

**DECISION OF THE REGIONAL TRANSPORT AUTHORITY, THRISSUR**  
**MEETING HELD ON 07.03.2023**

(Venue : Conference Hall, Civil Station, Ayyanthole)

**Present :**

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

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

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

## **Item No 1**

Heard. This is an application for the grant of fresh regular permit in respect of stage carriage KL 17 D 4328 to operate on the intra district route Palappilly - Malakkapara as Ordinary Service. The total route length is 96.5 Km. There is an overlapping of 1.2 Km which is within the limit, prescribed in the Clause 5 (c) of G O (P) No. 42/2009/Tran dated 14/07/2009. Enquiry officer has reported that the permit applied will be highly beneficial for the travelling general public and students. There is also no virgin portion in the entire route as per the report. Hence to enhance the travelling facility of the public, fresh regular stage carriage permit is **granted**, subject to settlement of timings and remittance of fees, if not paid.

## **Item No 2**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur - Govindapuram as Ordinary Service valid upto 24.08.2022, in respect of the stage carriage KL 08 AE 8483. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 3**

Heard. This is an application for renewal of regular permit on the inter district route Pallipuram – Ottapalam – Poonkunnam – Thrissur as LSOS valid upto 10.12.2021, in respect of the stage carriage KL 08 AT 8089. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 4**

Heard. This is an application for renewal of regular permit on the inter district route Ottapalam – Thrissur as Ordinary Service valid upto 22.04.2021, in respect of the stage carriage KL 18 B 8179. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 5**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 08 BB 2196 operating on the intra district route Mylattumpara - Elthuruthu as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 19/10/2005 in item no. 153, and is seen issued only on 25/07/2007. The enquiry officer has reported that out of the total route length 27.5 Km, a distance of 10 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

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

## **Item No 6**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 17 F 1755 operating on the inter district route Koottanad – Thrissur as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 16/08/2006 in item no. 6, and is seen issued only on 19/07/2007. The enquiry officer has reported that out of the total route length 40 Km, a distance of 12.1 Km objectionably overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

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

## **Item No 7**

Heard. This is an application for renewal of regular permit on the intra district route Mathilakam – Kodungallur –Azhikode as Ordinary Service valid upto 06/11/2021, in respect of the stage carriage KL 47 G 2610. On perusal of records, it is found the application is in time and service conducted with Temporary Permit u/s 87 (1) d valid upto 18/05/2023. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 8**

(1) Perused the judgment dated 19.11.2022 in MVAA No. 218/2022 of Hon'ble STAT

(2) Perused the judgment dated 13.01.2032 in WP(C) No. 1535/2023 of Hon'ble High Court of Kerala

(3) Perused the judgment dated 30.01.2032 in WP(C) No. 2978/2023 of Hon'ble High Court of Kerala

Heard the petitioners and respondents and all the concerned in the above judgments. On perusal of the records, the Secretary is seen renewed the permit in respect of stage carriage KL 08 AQ 6951 upto 27/11/2021 in compliance to the direction of Hon'ble STAT dated 19/11/2022 in MVAA No. 218/2022. But an opportunity to hear the concerned is not seen offered by Secretary prior to the issuance of the granted permit. On perusal of records, the respondent/petitioner Sri Bibin Alappatt was heard by Secretary RTA Thrissur on 09.02.2023. Also while this matter is heard by this authority now, both the petitioner and respondent were heard and the action of the Secretary endorsing renewal of permit in accordance with the above direction of the Hon'ble STAT is ratified.

