KSRTC. Hence,

**application for fresh regular stage carriage permit is prima facie rejected.**

**Item No.14**

Heard, this is a request dated 19.08.2022 of grantee of permit to allow maximum time to produce current records of suitable stage carriage to avail the regular stage carriage permit on the intra-district route Peringottukurissi-Palakkad which was granted by RTA, Palakkad in the meeting held on 08.06.2022 vide item No.05. On perusal of records, the above decision granting permit is seen communicated to the applicant on 25.07.2022. The grantee failed to produce current records of suitable vehicle within 30 days as prescribed in Rule 159(2) of KMV Rules, 1989. By considering the request of the grantee, **maximum permissible period of four months in aggregate as permissible under the above Rule,i.e., time up to 24.11.2022 is granted to produce current records of suitable stage carriage.**

**Item No.15**

Heard, this is an application for variation of permit in respect of stage carriage KL 01 AQ 41 authorised to operate on the intra district route Ottappalam-Pathirippala on the strength of regular permit valid up to 14.07.2023. The proposed variation includes extension of route portion from Kayarampara to Meetna, additional two trips between Ottappalam and South Panamanna, and shifting of Ottappalam to Murukkumpotta trip(at 11.00 am) to night trip(at 7.20 pm). Objections were raised against this proposed shifting of trip. In the guise of variation of permit, the applicant has altered many existing time slots. The applicant is directed to submit a modified time schedule only with necessary changes to accommodate applied variation. In the event when the applicant submit such a proposed time-schedule, Secretary shall conduct a specific enquiry to ascertain the compliance of existing direction of STA, Kerala with regard to rate of running time of stage carriages.



The comparative advantages of shifting of existing trip at 11.00 am from Ottappalam to Murukkumpotta to night trip (at 7.20 pm) shall also mention in the report. Curtailment of existing trips if any with its effect shall also be mentioned in the report. For compliance of the above directions, **decision on the application for variation of permit adjourned.**

### **Item No.16**

Heard, this is an application for variation of permit in respect of stage carriage KL 01 AJ 78 authorised to operate on the intra-district route Mangottukavu-Alathur on the strength of regular permit valid up to 03.07.2023. The proposed variation includes reduction and addition of existing trips with changes in the existing timings. The report of the enquiry officer reveals that the additional trips proposed are through notified route and **violates clause 19 of G.O(P) No.42/2009/Tran.dated14.07.2009.** The report further reveals that at present there are four stage carriages operating 16 singles to Thillankkad(which is a comparatively ill-served area). The proposed reduction of trips between Alathur and Thillankkad will adversely affect the travelling public. It is revealed that the proposed variation adversely affects travelling public and in violation of Government Notification. Hence, **application for variation of permit is rejected.**

### **Item No.17**

Heard, this is an application for variation of permit in respect of stage carriage KL 48 2799 authorised to operate on the inter-district route Kuttippuram-Guruvayur on the strength of regular permit valid up to 14.04.2027. The applied variation is to deviate the route portion from Koottanad to Kumbidi via Thannerkkode, Padinjarangadi and Parakulam. The report of the enquiry officer lacks in reporting: (1) Total route length in each district with details of overlapping with notified route ( attached with neat sketch. ) (2) Comparative advantage of the proposed variation over the existing

trips and route( supported with frequency list of stage carriages on the sector). (3) Details of curtailment of route/trips. (4) Violation of clause 19 of G.O (P) No. 42/2009/Tran dated 14.07.2009. Along with all the above and other specific required details, the application for variation of permit shall be placed before RTA in the next meeting. Hence, **decision on the application for variation of permit adjourned.**

### **Item No.18**

Heard, this is an application for variation of permit in respect of stage carriage KL 09 S 3214 authorised to operate on the in inter-district route Valanchery-Valanchery on the strength of regular permit valid up to 07.05.2026. The report of the enquiry officer is not specific on many essential aspects required for taking decision on the application. Hence, Secretary shall conduct specific enquiry. The enquiry report shall contain: (1) Route sketch of the existing route mentioning exact distance and marking of each district with details of overlapping with notified route in the present route also with markings of virgin portion. (2) Whether the proposed route passes through notified route and whether the change in trips violates clause 19 of G.O(P) No.42/2009/Tran dated 14.07.2009. (3) The effects of proposed timings and changes in trips on the existing travelling facilities of the public. The comparative advantages/disadvantages of the proposed variation shall be reported with required data of presently operating stage carriages(frequency of stage carriages) on the route. For compliance of the above directions, **decision on the application for variation of permit is adjourned.**

### **Item No.19**

Heard, this is an application for variation of permit in respect of stage carriage KL 49 A 3767 authorised to operate on the in the intra-district route Olippara-Pazhambalakkode on the strength of regular permit valid up to 24.07.2025. The sought for variation as

mentioned in the application is for extension of route portion from Pazhambalakkode to Thiruvilwamala only. As the proposed extension portion is falling within the jurisdiction of RTA, Thrissur, as per the decision of RTA, Thrissur dated 20.04.2022 in item No.114 prior concurrence for variation of permit is obtained. There is no overlapping with notified route/approved scheme in the extension sought portion which is under the jurisdiction of RTA, Thrissur. On perusal of proposed timings, it is seen that the applicant altered almost all the well-settled timings in the guise of applied variation. Hence, the applicant is directed to furnish a modified time-schedule with minimum changes to accommodate the trips to the extension sought portion. In the event when the applicant submits modified proposed timings as directed above, the feasibility of the newly proposed timings with regard to the prescribed rate of running timings as per the prevailing decision of STA, Kerala shall be verified through enquiry officer. The enquiry officer shall also report whether the effect of the proposed change in timings/change in trips and variation requested will outweigh the present travelling facilities enjoyed by the travelling public and students of the above route. The report shall be accompanied with a neat sketch with marking of notified route. The violation of clause 19 of G.O(P)No.42/2009/Tran dated 14.07.2009 with regard to the proposed variation shall be specifically mentioned in the report. For compliance of the above directions, **decision on the application for variation of permit is adjourned.**

