

**DECISION OF REGIONAL TRANSPORT AUTHORITY VATAKARA  
DATED 11.04.2023**

***Present:- 1.Smt.A.Geetha , IAS,  
District Collector and Chairman,  
Regional Transport Authority, Vatakara.***

***2. Sri.R.Rajeev  
Deputy Transport Commissioner,  
North Zone, Kozhikode and Member of  
Regional Transport Authority, Vatakara***

**Item No: 01**

Heard, the learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Naduvannur- Perambra, Meppayur(Via) Tharammel Mukku, Jana Vayana Club,Ekkattoor, ChathottuThazhe and Nochad as Ordinary service. The enquiry officer reveals that proposed Naduvannur-Perambra-Meppayur route passes through interior areas of Kozhikode District. Therefore this route is genuinely beneficial to the traveling public of this ill served area. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

**Item No: 02**

1.Perused the judgment of Hon'ble High Court of Kerala dated 31.01.2023 in WP©No.2080/2023.

2.Heard. This is an application for fresh permit in respect of S/C KL 18 R 1494 to operate on the route Vatakara- Kuttiady. As per the direction contained in the judgment, the application dated 05.01.2023 (Ext.P5) for fresh regular stage carriage permit to operate on the route Vatakara –Kuttiadi is taken up for consideration. The judgment directs to consider and pass appropriate orders after affording an opportunity of being heard, either physically or virtually, to the petitioner and other affected parties, if any within a stipulated period. On verification it is found that the applicant had submitted to cancel the application fee, since the vehicle sold. Considering all this fact, this authority is directed to **granted** fresh permit subject to 1) Realization of new fee for fresh permit. 2) Subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

### **Item No: 03**

Applicant is absent. Hence decision on the application is **adjourned** with direction to Secretary, RTA to place the matter before this authority in the ensuing meeting after issuing proper due notice to the applicant.

### **Item No.04**

Heard, the learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Balussery – Koyilandy (via) Manjapalam, Kottaramukku, Kuttiekkini Master Road, 11<sup>th</sup> kandy, Mannankavu, Urallur, Muthambi as ordinary service. The enquiry officer reveals that proposed route directly connects Balussery, Naduvannur, and Koyilandy through remote area. The introduction of new permit enrich the strength of public transport system and highly beneficial to the travelling public and students. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

### **Item No.05**

Heard, the learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Kuttiadi- Pasukkadavu (via) Maruthomkara Road, Adukkath, Mullankunnu. The enquiry officer reveals that proposed Kuttiadi-Pasukkadavu route passes through interior area of Kozhikode district. The introduction of new permit highly beneficial to the travelling publics in interior ill served area. At present only one stage carriage is operating exclusively on the route and hence passengers have to wait more than 30 minutes during the peak hours and more than 1.15 hrs on off peak. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

**Item No: 06**

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Vatakara- Kuttiadi (via) Kottappally, Ayanchery, Theekkuni, Avala, Perambra. There is no overlapping with notified route/approved scheme in this proposal in the meeting objections received are only connected with timings. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

**Item No: 07**

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Koyilandy- Kattilepeedika Via. Harbour, Poyilkavu Beach, Kappad Angadi, Kannankadavu as Ordinary service. En-route operators vehemently objected the grant of fresh permit stating that the road is not in a good condition to conduct service. The field officer reported that the proposed route is through coastal areas. There are two buses conducting service on the route, surface of the coastal road is found damaged. The Officer recommended the Light Motor Vehicle for grating the permit because the road is narrow. Hence fresh regular stage carriage permit is **granted** for **LMV** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

**Item No. 08**

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Chittarikkadavu- Koyilandy- Via. Kavumvattam, Thettikunnu, Anelakadavu, Koyilandy Municipality Office as Ordinary service. Proposed route does not overlap on any of the notified route. Inhabitants of the interior area of the route depends on Koyilandy Town. Enquiry revealed that only 2 buses are conducting service on the proposed route. The introduction of new bus service on the short route will be beneficial to the travelling public and students. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

**Item No. 09**

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Puthiyakavumukku-

Nanminda Via. Kinaloor Estate, Govt. College, Balussery, Kurumpoil, Vattoli Bazar, Kariyathankavu, Arapeedika as Ordinary service. The Field Officer reported that the Puthiyakavumukku to Rarothumukku 1 Km is virgin portion. The Secretary, RTA in directed to obtain a Road Fitness certificate duly authenticated by concerned authority and place before the next RTA. Hence **adjourned**.