In view of the above decision, the application for renewal of regular permit subsequently filed on 12.07.2021 is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 9**

Heard the counsel representing the applicant and perused the records. This is an application for renewal of regular permit on the inter district route Govindapuram – Guruvayur as LSOS valid upto 30.07.2022, in respect of the stage carriage KL 11 AQ 6824. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 10**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur - Ernakulam as LSOS valid upto 16.12.2022, in respect of the stage carriage KL 46 M 6300. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 11**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur - Palakkad as LSOS valid upto 20.08.2021, in respect of the stage carriage KL 58 9099. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 12**

Heard the counsel representing the applicant and the objectors. This is application for renewal of regular permit on the inter district route Malampuzha - Kodungallur as LSOS valid upto 22.01.2018, in respect of stage carriage KL 08 AH 8797 for two consecutive periods commencing from 23/01/2018 to 22/01/2023 and from 23/01/23 to 22/01/2028. The matter was considered in the RTA meeting held on 05.09.2019 as item No. 4. Since the applicant was absent, decision on the application was adjourned.

Objections were raised by the en route operators alleging that the permit holder failed to operate the transport vehicle for service as per Rule 152 of KMVR,1989 and requested this authority to suspend or cancel the permit as per Rule 145 of KMV Rules 1989. On perusal of records, it is revealed that the permit holder submitted an application for renewal for further five years from 23.01.2023 on 16/01/2023 and the application is not in time. It was found that the permit holder has put the vehicle on Form G seeking exemption of tax.

The vehicle has attained 17 years of age set for LSOS operation as on 03/03/2023 and has become unsuitable for LSOS operation. The permit holder has failed to offer any suitable vehicle for the operation of permit by way of replacement, which is a true violation of Rule 152 of KMV Rules 1989.

Hence reconsidered the application and renewal of permit is **rejected**, with direction to Secretary RTA to enquire the intention of permit holder to continue the stage carriage service and follow procedures if necessary, as per Rule 145.

### **Item No 13**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 06 D 3528 operating on the inter district route Kanakkankadavu – Azhikode – Chalakudy as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 04/06/2012 in item no. 7 that “(c) Heard. *In view of the specific reports of the field officer, the overlapping is found as below 5% of the route length. The regular permit **granted** subject to settlement of timings in respect of the SC KL 8 R 9003 .....*”. But the MVI Kodungallur in his report dated 28/11/2022 has stated that an overlapping of 4 Km from Anapuzha Jn to Chandapura Jn in the notified scheme as per Government Notification GO (P) No.8/2017/trans dated 23-03-2017 – Thrissur – Thriprayar-Thrissur Circular.

Secretary is directed to give specific remarks whether the overlapping is objectionable or not for considering the renewal of the permit and to resubmit the application in the ensuing meeting of the RTA. Hence the decision on the application for renewal of permit is **adjourned**, for want of the specific report.

### **Item No 14**

Heard. This is an application for renewal of regular permit on the inter district route Peechi - Kuttipuram as LSOS valid upto 31.03.2023, in respect of the stage carriage KL 08 AT 3735. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 15**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Govindapuram as LSOS valid upto 12.08.2021, in respect of the stage carriage KL 08 BH 3830. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 16**

Heard. This is an application for renewal of regular permit on the inter district route Elanad – Palakkad as LSOS valid upto 08.03.2023, in respect of the stage carriage KL 08 AP 3535. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 17**

Heard. This is an application for renewal of regular permit on the inter district route Elanad – Palakkad as LSOS valid upto 30.10.2022, in respect of the stage carriage KL 08 AJ 5011. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 18**

Heard. This is an application for renewal of regular permit on the inter district route Parappur - Palakkad as LSOS valid upto 17.09.2022, in respect of the stage carriage KL 08 BG 5455. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 19**

Heard. This is an application for renewal of regular permit on the inter district route Panamanna - Irinjalakuda as LSOS valid upto 05.05.2023, in respect of the stage carriage KL 08 BG 5814. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 20**

Heard. This is an application for renewal of regular permit on the inter district route Government College Kuttanellur - Thirur as LSOS valid upto 18/07/2021, in respect of the stage carriage KL 11 AR 4959. On perusal of the records, it is seen that the enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production

of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 21**

Heard. This is an application for renewal of regular permit on the inter district route Thiruvilwamala - Kuttipuram as LSOS valid upto 28.05.2020, in respect of the stage carriage KL 48 P 4. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 22**