### **Item No.20**

Heard, this is an application for variation of permit in respect of stage carriage KL 53 P 4104 authorised to operate on the inter-district route Anakatty-Kozhikkode Medical College as LSOS on the strength of regular permit 9/6110/1994 valid up to 24.11.2024. The report of the enquiry officer is not specific on certain essential aspects. Hence, Secretary shall report : (1) the exact length of the existing route. (2) Length of the route after the proposed variation

(3) Whether the reduction of route length by the proposed curtailment of the route portion between Kozhikkode and Kozhikkode Medical College will restrict the total length of the route within 140 Km set for LSOS stage carriages. **Decision on the application for variation of permit is adjourned for compliance of the above directions.**

### **Item No.21**

Heard, this is an application for variation of permit in respect of stage carriage KL 49 4300 authorised to operate on the intra-district route Kakkanchery-Palakkad on the strength of regular permit valid up to 10.04.2026. The proposed variation is for (1) curtailing the route portion from Kakkanchery to Vandazhy via Vakkala, Thachakode (2) Deviation of route from Vandazhy to Kakkanchery via Chittadi, Mangalamdam, Earthdam. The report of the enquiry officer reveals that, by the proposed variation, the proposed route length increases from the existing 44 Km to 47 Km. The time sheet proposed by the applicant has arrival and departure timings and that too at the termini only. Hence, applicant is directed to furnish a modified time schedule in accordance with the existing stipulations of STA, Kerala by mentioning timings at all main intermediate points in between (ie., at Coyalmannam, Trippalur, Chittilanchery, Mudappallur, Vandazhy and Mangalam Dam). While the matter is heard, travelling public (especially students' community) and people's representatives have submitted their objections against the proposed withdrawal of service from ill-served portion (Vandazhy to Kakkanchery via Thachakode, Vakkala) and against allowing trips through well-served sector (Vandazhy to Kakkanchery via Chittadi, Mangalam, Earthdam). For compliance of the above direction by the permit holder and for want of a specific report (on the modified time schedule submitted by the applicant) by the enquiry officer with regard to timings and effects of deviation by detailing the comparative effects of proposed variation over the

existing route, trips and timings, **the decision on the application for variation of permit is adjourned.**

### **Item No.22**

Heard, this is an application for variation of permit in respect of stage carriage KL 02 Z 4365 which is authorised to operate on the intra-district route Karakkad-Poilur-Shornur on the strength of regular permit 9/1044/2000 valid up to 21.05.2025. The sought for variation is for additional two singles on the existing portion of route between Shornur and Pattambi. While the matter is heard following objections/allegations are received.

1. KSRTC alleged that the additional trips sought in between Pattambi and Shornur(14 Km) in this application is through notified route by violating clause 19 of G.O(P) No.42/2009/Tran dated 14.07.2009.
2. In the guise of change of trips and timings, the applicant intends to avoid trips/change convenient timings of trips to comparatively ill-served areas and proposes to provide trips to comparatively well served sectors, which is against the common interest of travelling public of interior areas covered by the permit.
3. The applicant intends to alter the whole set of well settled set of timings.

Hence, Secretary shall conduct enquiry, verify and submit a detailed report on the above allegations. For compliance of the above directions, **decision on the application for variation of permit is adjourned.**

### **Item No.23**

Heard, this is an application for variation of regular permit in respect of stage carriage KL 70 E 6633 authorised to operate on the intra-district route Nemmara-Pothundy with the strength of regular permit No. 9/71/2020 valid up to 16.7.2025. The proposed

variation is for extending the route portion from Pothundy to Pothundydam(1 Km). There is no virgin portion and no overlapping with notified route in the extension sought portion. The enquiry officer reports that the sought for extension will be beneficial to the travelling public and students. Hence, **variation of permit is granted, subject to settlement of timings**, and remittance of application fee, if not paid.

#### **Item No.24**

Heard, this is an application for variation of permit in respect of stage carriage KL 09 U 7232 authorised to operate on the intra-district route Peringottukurissi-Palakkad on the strength of regular permit valid up to 26.03.2027. The proposed variation includes: (1) Extension of route from Anikkode Water Tank Jn. to Mannampulli Temple(2.8 Km). (2) extension of trips to Peruvala from Pulinelli (3) Change of 2 single trips. The report of the enquiry officer reveals that the existing route overlaps with notified route. But it is not specific on the report whether the proposed trips/ additional trips/ change in trips violate clause 19 of G.O(P)No.42/2009/Tran dated 14.07.2009. Hence, Secretary shall (1) specifically verify and report the violation of clause 19, if any in the proposal. (2) Report which 2 single trips are proposed to change in this variation. (3) Report the effects of the proposed variation/change in trips over the existing trips (supported with frequency of stage carriages on the sector). For compliance of the above directions, **decision on the application for variation permit is adjourned.**