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

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Kavumvattam- Koyilandy-Via. Central School, Kairali and Toll both as Ordinary service. The enquiry reveals that the proposed route does not overlap on any of the notified route. The introduction of new bus service on this route will be beneficial to the travelling public and students. Hence fresh regular stage carriage permit is **granted** subject to settlement of timings and production of suitable vehicle within one month from the date of receipt of communication of the decision.

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

Heard, the learned counsel represented the applicant. This is an application for regular permit to operate on the route Vatakara- Kuttiadi (via) Villiappally, Ayanchery, Poomugham, Vadayam. The enquiry officer reported that the majority of the route portion is moderately served. Hence Secretary directed to study the frequency of the service of the applied route and submit a detailed report whether the grant of new permit create any unhealthy competition among the operators and place before the next RTA. Hence **adjourned**.

#### **Item No.12**

Heard, the learned counsel represented the applicant. This is an application for fresh regular permit to operate on the route Chanthangottunada - Thalassery (via) Kumbalachola, Kuttiadi, Kallachi, Nadapuram. In the meeting several objections are received from the existing operators on the route stating that the applied route is a well served one. As per the report of the Field Officer majority of the route is well served or moderately served. The need of new permit is not established. The grant of new permit will leads to unhealthy competition and create accidents. Hence **rejected**.

#### **Item No.13**

Heard, the learned counsel represented the applicant. This is an application for fresh regular permit to operate on the route Sand Bank -

Thottilpalam Via Vatakara, PazhamkavuJn, Malolmukku, Vykkilassery, Nadapuram, Kuttiadi. In the meeting, several objections raised from the en-route operators for the proposed new route. The major objections are the proposed route is well served and grant of permit leads to unhealthy competition which may cause accidents. On verification the application and the report of the field officer proposed last trip's from ( Vatakara – Thottilpalam) intermediate points are not shown clearly. Hence Secretary RTA is directed to conduct a detailed enquiry on the above aspect and submit a specific report and place before the next RTA. Hence **adjourned**.

**Item No.14**

Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-56-U-3252 permitted to operate on the route Chittarikkadavu- Koyilandy(via) Kavumvattam, Anela and Municipality.Variation applied for 6 additional single trips on the sector Kavumvattam – Koyilandy. During the meeting objections received are related to timings only. The enquiry officer recommended that the proposed additional trips will be beneficial to the travelling public. Hence variation of permit is **granted**, subject to settlement of timings”.

**Item No.15**

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-56-0801 permitted to operate on the route Perambra- Koorachund Via. Muliyangal, Kayanna, Mottamthara, Karikandanpara, Chembara.Variation applied for

- 1) 2 additional trips on the sector Karikandanpara to Koorachundu
- 2) One additional single trip from Perambra – Koorachund via.Chembra.
- 3) One trip curtailment from Perambra to Karikandanpara

The Enquiry Officer reported that the route Karikandanpara to Koorachundu is ill served and new trip will be beneficial to the travelling public and students since only 2 S/Cs are operating on this portion at an average interval of one hour and at peak hours on 30 mts interval. The route Perambra to Koorachund via. Chembra is also ill served and new additional trip will be highly beneficial for the travelling public. Hence variation of permit is **granted**, subject to settlement of timings.

**Item No.16**

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-18 D 1988 permitted to

operate on the route Valakettu – Perambra via. Vatakara, Theekuni, Kottappally, Chaniyamkadavu, Avala, Gulikapuzhha, Meppayur, Payyoli. Variation applied for One additional single trip from Valakettu to Vatakara via. Palliyath, Avala, Pannimukku, Chaniyamkadavu instead of Via. Kottappally at early morning.

The report of the enquiry officer reveals that the proposed variation will be beneficial to the inhabitants of Palliyath and adversely affect the travelling public on the route Valakettu to Theekuni .