Heard. This is an application for renewal of regular permit on the inter district route Parappur - Kuttipuram as LSOS valid upto 15.12.2022, in respect of the stage carriage KL 08 BG 548. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 23**

Heard the counsel representing the applicant and the objectors. This is an application for renewal of permit in respect of stage carriage KL 09 N 1180 on the intra district route Thrissur - Karalam operating as Ordinary Service and valid upto 19.04.2021. Application for renewal of permit was filed on 29.09.2021 within the extended validity of permit (As per the Notifications of various dates issued by MorTH and as per G O (Rt) No. 408/2021/Trans dated 22/11/2021, the validity of documents related to Motor Vehicles Act and Rules are treated as valid till 31/12/2021). The enquiry officer have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

Objections were raised by the en route operators alleging that the timings were settled and proceedings not issued within the validated period of regular permit. On perusal of records it was found the timings were settled in a timing conference conducted by Secretary RTA on 18-04-2022 attended by 73 participants. But the timing proceedings is not seen issued. Hence Secretary is directed to look into the matter and submit the enquiry report before this authority in the ensuing meeting itself.



## **Item No 24**

Heard. This is an application for renewal of regular permit on the inter district route North Paravur - Palakkad as LSOS valid upto 11.12.2020, in respect of the stage carriage KL 46 N 101. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 25**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur - Kuttipuram as LSOS valid upto 20.11.2022, in respect of the stage carriage KL 08 BJ 545. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. But the application for renewal was submitted on 14.11.2022. On perusal of records, this authority is convinced that the applicant was prevented by good and sufficient reasons in filing the application within the stipulated time as per Section 81 (2). Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 26**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 08 AS 63 operating on the intra district route Bunglavukadavu - Thrissur as Ordinary Service. The permit was granted as per the decision of RTA Thrissur arrived at by circulation u/R 130 of KMV Rules 1989, communicated on 20/12/2005, but is seen issued only on 31/08/2006. The enquiry officer has reported that out of the total route length 39.5 Km, a distance of 2 Km overlaps with notified route. The clause (4) of GO (P) No. 42/2009/Tran dated 14/07/2009 stipulates that the permits issued in the private sector on or before 09-05-2006 will be allowed to continue till the dates of expiry of the respective permits. Thereafter regular permits will be granted to them. When the State Transport Undertaking applies for introducing new services in the above routes, corresponding number of existing private stage carriage permits in the said routes whose permits expire first after filing application by the State Transport Undertaking shall not be renewed. As regards permits issued after 09-05-2006 temporary permits alone shall be issued afresh on expiry in these routes or any portion thereof till such time the State Transport Undertaking replaces with new services. The decision of the State Transport Undertaking to apply for permits to replace the existing Stage Carriages as above shall be taken by the Chief Executive of the State Transport Undertaking.

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

## **Item No 27**

Heard. This is an application for renewal of regular permit on the inter district route North Chelakkara – Thrissur - Palakkad as LSOS valid upto 01.09.2021, in respect of the stage carriage KL 48 711. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

## **Item No 28**

A) Heard. This is a belated application for renewal of regular permit on the intra district route Varadiyam – Thrissur Sakthan Thampuran Bus Stand as Ordinary Service valid upto 03.10.2022, in respect of the stage carriage KL 08 AJ 6030. But the application for renewal was submitted on 19.10.2022. On perusal of records, this authority is convinced that the applicant was prevented by good and sufficient reasons in filing the application within the stipulated time as per Section 81 (2). Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

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

## **Item No 29**

(1) Perused the judgment dated 16.02.2023 in WP(C) 4489/2023 of Hon'ble High Court of Kerala

(2) Perused the judgment dated 10.10.2022 in WP(C) No. 31984/2022 of Hon'ble High Court of Kerala