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

Heard, this is an application for variation of permit in respect of stage carriage KL 55 9497 authorised to operate on the inter-district route Edappal-Karinkallathani on the strength of regular permit valid up to 21.08.2026. The sought for variation is for

providing additional trips in between Anakkara and Kumbidi on the existing route portion with change in existing timings and trips. Secretary shall report (1) the distance covered by this permit in each district with details of overlapping with notified route in each district along with neat sketch of the existing route. (2) Whether the additional trips proposed violates clause 19 of G.O(P)No.42/2009/Tran dated 14.07.2009. (3) The effects of the proposed trips/additional trips/change of trips over the existing trips with frequency of stage carriages on each sector on the existing route. For compliance of the above directions, **decision on the application for variation of permit is adjourned.**

### **Item No.26**

1. Perused the judgment of Hon'ble High Court of Kerala dated 17.08.2022 in WP(C)No.26117 of 2022. The direction of Hon'ble High Court of Kerala in this judgment is seen already complied with by this authority and decision taken by opting Rule 130 of KMV Rules, 1989.
2. Heard the counsels representing the applicant, KSRTC and all the concerned. The stage carriage KL 51F 9300 covered by regular stage carriage permit (9/2050/1999) on the inter-district route Mavoor-Chittur as LSOS had expired on 08.11.2017. Later, this expired permit is also seen surrendered and cancelled on 07.04.2018. On perusal of records, a permit-less certificate (No.30242/2018) is also seen issued on 07.04.2018 in respect of the vehicle KL 51 F 9300. Hence, no regular permit is validly existing wef.08.11.2017 on the above route having route length more than 140 Kms, major portion of which objectionably overlaps with notified route. Since the route objectionably overlaps with notified route, **KSRTC vehemently objected against allowing these applications while the matter is heard.** On this backdrop, on 21.07.2022, the applicant has filed applications dated 20.07.2022 for

renewal of permit(by wrongly mentioning registration mark of the vehicle covered by the permit as KL 51 F 9300), replacement of vehicle (KL 51 F 9300 by KL 78 A 1836). The findings of Hon'ble High Court of Kerala in the judgment dated 07.09.2015 in WP(C) No.24250 of 2015(UsmanVs. RTA, Malappuram) is squarely applicable in this case. As per the dictum laid down by Hon'ble High Court of Kerala in Usman vs. RTA Malappuram, both the applications for renewal of permit and replacement of vehicle cannot be considered in one breath. In view of the facts and above settled position of law, this **authority has decided not to entertain or consider both the above two applications filed on 21.07.2022 for renewal of permit, replacement of vehicle.**

### **Item No.27**

Heard, the regular permit(9/614/2004) on the intra-district route Cheenikkapara Girijan Colony-Palliyalthodi Harijan Colony in respect of stage carriage earlier covered by KL 09 K 102 was expired on 15.03.2014, but prior to expiry of this permit, as per the order of Hon'ble STAT dated 10.10.2012 in MP No.1020/2012 in MVARP No.364/2012, on request of the applicant, by keeping the permit under suspended animation, the vehicle was detached from the permit and clearance certificate was issued and owner ship of the vehicle was transferred. In short, specifically since 18.10.2012 no vehicle is attached to the permit and also no application for renewal of permit is filed for the last 10 years. Hence, no permit is validly existing now. There is inordinate laxity on the part of the applicant in making the permit operational for the purpose for which it was granted. On this backdrop, on 01.09.2022, the applicant has filed applications for renewal of permit(by wrongly mentioning registration mark of the vehicle covered by the permit as KL 09 AP 6320), replacement of vehicle (KL 09 K 102 by KL 09 AP 6320) & for



temporary permit on the above route in respect of KL 09 AP 6320. The findings of Hon'ble High Court of Kerala in the judgment dated 07.09.2015 in WP(C)No.24250 of 2015(Usman Vs. RTA, Malappuram) is squarely applicable in this case.As per the dictum laid down by Hon'ble High Court of Kerala in Usman vs. RTA Malappuram,both the applications for renewal of permit and replacement of vehicle cannot be considered in one breath. In view of the facts and above settled position of law, **this authority has decided not to entertain or consider all the above three applications filed on 01.09.2022 for renewal of permit, replacement of vehicle and temporary permit.**

#### **Item No.28**

Heard, this is a belated application dated 30.12.2021 for renewal of regular stage carriage permit on the inter-district route Pattambi-Puthanpalli which was expired on 16.11.2021. Permit renewal application was filed on 30.12.2021(within the allowed extension period of validity of documents due to covid 19 pandemic). Hence, **Renewal of permit is granted**, subject to clearance motor vehicle tax and Govt. dues if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid

#### **Item No.29**

Heard, this is to reconsider the application for renewal of permit in respect of stage carriage KL 57 639 which was authorised to operate on the inter- district route Anakkara-Keezhattur as LSOS, validity of permit expired on 06.05.2021. On perusal of records, this application for renewal of permit is seen earlier rejected by this authority in the meeting held on 08.11.2021 vide item No.22 in the agenda. This decision is under challenge before the Hon'ble STAT, Ernakulam in MVAA No.8 of 2022. **Secretary shall report the present status of the above appeal petition(MVAA No.08 of 2022) which is now pending before the Hon'ble STAT, Ernakulam**, as revealed from the perused records. Since, **the**

**decision on this application was already taken as above during 2021, the matter is disposed as infructuous.**

**Item No.30**

**The decision on this item is taken by perusing corrected agenda submitted vide Supplementary item No.03 in this meeting.**