Hence the Secretary RTA shall obtain a revised report from the route enquiry officer, specifying advantages and disadvantages of the proposed variation separately with frequency of existing operating stage carriages both in the beneficial sector and adversely affecting sector. Hence decision on this application is **adjourned**.

**Item No.17.**

Perused the interim order of the Hon'ble Tribunal dtd. 20.02.2023 in MP No.357/2023 in MVAA No.48/2023

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C **KL-18 K 1161** permitted to operate on the route Kozhikode - Ulliyeri - Perambra - Kuttyadi - Nadapuram - Kainatty - Vatakara - Koyilandy - Kozhikode (Circular Route) as LSOS. Variation applied for 1) One additional trip from Kuttiadi –Kozhikode (via) Perambra, Ulliyeri, Atholi, Pavangad on morning time.

2) Avoid the only one morning trip from Kuttiadi to Vatakara and to extend one later night trip from Kuttiadi to Vatakara along with removal of resting time at Ulliyeri. This is to reconsider the application for variation of permit which was rejected by this authority in the meeting held on 22.11.2022 as per decision on item No.9. On perusal of records, it is revealed that a statutory Appeal is filed before Hon'ble STAT, Ernakulam against the above decision in MVAA No.48/2023 by the permit holder. The interim order of the Hon'ble Tribunal dtd. 20.02.2023 in MP No.357/2023 in MVAA No.48/2023 directs Secretary, RTA Vatakara to grant variation for short duration of one month.

Variation of permit **Granted for one month** as per the order Hon'ble STAT, Ernakulam in MVAA No.48/2023. During the operation the permit holder should make additional facilities to obey the Sec 91 of MV ACT 1988 and Rule 188 & 189 of KMV Rules 1989. Any time clash arises to be settled in timings conference by issuing notice to all the affected parties. The Secretary shall take necessary arrangements to watch the service of the vehicle during the operation.

**Item No.18.**

Heard. Considered the application for renewal of permit in accordance with Motor Vehicles Act and Rules and in view of existing Government

notifications. Renewal of regular permit in respect of S/C **KL 58 N 2115** to operate on the inter district route Kannur – Kozhikode as LSOS is granted subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.19**

Heard. Considered the application for renewal of permit in accordance with Motor Vehicles Act and Rules and in view of existing Government notifications. Renewal of regular permit in respect of S/C **KL 18 J 7299** to operate on the inter district route Kakkattil- Thalassery (via)Thanneerpanthal, Vadakara as OS is granted subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.20**

Heard. Considered the application for renewal of permit in accordance with Motor Vehicles Act and Rules and in view of existing Government notifications. Renewal of regular permit in respect of S/C **KL 18 AC 6949** to operate on the inter district route below 140 Kms Kunduthode- Vadakara (via) Thottilpalam,Kuttiyadi, Nadapuram, Peringathur, Saithalpally , return trip Manjodi as OS is granted subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.21**

Heard. Considered the application for renewal of permit in accordance with Motor Vehicles Act and Rules and in view of existing Government notifications. Renewal of regular permit in respect of **S/C KL 37 8793** to operate on the route Panoor-Vatakara (via) Mekkunnu, Chirayil peedika, Peringathur, Monthalkadavu Orkkattery, Kainatty as OS is granted subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.22**

Heard. Considered the application for renewal of permit in accordance with Motor Vehicles Act and Rules and in view of existing Government notifications. Renewal of regular permit in respect of **S/C KL-46 M 3355** to operate on the Kannur – Kozhikode as LSOS is **granted** subject to the clearance of Govt. dues and production of No-Objection Certificate from the financier, if applicable.

**Item No.23**

Heard. This is to consider the application for renewal of inter-district stage carriage permit in respect of the stage carriage, KL 11 AH 1786, and regular variation for the conversion of nature of service as Limited Stop Ordinary Service (hereafter LSOS), operating on the route, Kuttiady-Kozhikode–

Guruvayoor via Perambra, Ulliyeri, Balussery, Bypass, Kunnamkulam Edappal Kuttippuram vide Permit No. 18/14/2002, which was valid from 25.05.2010 to 25.05.2015 for further period of five years. The second application renewal filed on 25.05.2020 for further period of five years. The route is inter-district; the matter was placed before this authority convened on 22.11.2022 in item No. 26 and decision adjourned till finalization of the Scheme.