(A) Heard. Reconsidered the application for renewal of permit in respect of stage carriage KL 48 6553 operating on the route Chavakkad – Olippara as LSOS. Since the age of LSOS stage carriages has been enhanced from 15 years to 17 years as per Notification G O (P) No. 26/2022/Trans dated 25/09/2022, the renewal of permit in respect of KL 48 6553 (date of registration : 20.07.2007) is **granted** subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

(B) Secretary shall conduct detailed enquiry on the merits and demerits of the application for variation of permit submitted for converting the nature of service from LSOS to ordinary and place this application for variation of permit after revalidating the

permit as per the decision (A) above. Hence decision on the application for variation of permit is **adjourned**.

(C) Secretary shall comply the time bound direction of Hon'ble High Court of Kerala in the judgment dated 10.10.2022 in WP(C) No. 31984/2022 and endorse the **granted transfer of permit** as per the request jointly submitted by Sri P L Thomas and Anthony after conducting fresh necessary enquiry to ensure the compliance of the conditions stipulated in Rule 178 of KMV Rules 1989.

### **Item No 30**

Heard . This is an application for renewal of permit in respect of stage carriage KL 11 AJ 5871 presently authorized to operate on the inter district route Vypin – Palakkad of route length 143 Km, as LSOS, by curtailing the route portion from Vypin to Cherai (19 Km) so as to restrict the route length below 140 km (ie 124 km) . Hence renewal of permit is **granted** by allowing the requested variation (curtailment) on the route Cherai – Palakkad. Secretary shall **issue a modified time schedule** by retaining all the existing timings except for the curtailed portion, while endorsing renewal and variation of permit.

### **Item No 31**

(1) Perused the judgment dated 08.11.2022 in WP(C) 35746/2022 of Hon'ble High Court of Kerala.

(2) Heard . This is an application for renewal of permit in respect of stage carriage KL 46 T 4019 presently authorized to operate on the inter district route Wadakkanchery - Kozhikode of route length 147 Km, as LSOS, by curtailing the route portion from Wadakkanchery to Thrissur (19 Km) so as to restrict the route length below 140 km (ie 128 km). Hence renewal of permit is **granted** by allowing the requested variation (curtailment) on the route Wadakkanchery - Kozhikode. Secretary shall issue a modified time schedule by retaining all the existing timings except for the curtailed portion, while endorsing renewal and variation of permit.

### **Item No 32**

Heard. This is an application for variation of permit for an extension of 9 Km by shifting the starting and halting points from Vellikulangara to Nooluvally in respect of stage carriage KL 07 CG 7174. The report of the enquiry officer reveals the proposed variation will be beneficial to travelling public. There is no overlapping with the notified route/approved scheme. Hence variation of permit **granted** retaining all existing timings and subject to settlement of timing in the variations of portion.

### **Item No 33**

Heard. This is an application for variation of permit for an extension of 1.5 Km from Asmabi College to Poklayi for two round trips in respect of stage carriage KL 47 H 8811. The report of the enquiry officer reveals the proposed variation is advantageous to travelling public. There is no overlapping with the notified route/approved scheme and no violation of clause 19 of GO (P) No. 42/2009/Tran dated 14/07/2009 . Hence variation of permit **granted** retaining all existing timings and subject to settlement of timing in the variations of portion.

### **Item No 34**

Heard. This is an application for variation of permit in respect of the stage carriage KL 47 C 9990, operating on the route Ernakulam - Guruvayur, as LSOS. As per the decision of this authority dated 26.09.2016, in Item no 78, prior concurrence from Sister RTA Ernakulam was called for. The same is not seen obtained so far. Secretary shall obtain prior concurrence for considering this variation application from Sister RTA Ernakulam with total length of the route and details of overlapping with notified route and resubmit this application along with the prior concurrence of RTA Ernakulam. Hence **adjourned**.