**Item No.31**

1. Perused the judgment of Hon'ble High Court of Kerala dated 24.06.2022 in WP(C)No.461 of 2022.
2. Heard, re-considered the Ext P3 application for replacement of stage carriage KL 09 L 1453 by another stage carriage KL 52 J 109 as per the direction of Hon'ble High Court of Kerala in the above judgment. As per the decision of RTA, Palakkad dated 08.11.2021 in item No.54(1) in the agenda, renewal of permit(9/627/2000) on the inter-district route Koottanad-Edappal was granted, subject to: (1) remittance of application fee (2) Clearance of Motor Vehicles Tax and Government dues, if any & (3) production of NOC from the financier, if applicable. Vide decision in item No.54(2), decision on the application for replacement of vehicle was adjourned, for endorsing granted renewal of permit. Till date, the applicant failed to revalidate the permit by producing current records of the vehicle within the maximum time limit prescribed in Rules. Though decision of grant of renewal of permit was communicated on 20.12.2021, the grantee failed to produce current records of the vehicle neither within 30 days nor within the maximum allowable period of four months in aggregate. Hence, as per Rule 172(3)(a) of KMV Rules, 1989 **grant of renewal of permit made by this authority in the meeting held on 08.11.2021 vide decision in item No.54(1) of the agenda is revoked.**

**In view of the above decision revoking the grant of renewal of permit, application for replacement of vehicle is found not maintainable and hence rejected.**

**Item No.32**

Heard, this is an application for renewal of permit on the inter-district route Chalissery-Kuttippuram. **Renewal of permit is granted**, subject to clearance motor vehicle tax and Govt. dues if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid

**Item No.33**

1. Perused the judgment of Hon'ble High Court of Kerala dated 28.10.2022 in WP(C)No.34532 of 2022.
2. Heard, this is a belated application filed on 25.06.2022 for renewal of permit(9/438/2002) in respect of stage carriage KL 70 B 2675 expired on 21.05.2022 on the intra-district route Meenakshipuram- Palakkad with request to condone delay. The judgment of Hon'ble High Court of Kerala directs to consider both the request to condone delay and belated application for renewal of permit within a time frame of one month. This authority is convinced that the applicant is prevented by good and sufficient causes from making application for renewal of permit in time. Hence, **by condoning delay, renewal of permit is granted from the date of application** (ie., from 25.06.2022), subject to production of NOC from the financier, if applicable, clearance of Mvs. tax and Govt. dues, if any & remittance of application fee, if not paid. Secretary shall also verify the service of vehicle wef. 22.05.2022, if permit-less operation is detected, compounding fee shall also be realised.

### **Item No.34**

Heard, this is an application for renewal of permit on the inter-district route Palakkad-Kozhikkode as LSOS. **Renewal of permit is granted**, subject to clearance of Mvs.tax. andGovt.dues, if any, production of NOC from financier, if applicable and remittance of application fee, if not paid.

### **Item No.35**

Heard, the belated application dated 24.03.2021 for renewal of LSOS permit(expired on 07.12.2020) in respect of stage carriage KL 49 3744(registered on 25.04.2007) on the inter-district route Thrissur-Ozhalapathywas rejected by this authority in the meeting held on 08.06.2022 vide item No.42 in the agenda, as per the then prevailing age restriction(15 years) in respect of LSOS stage carriages. Since Government of Kerala has enhanced the age limit of LSOS stage carriages from 15 years to 17 years as per G.O(P)No.26/2022/Tran dated 25.09.2022[SRO No.916/2022] andsince the application for renewal of permit was filed within the validity extended period by Government( due to covid 19 pandemic), by considering the request of the permit holder, this authority is inclined to modify the decision dated 08.06.2022 in item No.42. Hence **Renewal of permit is granted**, subject to clearance motor vehicle tax and Govt. dues if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid. **Since permit renewal is allowed as above, application for temporary permit is disposed as infructuous.**

### **Item No.36**

Heard, this is a belated application dated 17.08.2022 for renewal of regular permit in respect of stage carriage KL 09 M 3996 authorised to operate on the intra-district route Thathamangalam-Kambrathuchalla on the strength of regular permit valid up to 06.08.2022, along with request to condone delay. This authority is

convinced that the applicant is prevented by good and sufficient causes from making application for renewal of permit in time. Considering the request of the permit holder, **delay is condoned.** **Renewal of permit is granted**, subject to clearance motor vehicle tax and Govt. dues if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid. Secretary shall verify the service of the vehicle after expiry of permit and realise compounding fee, if permit less operation is reported.

### **Item No.37**

Heard, this is an application for renewal of permit on the inter-district route Ponnani-Pattambi. **Renewal of permit is granted**, subject to clearance of Mvs.tax and Govt. dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.38**

Heard, this is an application for renewal of permit on the inter-district route Valancheri-Valancheri. **Renewal of permit is granted**, subject to clearance of Mvs.tax and Govt. dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.39**

Heard, this is an application for renewal of permit on the inter-district route Ponnani-P[attambi. **Renewal of permit is granted**, subject to clearance of Mvs.tax and Govt. dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

#### **Item No.40**

Heard, since the applicant has rectified the defects in the permit renewal application, **Renewal of permit is granted** on the inter-district route Govindpuram-Thrissur, subject to clearance of Mvs.tax and Govt. dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