During the Board meeting the learned counsel requested for the renewal in the entire portion. The applicant is submitted that he is awaiting for a final judgment on his request from Hon'ble High Court of Kerala. The argument raised by KSRTC is, the right to operate the service on this route is reserved to them. After hearing the arguments and assessing the current situation, this authority defers taking a decision on the permit renewal application until the decision of the government comes on this applications. Hence **adjourned**.

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

“Heard. The learned counsel represented the applicant. This is an application for renewal of permit and T.P U/s 87(1)d in respect of S/C **KL-08-BN-3497** which was authorized to operate on inter district route Thalassery- Trissur as LSFP on the strength of regular permit valid up to 30.10.2014 having route length more than 140 Kms. The applications for renewal of permit are pending.

A combined reading of the existing notifications and Judgments this authority concluded that—

Renewal of permit application can only considered as per Rule 2 (oa) of Kerala Motor Vehicles Rules. Thus, renewal of permit cannot be granted to a private service stage carriage permit beyond a total route length of 140 Kms.. During the Board meeting the learned counsel requested for the renewal in the entire portion. The applicant is submitted that he is awaiting for a final judgment on his request from Hon'ble High Court of Kerala. The argument raised by KSRTC is, the right to operate the service on this route is reserved to them. After hearing the arguments and assessing the current situation, this authority defers taking a decision on the permit renewal application until the decision of the government comes on this applications. Hence **adjourned**.

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

Applicant is absent. Hence decision on the applications are adjourned with direction to Secretary, RTA to place the matter before this authority in the ensuing meeting after issuing proper due notice to the applicant.



**Item No.26**

Heard. The learned counsel represented the applicant. This is an application for renewal of permit in respect of S/C **KL-18 X 9799** to operate on the inter district route Kaively- Thrissur as LSFP on the strength of regular permit which was valid up to 12.12.2016. The total route length is 195 Kms. In order to restrict the route length within 140 Kms and convert the nature of service as LSOS, now the permit holder has applied for curtailment of route portion from Valanchery to Trissur 61 Kms. During the Board meeting the learned counsel requested for the renewal in the entire portion. The applicant is submitted that he is awaiting for a final judgment on his request from Hon'ble High Court of Kerala. The argument raised by KSRTC is, the right to operate the service on this route is reserved to them. After hearing the arguments and assessing the current situation, this authority defers taking a decision on the permit renewal application until the decision of the government comes on this applications. Hence **adjourned**.

**Item No.27**

Heard. The learned counsel represented the applicant. This is an application for renewal of permit in respect of S/C **KL 08 BC 9595** to operate on the inter district Thrissur- Kannur as Super fast on the strength of regular permit which was valid up to 27.04.2015. The total route length is 224 Kms. In order to restrict the route length within 140 Kms and convert the nature of service as LSOS, now the permit holder has applied for curtailment of route portion from Kannur – Kozhikode(90 KM). During the Board meeting the learned counsel requested for the renewal in the entire portion. The applicant is submitted that he is awaiting for a final judgment on his request from Hon'ble High Court of Kerala. The argument raised by KSRTC is, the right to operate the service on this route is reserved to them. After hearing the arguments and assessing the current situation, this authority defers taking a decision on the permit renewal application until the decision of the government comes on this applications. Hence **adjourned**.

**Item No.28**

Applicant is absent. Hence decision on the applications are adjourned with direction to Secretary, RTA to place the matter before this authority in the ensuing meeting after issuing proper due notice to the applicant.