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

Heard, the regular permit (9/1033/1997) on the inter-district route Kozhikkode-Palakkad via Kondotty, Malappuram, Mannarkkad, Mundur as LSOS in respect of stage carriage KL 11 R 6489 was valid up to 26.06.2017. This permit was issued prior to 09.05.2006. The total route length is 140 Km. This stage carriage had attained 17 years of age set for LSOS stage carriages for operation as on 29.06.2020. During when this permit was valid up to 26.06.2017, the then permit holder Sri.K.Shamsudheen and the proposed transferee (Sri.U.K.Mohammed) had jointly filed an application seeking permission to transfer the permit. As per the decision of RTA, Palakkad dated 12.08.2014 in item No.213, the requested transfer of permit was allowed, subject to submitting NOC from the HP Co, if applicable and clearance of Govt. dues, if any. For effecting transfer of ownership in the certificate of registration of the above vehicle, a clearance certificate was issued on 06.11.2014. The proposed transferee, after effecting transfer of ownership in the certificate of registration of the above vehicle had filed a request before this authority for effecting transfer of permit, with request not to insist current records of vehicle. This request was declined as per the decision of this authority dated 20.07.2015 vide supplementary item No.11 in the agenda. Since the allowed transfer of permit is not endorsed in the permit, the permit holder Sri.K.Shamsudheen, filed an application for renewal of permit on 05.06.2017(which was in time) seeking renewal of permit for further period 05 years(ie. up to 26.06.2022). As per the decision of RTA,

Palakkad dated 28.12.2017, in item No. 138; Secretary was permitted to renew the permit. Then the permit holder failed to offer a suitable later model vehicle for replacement and also the existing vehicle KL 11 R 6489 had attained 15 years of age(as per the then prevailing Rules) for operation on the above permit. In brief, due to this restriction of Rule, the renewal of permit was not granted for the period from 27.06.2017 to 26.06.2022. The vehicle covered by the permit was also on continuous form G. The proposed transferee of permit (Sri.Muhammed) has filed an application for renewal of permit on 25.06.2022. On 01.11.2022, the proposed transferee had filed an application for replacement of vehicle(that too while no valid permit was covered by this vehicle). This application is not filed by the permit holder(but by the proposed transferee of permit), hence it is contrary to Section 83 of MV Act, 1988 and also not in compliance with Rule 174(1)(a)or(b) of KMV Rules, 1989(since it is neither without certificate of registration nor by mentioning material particulars of the vehicle). This authority understands that the applicant has not taken any fruitful efforts to make the permit operational by substituting with a suitable vehicle so far.

Hence, the permit holder/applicant is directed to show cause for not initiating proceedings as per Rule 152 of KMV Rules, 1989. The valid reasons for delay or defects mentioned above shall be submitted by the applicant before the Secretary, RTA, Palakkad. Secretary shall place these applications before this authority in the next meeting after issuing due notice to the applicant and along with detailed remarks of Secretary on the submission filed by the applicant. Hence, **decisions on the applications for renewal of permit filed for successive periods & replacement of vehicle are adjourned.**

### **Item No.42**

Heard, this is an application for renewal of permit on the inter-district route Govindapuram-Thrissur. **Renewal of permit is granted**, subject to clearance of Mvs.tax. andGovt.dues, if any, production of NOC from financier, if applicable and remittance of application fee, if not paid.

### **Item No.43**

Heard, this is an application for renewal of permit on the inter-district route Mayannur-Thiruvazhiyode. **Renewal of permit is granted**, subject to clearance of Mvs.tax. andGovt.dues, if any, production of NOC from financier, if applicable and remittance of application fee, if not paid.

### **Item No.44**

Heard, this is an application for renewal of permit on the intra-district route Palakkad-Mannarkkad as LSOS in respect of stage carriage KL 09 AK 6688. The permit holder filed rectified application in form PRA for renewal of permit. Now the vehicle is under the possession of permit holder Sri.Liyakathalikhan, by way of revalidated agreement of lease. The permit holder is still having the possession and control of the above vehicle as per the report of the enquiry officer dated 20.08.2022. The explanation submitted by the permit holder is found genuine and acceptable with regard to the delay and lapses pointed out in the previous decision of this authority dated 08.06.2022 in supplementary item No.06 in the agenda. Hence, **renewal of permit is granted**, subject to clearance of Mvs.tax and Govt. dues, if any, production of NOC from HP Co, if applicable and remittance of application fee, if not paid.



### **Item No.45**

Heard, this is an application for renewal of permit on the inter-district route Ponnani-Shornur. Permit was valid up to 22.09.2022. Permit Renewal application is filed on 22.09.2022, which is not within the time limit stipulated under Section 81(2) of MV Act, 1988. The applicant has filed a request to condone delay by mentioning reasons for delay in filing permit renewal application in time. This authority is convinced that the applicant was prevented by good and sufficient reasons from making application for renewal of permit in time. Hence, **delay is condoned, Renewal of permit is granted**, subject to clearance of Mvs.tax. and Govt.dues, if any, production of NOC from financier, if applicable and remittance of application fee, if not paid.

### **Item No.46**

1. Perused the judgment of Hon'ble High Court of Kerala dated 12.08.2022 in WP(C)No.25842 of 2022.
2. Heard, considered the application(referred to in Ext.P5 in WP(C)No.25842 of 2022)of the petitioner dated 27.07.2022 producing current records of stage carriage KL 09 AD 7731 and requesting to issue granted permit on the inter-district route Guruvayur-Kozhinjampara. On perusal of records, renewal of permit (No.9/6028/2002) is seen granted by this authority in the meeting held on 08.11.2021 vide decision in item No. 43 of the agenda. On perusal of records, the decision of grant of renewal of permit is also seen communicated to the applicant(petitioner) on 20.12.2021 vide Endt. No.C4/7217/2020/P by registered post intimating him to produce current records of the vehicle within 30 days. On 27.07.2022, the applicant is seen produced records of the vehicle for getting endorsed the renewal of permit. As per letter No. R19/7501/2021/P dated 05.08.2022(Ext.P5) Secretary was intimated the applicant with regard to the

consideration of application in the next meeting of RTA, Palakkad.