**Item No.29**

Heard. The learned counsel represented the applicant. This is an application for renewal of permit in respect of S/C **KL 45 S 9395** to operate on

the inter district Koonanamvu-Kodungallor- Kannur as LSOS and application for variation of permit by curtailing the route Valappad to Koonanamavu and Kannur to Kozhikode for conducting service on the route from Kozhikode to Valappad . In order to restrict the route length within 140 Kms and convert the nature of service as LSOS, now the permit holder has applied for curtailment of route portion from curtailing the route Valappad to Koonanamavu and Kannur to Kozhikode for conducting service on the route from Kozhikode to Valappad. During the Board meeting the learned counsel requested for the renewal in the entire portion. The applicant is submitted that he is awaiting for a final judgment on his request from Hon'ble High Court of Kerala. The argument raised by KSRTC is, the right to operate the service on this route is reserved to them. After hearing the arguments and assessing the current situation, this authority defers taking a decision on the permit renewal application until the decision of the government comes on this applications. Hence **adjourned**.

### **Item No.30**

Heard, this is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-13-V 4845 permitted to operate on the intra district route Cheekilode- Thamarassery. The regular permit valid up to 17.01.2023 and permit renewal application received from the applicant on 08.03.2023 after expiry of the permit. The delay occurred in submitting the application is condoned and the renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable and Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realization of compounding fee for permitless operation, if any detected.

### **Item No: 31**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

### **Item No.32**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

### **Item No.33**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.34**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.35**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.36**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.37**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.38**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.39**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.40**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.41**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable.

**Item No.42**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.43**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.44**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.45**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.46**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.47**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.48**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.49**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.50**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.51**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.52**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.53**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.54**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co if applicable

**Item No.55**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.56**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.57**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.58**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.59**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.60**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.61**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable”.

**Item No.62**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.63**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.64**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.65**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.66**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.67**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.68**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.69**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.70**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.71**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.72**

Applicants absent. Hence adjourned.

**Item No.73**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.74**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.75**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable

**Item No.76**

Heard. Transfer of permit is allowed, subject to  
(1). Clearance of Govt. dues, if any  
(2). Production of NOC from HP Co. if applicable.

**Item No.77**

Heard. As per the decision of this authority dated 27.10.2021 vide item No.2 a fresh regular stage carriage permit was granted to operate on the route Ayanchery- Vatakara touching Malolmukku, Thanneerpanthal via.Villiappally, Koottangaram as Ordinary service. The decision of grant of permit was communicated to the applicant on 17.12.2021 with direction to produce the current records of a suitable stage carriage for endorsing the permit granted within thirty days of communication of the decision, failing which the grant of regular permit will be treated as revoked without further notice. Grantee failed to produce current records of suitable vehicle neither within 30 days nor within the maximum permissible aggregate period of 4 months by furnishing valid

reason for delay (ie. before 16.04.2022) as permissible under Rule 159(2) of Kerala Motor Vehicle Rule 1989. Hence grant of permit as per the decision of RTA Vatakara held on 27.10.2021 vide item No.2 is stands **revoked**.

### **Item No.78**

Heard. As per the decision of this authority dated 11.05.2022 vide item No.1 a fresh regular stage carriage permit was granted to operate on the route Kannookkara – Vatakara Via.Orkkatteri, Villiappally as Ordinary service. The decision of grant of permit was communicated to the applicant on 14.06.2022 with direction to produce the current records of a suitable stage carriage for endorsing the permit granted within thirty days of communication of the decision, failing which the grant of regular permit will be treated as revoked without further notice. Grantee failed to produce current records of suitable vehicle neither within 30 days nor within the maximum permissible aggregate period of 4 months by furnishing valid reason for delay (ie. before 13.10.2022) as permissible under Rule 159(2) of Kerala Motor Vehicle Rule 1989. Hence grant of permit as per the decision of RTA Vatakara held on 11.05.2022 vide item No.1 is stands **revoked**.

### **Item No.79**

Heard. As per the decision of this authority dated 11.05.2022 vide item No.3 a fresh regular stage carriage permit was granted to operate on the route Perambra- Vatakara via. Cheruvannur, Cheniyamkadavu, Thiruvallur as ordinary service.

The decision of grant of permit was communicated to the applicant on 14.06.2022 with direction to produce the current records of a suitable stage carriage for endorsing the permit granted within thirty days of communication of the decision, failing which the grant of regular permit will be treated as revoked without further notice. Grantee failed to produce current records of suitable vehicle neither within 30 days nor within the maximum permissible aggregate period of 4 months by furnishing valid reason for delay (ie. before 13.10.2022) as permissible under Rule 159(2) of Kerala Motor Vehicle Rule 1989. Hence grant of permit as per the decision of RTA Vatakara held on 11.05.2022 vide item No.3 is stands **revoked**.

### **Item No.80**

Heard. This is an application for condone the delay in producing the current records for the issue of regular permit granted by RTA held on



11.05.2022 vide item No.2 to operate on the route Kattilpeedika- Koyilandy Via. Kannankadavu, Poyilkavu Beach through beach road.

Application for regular permit was granted by RTA in its meeting held on 11.05.2022. On the decision of RTA it was directed to produce the current records of a suitable stage carriage for endorsing the permit granted within thirty days of communication of the decision, failing which the grant of regular permit will be treated as revoked without further notice. Decision communicated on 14.06.2022. The vehicle offered by the grantee was S/C KL 56 K 9568 on 04.03.2023 and also requested to condone the delay in producing current records within the stipulated time. Smt., Kanathil Jameela, MLA also requested to change the route through Poyilkavu temple Poyilkavu school, Thoovappara instead of the granted route, Kannankadavu –Poyilkavu Beach. During the meeting it is reported that the proposed route is not in a good condition to conduct the service. There is a difference in route as granted and the recommendations of the Hon'ble MLA. Hence this authority grant more time to produce the vehicle for issuing the granted by this authority on 11.05.2022. Otherwise the applicant is directed to apply for fresh permit on the recommended route by the Hon. MLA.

### **Item No.81**

Perused. Heard, This is an application for temporary permit in vacancy of S/c KL 57 A 9339 to operate on the route Villiappally-Vatakara-Thalassery. Considered application on merits. Primary permit on the route expired on 04.03.2021.

Section 87 (1) of MV act lays down the procedure for considering applications for temporary permit. A Regional Transport Authority and the State Transport Authority may without following the procedure laid down in section 80, grant permits, to be effective for a limited period which shall, not in any case exceed four months, to authorize the use of a transport vehicle temporarily.

- a. for the conveyance of passengers on special occasions such as to and from fairs and religious gatherings, or
- b. for the purpose of a seasonal business , or
- c. to meet a particular temporary need, or
- d. pending decision on an application for the renewal of a permit and may attach to any permit such conditions as it may think fit.

Enquiry was conducted by Secretary, RTA in this regard. As per the report of field officer there is no urgent need under section 87(1) C of MV Act 1988 and route overlaps the notified route violating the relevant clause related to notification .There is no valid permit.

The Secretary RTA reported that request of the permit holder in the light of Order in MP No 289/2023 in MVAA No 39/2023 dtd 27.02.2023 is also considered .Applicant has not offered a ready vehicle. The application is devoid of merits and cannot be considered under the provisions of Sec 87 of M V act. Hence **Rejected** .

**Item No.82**

1. Perused the order dated 16.01.2023 of Hon'ble STAT, Ernakulam in M P No.52/2023 in MVAA No.7/2023.

2.Heard, this is an application for temporary permit on the route Kolarat Street- Kakkattil-Perambra-Koyilandy.

Hon'ble STAT, Ernakulam in M P No.52/2023 in MVAA No.7/2023 direct to issue an interim direction U/s 214(2) of MV Act enabling the appellant to continue the service on the route Kolarat Street –Kakkattil-Perambra – Koyilandy so as to operate with S/c KL 18 AB 8735 for a periods of two months from 16.01.2023. Hence application for temporary permit granted for two months.

**Item No.83**

Heard. As per the report of MVI,Koyilandy it is clear that the S/C KL 56 V 4059 was driven in a very reckless and dangerous manner causing loss of human life. The enquiry officer recommended to take action against the driver and permit holder of S/C KL 56 V 4059. Hence the permit in respect of S/C KL 56 V 4059 Permit No.18/101/2004 is suspended for a period of 10 days from 15.05.2023 to 24.05.2023 of Motor Vehicle Act 1988 read with KMV Rule 153 (3) & (4). The permit holder should inform the place of garage of this vehicle during the suspension period to the Secretary, RTA Vatakara without fail.