Hon'ble High Court of Kerala in the above judgment directs to consider the application referred to in Ext.P5 by circulation of papers in terms of Rule 130 of KMV Rules, 1989, within a period of one month. In this case, the applicant failed to produce current records of the vehicle to avail the granted renewal of permit neither within 30 days nor within the maximum allowable aggregate period of four months, as stipulated in Rule 172(3) of KMV Rules, 1989. **As the request of the applicant (referred to in Ext.P5 in WP(C)No.25842 of 2022) violates Rule 172(3)(a) of KMV Rule, 1989 the same is rejected by revoking the grant of renewal of permit made as per the decision of RTA, Palakkad dated 08.11.2021 in item No. 43.**

#### **Item No.47**

Heard, this is an application for renewal of permit in respect of stage carriage KL 08 AF 7936 on the inter-district route Karumanamkrssi-Anjangadi as LSOS. The vehicle covered by the permit has attained 17 years of age set for LSOS as on 08.09.2022 and has become un-suitable for operation. Hence, **application for renewal of permit is rejected.** Secretary shall also issue notice under Rule 152 of KMV Rules 1989 to the permit holder to show cause for not revoking the permit

#### **Item No.48**

Heard, this is an application for renewal of permit on the inter-district route Thrissur-Kozhinjampara. **Renewal of permit is granted,** subject to clearance of Mvs.tax. andGovt.dues, if any, production of NOC from financier, if applicable and remittance of application fee, if not paid.

### **Item No.49**

Heard, this is an application for renewal of regular permit in respect of stage carriage KL 08 AC 8384 on the inter-district route Kadavallur-Kottekkad as LSOS. The regular permit was valid up to 06.08.2021. The vehicle KL 08 AC 8384 is seen attained 15 years of age then set for LSOS vehicles as on 06.01.2020, and has become un-suitable for operation on permit since then. The application for renewal of permit with this un-suitable vehicle had been filed by the permit holder on 13.07.2021 within the validity extended period (due to Covid 19 pandemic) by Govt of India. Applicant failed to make the service operational for the conveyance of travelling public for almost two and half years, without substituting with a later model suitable stage carriage. The reasons for failure on the part of the permit holder to put the vehicle operational for the above period without the prior permission of this authority shall be submitted by the permit holder for not proceeding further as per Rule 152 of KMV Rule, 1989. The permit holder submitted before this authority that he had filed an application for replacement on 10.11.2022 before Secretary, RTA, Palakkad. Recording this submission, **this authority is decided to adjourn the decision on the application for renewal of permit** so as to consider the application for replacement of vehicle also. On receipt of called for explanation from the applicant, Secretary shall place both the renewal and replacement application for reconsideration in the ensuing meeting of RTA.

### **Item No.50**

Heard, this is an application for replacement of stage carriage KL 5199 (Date of registration: 03.07.2006, Wheel Base: 4200 mm) by another stage carriage KL 54 L 2343 (Date of registration: 08.02.2019, Wheel Base: 4200 mm). Mvs. tax in respect of incoming vehicle is higher at rate compared to the out-going vehicle. Both the vehicles have the same wheel base though the seating capacity of

the incoming vehicle is less by 2 seats. This authority understands that the reduction in seating capacity is the resultant of implementation of *bus body code*. For the reasons above, **the applied replacement is allowed**, subject to clearance of motor vehicles tax and Govt. dues, if any in respect of out-going vehicle and remittance of application fee, if not paid.

### **Item No.51**

Heard, this is an application for replacement of stage carriage KL 51 2716( seating capacity: 28 in all & Wheel Base: 3900mm) by another stage carriage KL 53 B 1003 ( seating capacity: 23 in all & Wheel base: 3400 mm). By offering a stage carriage having less than 5 seats with respect to the existing vehicle covered by the permit, travelling facility of the public will certainly be reduced. It will also reduce revenue in terms of Motor Vehicle tax. By virtue of Second limb of the note to Rule 174 of KMV Rules, 1989 “ No replacement shall be allowed to a vehicle with a material difference for a second time, even if the material difference is less than 25 %”. For the reasons above, **the application for replacement is rejected**.

### **Item No.52**

1. Perused the judgment of Hon'ble High Court of Kerala dated 06.09.2022 in WP(C)No. 29051 of 2022.
2. Heard, this is an application for replacement of stage carriage KL 18 6697 ( seating capacity: 28 in all & Wheel Base: 3800mm) by another stage carriage KL 53 K 5629 ( seating capacity: 23 in all & Wheel base: 3400 mm). **By offering a stage carriage having less than 5 seats with respect to the existing vehicle covered by the permit, travelling facility of the public will certainly be reduced.** It will also reduce revenue in terms of Motor Vehicle tax. By virtue of Second limb of the note to Rule 174 of KMV Rules, 1989 “ No replacement shall be allowed to a vehicle with a material

difference for a second time, even if the material difference is less than 25 %". For the reasons above, **the application for replacement is rejected.**

**Item No.53**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.54**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.55**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.56**

Heard, **transfer of permit is allowed in respect of stage carriage KL 11 T 622**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.57**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.58**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.59**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.60**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.61**

Heard, **transfer of permit allowed**, subject to clearance of motor vehicles tax & Govt. dues, if any, production of NOC from HP Co., if applicable & remittance of application fee, if not paid.

**Item No.62**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.63**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.64.**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.65**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.66**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.67**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.68**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.69**

Heard, transfer of permit allowed by this authority in the meeting held on 30.07.2019 vide item No.77 in favour of Sri.AbdulNasar is revoked and **present application seeking permission for transfer of permit from the name of Sri.Gireesan to the name of Sri.Hafsal is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.70**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.71**

Heard, this is an application for transfer of permit. **Decision on this application for transfer of permit is adjourned** for want of revalidating the permit. Secretary shall place the application before this authority after revalidating the permit for reconsideration.