**Item No.84**

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C **KL-13AK 6399** to operate on the route Kannur- Kozhikode via Thalassery- Mahipalam- Vadakara-Koyilandy as LSOS . Variation applied for change of halting place Kannur to

Vadakara. KSRTC raised objection against this application alleging that the proposed variation is in violation of clause 19 of G.O(P)No.8/2017/Tran dated 23.03.2017.

The enquiry revealed that the proposed variation is the violation of section 80(3) of MV Act 1988 as the halting place is interchanged and there exist no urgent necessity as KMVR 145(6).

So long as the notification G.O.(P) No.8/2017/Tran dated 23.03.2017 exists, further ordinary service will not available for the travelling public belongs to this area. As per clause 19 of above notification the right to operate any new service and to increase the trips on the notified route or its portion will be reserved exclusively for State Transport Undertaking. Hence **rejected**.

### **Item No.85**

1. Perused the judgments of Hon'ble High Court of Kerala WP© No.37096/2022 dated 22.02.2023 in and 32444/2022 dated 13.10.2022

Heard, S/C KL 56 M 6844 is permitted to operate on the route Puliyoottumukku-Kootalida-Kozhikode with permit No.18/37/1999 and valid up to 20.08.2024 . The request for withdrawn the transfer of permit application and variation of replacement applications submitted by the transferor Sri Shiraj in respect of Stage carriage was considered by this authority on 11.05.2022 vide item no 59 and adjourned for enquiry report.

The Hon'ble High Court in Wpc no 27639 of 2022 filed by Sri Haris K M S/o Assain K M , Ponmathikandy, Vattoli Bazar, Panangad, the transferee ordered as “ **Learned counsel for the petitioner seeks permission to withdraw the writ petition. Permission is granted. Accordingly, this writ petition is dismissed as withdrawn.**” As per this order Sri. Haris withdrawn the application on 23.01.2023. The Hon'ble High Court in WPC No. 37096 of 2022 filed by Sri Shiraj P S/o Ibrahim , Moonampilakool House, Poonath Post, Naduvannur, Kozhikode , the transferor judged as “ **the writ petition is disposed of directing the 1<sup>st</sup> respondent ( RTA Vatakara) to finalise the proceedings as per procedure and in accordance with law.**” The Secretary reported that the transferor Sri Shiraj is not willing to transfer the permit. Hence this authority permitted to withdraw the transfer of permit application . The refund of fee is not allowed.

The Hon'ble High Court in Wpc no 32444 of 2022 dated 13.10.2022 filed by Sri Shiraj P S/o Ibrahim , Moonampilakool House, Poonath Post, Naduvannur, Kozhikode , “ **direct the Secretary RTA Vatakara to consider application for replacement of vehicle bearing number KL 56 M 6844 , 2015 model by substituting vehicle number KL 11 BM 3706, a 2018 model vehicle is free to pass appropriate orders in accordance to law.**”

Hence this authority directs the Secretary RTA to take appropriate decision on the replacement application in accordance with law.

### **Item No. 86**

This item submitted for ratification of action taken by the Secretary, RTA, The permit in respect of S/C **KL 12 D 6996**, permit no 18/111/2001 is cancelled by Secretary, RTA Vatakara U/s 86 of MV Act 1988. **Ratified.**

**Item No. 87**

These applications are for the issuance of new permits to CNG autorickshaws in Koyalandi Municipality. Current vacancy, availability of parking space and other issues are to be verified while considering the applications. In this situation, this authority directs the secretary RTA to submit a detailed report after convening a meeting of the municipal authority, police authority , organizations connected and affected and place before the RTA. Hence **adjourned.**

**Item No. 88**

Ratified

**Item No.89**

No other items permitted by Chairman

**Item No.90**

Next date for the meeting of RTA will be fixed later.

**1. Smt.A.Geetha , IAS,**  
*District Collector and Chairman,*  
*Regional Transport Authority, Vatakara.*

**sd/-**

**2. Sri.R.Rajeev**  
*Deputy Transport Commissioner,*  
*North Zone, Kozhikode and Member of*  
*Regional Transport Authority, Vatakara*

**sd/-**