### **Item No.72**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.73**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.74**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.75**

Heard, this is a belated application for transfer of permit(filed subsequent to the death of permit holder Sri.Selvan.A) in respect of stage carriage KL 49 G 3187. Delay in filing application for transfer of permit is condoned, on request of the applicant. Consent of the other legal heirs for effecting transfer of permit is submitted. Hence, **Transfer of permit(death) is allowed**, subject to clearance of



Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.76**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.77**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.78**

Heard, this is a belated application for transfer of permit(filed subsequent to the death of permit holder Sri.Gopinathan) in respect of stage carriage KL 53 3486. Delay in filing application for transfer of permit is condoned, on request of the applicant. **Transfer of permit(death) is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.79**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.80**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.81**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.82**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.83**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.84**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.85**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.86**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.87**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.88**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.89**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.90**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.91**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.92**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.93**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.94**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.95**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.96**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.97**

Heard, renewal of permit in respect of this stage carriage KL 08 AC 6532 is granted as per the decision in item No.42 in this meeting. Hence, **transfer of permit is allowed**, subject to endorsing granted renewal in the permit, clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

### **Item No.98**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.99**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.100**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.101**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.102**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.103**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.104**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.105**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.106**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.107**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.108**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.109**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.110**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.111**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.112**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.113**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.114**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.115**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.116**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.117**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.118**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.119**

Heard, this is an application for transfer of permit in respect of stage carriage KL 08 AR 9596. Transferor (Sri.Ramakrishnan) has not appeared before this authority while this application is considered, either in person or through his authorisedcounsel. Secretary shall issue notice to the permit holder, hear the permit holder in person and submit a report before this authority in the next meeting( by intimating the applicants with regard to the date, time and venue of the next meeting). For compliance of the above direction, **decision on the application for transfer of permit is adjourned.**

**Item No.120**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

**Item No.121**

**Ratified.**



## **Item No.122**

1. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 C 7078 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this **authority hereby countersign the permit of the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit.
2. Heard, the contract carriage permit (EIB) in respect of TN 41X 1078 issued by this authority is expired on 02.11.2021. Application for renewal of permit is belatedly filed on 22.08.2022. This authority is convinced that the applicant was prevented by good and sufficient causes from making application for renewal of permit in time. Delay condoned. **Renewal of permit is granted from the date of application (ie., from 22.08.2022)** subject to production of NOC from HP Co., if applicable, clearance of Mvs. Tax and Govt, dues, if any. Secretary shall verify the service of the vehicle in this district after expiry of permit, and realise compounding fee, if permit - less operation is detected.
3. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 37 AW 4884 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this **authority hereby countersign the permit of the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit and remittance of application fee, if not paid.
4. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 X 752 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this **authority hereby countersign the permit of**

**the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit.

5. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 X 769 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this **authority hereby countersign the permit of the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit.
6. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 48 X 6266 issued by Regional Transport Authority, Pollachi, Tamilnadu, this **authority hereby countersign the permit of the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit& remittance of application fee, if not paid.
7. Heard, considering the application for countersigning the permit in respect of Educational Institution Bus TN 37 BS 5041 issued by Regional Transport Authority, Coimbatore(West) Tamilnadu, this **authority hereby countersign the permit of the above vehicle**, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority, Palakkad, subject to conditions already attached to permit& remittance of application fee, if not paid.
8. Heard, the contract carriage permit (EIB) in respect of TN 37 BL 91 issued by this authority is expired on 05.10.2020. Application for renewal of permit is belatedly filed on 01.11.2022. This authority is convinced that the applicant was prevented by good and sufficient causes from making application for renewal of permit in time. Delay condoned.  
**Renewal of permit is granted from the date of application**

**(ie., from 01.11.2022** subject of production of NOC from HP Co., if applicable, clearance of Mvs. Tax and Govt, dues, if any.

**Supplementary item No.01**

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Paruthur-Pattambi. From the application and proposed time-schedule, the focus of operation is seen mainly between Pallippuram and Pattambi through different via(through Koyapadi&Thara). Present frequency of stage carriages in between the places connected on each trip in this application is not specified by the enquiry officer. The enquiry officer shall also report whether the proposed set of timings are at direct clash with the well settled/approved set of timings of the presently operating stage carriages, especially at Pattambi and Pallippuram. Secretary shall conduct a specific enquiry for clarifying the above and submit a detailed report before this authority in the next meeting for reconsideration of the application. Hence, **decision on the application for fresh regular stage carriage permit is adjourned.**

**Supplementary item No.02.**

1. Perused the judgment of Hon'ble High Court of Kerala dated 28.10.2022 in WP(C) No. 30362 of 2022.
2. Heard, as per the decision of this authority dated 08.06.2022 in item No. 24, application for renewal of permit in respect of stage carriage KL 09 M 615 was rejected on receipt of objection filed by the financier. The pre-dated( 06.09.2020) NOC is submitted by the permit holder on 06.09.2022 along with objection withdrawal letter of the financier dated 06.09.2022. Hence, in compliance with the direction of Hon'ble High Court of Kerala, this authority is decided to modify the decision dated 08.06.2022 in item No.24 and **renewal of permit is granted**, subject to

clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

### **Supplementary Item No.03**

1. Perused the judgment of Hon'ble High Court of Kerala dated 07.10.2022 in WP(C) No.31764 of 2022.
2. Heard, in compliance with the direction of Hon'ble High Court of Kerala in the above judgment, applications for renewal of permit and variation of permit(9/669/1997) in respect of stage carriage KL 46 N 1023 are considered. On perusal of records, this permit on the inter-district route Guruvayur-Malampuzha is valid up to 04.03.2022. The reported total route length of the existing route is 142.3 Km. As per Rule 2(O)(a) of KMV Rules, 1989, an ordinary service is permitted to operate on a route having route length not more than 140 Km. Permit renewal application is filed on 29.12.2021. This application for variation of permit is also filed on 29.08.2022 for restricting the route length below 140 Km seeking permission for curtailment of route portion between Malampuzha and Palakkad(12 Km). As per the enquiry report, route length after this variation will be 130.3 Km. Hence, **applied variation of permit (by allowing to curtail the route portion between Palakkad and Malampuzha) and renewal of permit are granted** subject to (1) production of NOC from the financier, if applicable (2) clearance of motor vehicle tax and Govt. dues, if any & (3) remittance of fee for the above applications, if not paid. Renewed permit on the varied route shall be issued by Secretary with a modified set of existing timings ( retaining all the existing timings but by excluding timings at the place Malampuzha).

#### **Supplementary item No.04**

1. Perused the order of dated 31.08.2022 of Hon'ble STAT, Ernakulam in MP No.848/2022 in MVAA No.179/2022.
2. Heard, this is an application for replacement of stage carriage KL 49 234(covered by regular permit on the intra-district route Palakkad-Pazhambalakkode-Permit valid up to 09.10.2027) by another stage carriage bearing registration mark KL 09 AG 639. The incoming vehicle KL 09 AG 639(Date of Reg: 11.10.2013, Wheel base: 4470 mm and Seating capacity: 38 inall) is a later model vehicle, proposed to provide better travelling facility to the public and offersmore revenue to Govt. in terms of Motor Vehicles Tax when compared to outgoing vehicle KL 49 234 (Date of Registration: 20.07.2006, Wheel base: 4200 mm and seating capacity: 33 in all). For the reasons above, this authority is convinced that proposed replacement will be beneficial to the public. Hence, **replacement of stage carriage KL 49 234 by KL 09 AG 639 is allowed**, subject to clearance of tax arrears or any Govt. dues, in respect of KL 49 639.

#### **Supplementary item No.05**

1. Perused the judgment of Hon'ble High Court of Kerala dated 02.09.2022 in WP(C)No.28721 of 2022.
2. Heard, this is an application for replacement of stage carriage KL 10 X 604( seating capacity: 28 in all & Wheel Base: 3800mm) by another stage carriage KL 10 Y 9946( seating capacity: 23 in all & Wheel base: 3100 mm). **By offering a stage carriage having less than 5 seats with respect to the existing vehicle covered by the permit, travelling facility of the public will certainly be reduced.** It will also reduce revenue in terms of Motor Vehicle tax. By virtue of Second limb of the note to Rule 174 of KMV Rules, 1989 “ No replacement shall be allowed to a vehicle with a material

difference for a second time, even if the material difference is less than 25 %". For the reasons above, **the application for replacement is rejected.**

#### **Supplementary item No.06**

Heard, this is an application for replacement of stage carriage KL 08 BF 1500( Date of registration: 03.02.2015, Wheel Base: 4900 mm) by another stage carriage KL 08 BT 4980(Date of registration: 01.06.2019, Wheel Base: 4900 mm). Mvs. tax in respect of incoming vehicle is higher at rate compared to the out-going vehicle. Both the vehicles have the same wheel base though the seating capacity of the incoming vehicle is less by 4 seats.This authority understands that the reduction in seating capacity is the resultant of implementation of *bus body code*. For the reasons above, **the applied replacement is allowed**, subject to clearance of motor vehicles tax and Govt. dues, if any in respect of out-going vehicle and remittance of application fee, if not paid.

#### **Supplementary Item No.07**

Heard, **transfer of permit is allowed**, subject to clearance of Mvs.tax and Govt.dues, if any, production of NOC from the financier, if applicable & remittance of application fee, if not paid.

#### **Supplementary item No.08**

Heard, this is a request to allow maximum time to produce current records of the vehicle KL 13 T 3339 to avail the renewal of permit granted by this authority in the meeting held on 08.06.2022 vide item No.37. The decision related to the grant of renewal of permit is seen communicated by Secretary on 25.07.2022. Though grantee failed to produce current records of the vehicle within the prescribed period of one month, but had filed a request to allow maximum time to produce current records. The reasons put forth by the grantee are accepted by this authority and decided to accept current records of the vehicle produced already on 07.11.2022,

which is within the maximum aggregate time allowable under Rule 172 (3)(a) of KMV Rules, 1989, ie., before 24.11.2022. Hence, **maximum time is allowed, Secretary is permitted to endorse granted renewal of permit.**

**Supplementary item No.09**

Heard, the contract carriage permit(EIB) in respect of TN 37 BE 612 issued by this authority is expired on 09.09.2020. Application for renewal of permit is belatedly filed on 27.10.2022. This authority is convinced that the applicant was prevented by good and sufficient causes from making application for renewal of permit in time. **Delay condoned. Renewal of permit is granted from the date of application(ie., from 27.10.2022),** subject of production of NOC from HP Co., if applicable, clearance of Mvs. Tax and Govt, dues, if any.

Mrunmai Joshi IAS  
District Collector, Palakkad  
& Chairman-RTA Palakkad

R.Viswanadh  
District Police Chief,  
Palakkad & member-  
RTA, Palakkad

M.P. James,  
Deputy Transport Commissioner  
Central Zone-1, Thrissur  
& member-RTA, Palakkad