### **Item No 35**

Heard the counsel representing the applicant and the objectors. This is an application for variation of route of permit in respect of KL 02 Y 2727 and KL 8 AC 4878 to deviate for 930 metres from Metro Hospital passing through Sakthan Private Bus stand and then to proceed to Vadakke stand. The enquiry officer has reported that there is no objectionable overlapping on the deviated route and is beneficial to the traveling public.

On perusal of records, it is seen that opinion from Traffic Regulatory Committee has not been obtained regarding the existing traffic regulations in the city and the effects on re-routing these two stage carriages. Secretary is directed to obtain the recommendations of Traffic Regulatory Committee and to resubmit the application before this authority. Hence the decision is **adjourned**.

### **Item No 36**

(A) Perused the judgment of the Hon'ble High Court of Kerala dated 22/02/2022 in WP(C) No. 5374/2022.

(B) The applicant was absent. This is an application for variation of permit in respect of stage carriage KL 08 AQ 5099 for changing the halting place from Ottapalam to Perinthalmanna, with permit valid upto 01/04/2021.

The Secretary RTA is directed to issue proper notice to the applicant and shall place the application before this authority in the next meeting after revalidating the permit. Also

detailed report from Sister RTA Malapuram and RTA Palakkad may be obtained regrading the variation. Hence decision on the application for variation of permit is **adjourned**.

### **Item No 37**

Heard. This is an application for variation of permit to detour the portion from Cheraman to Okay bus stop via Block and to proceed via P S Kavala for two trips in respect of stage carriage KL 09 AJ 5000. The matter was placed in the previous meeting and this authority had called for an absolute report. The specific report by the enquiry officer detailed that there is no violation of clause 19 of GO (P) No. 42/2009/Tran dated 14/07/2009. Also the benefits of proposed variation will outweigh the difficulties of the travelling public of the excluded portion as there are frequent services operating on that route. Hence variation of permit **granted**, subject to settlement of timings.

### **Item No 38**

Heard. This is an application for variation of permit to curtail a portion of 8 Km in two trips and extend additional trips to Mini Civil Station and St Joseph College, deviation of trips via Chirakkal, Thekke Thanissery, Kizhuthani, Chungam, in respect of stage carriage KL 09 W 4597. The matter was placed in the previous meeting and this authority had called for a specific report. The specific report by the enquiry officer detailed that there is no violation of clause 19 of GO (P) No. 42/2009/Tran dated 14/07/2009. The additional trips are advantageous and beneficial to traveling public as compared to the curtailment. Also the virgin portion has been certified fit for transport by the Asst. Engineer, LSGD, Irinjalakuda. Hence variation of permit **granted**, subject to settlement of timings and remittance of fees, if not paid.

### **Item No 39**

Heard. This is an application for variation of permit to curtail a portion of 12 Km in two trips and change the halting place from Nellai to Maramkode and inclusion of 7 additional stops, in respect of stage carriage KL 46 D 4723. The matter was placed in the previous meeting and this authority had called for a specific report. The specific report by the enquiry officer detailed that the proposed variation will be beneficial to the travelling public. Hence variation of permit **granted**, subject to settlement of timings. **Secretary shall issue the approved list of stops** along with the revised set of time schedule.

### **Item No 40**

Heard. This is an application for variation of reserve stage carriage permit in respect of KL 07 AZ 4072 to include the stage carriage KL 08 AH 9855 into the existing permit already covering four stage carriages. A reserve bus permit is allowed for conducting substitute service in place of regular stage carriages covered by valid permits and solely

owned by the applicant, as a temporary measure, when those route permit vehicles were kept off road, aimed to ensure the travelling facility of the public. Also as per the rule 182 of KMV Rules, it shall be a condition of every stage carriage permit that an operator having seven or more route buses in operation (including stage carriages operating on temporary permits) shall maintain reserve buses calculated at the rate of one reserve bus for every complete unit of seven route buses.

Hence, **variation of reserve stage carriage permit** (Permit no. KL88/4435/2012) is **granted** to KL 07 AZ 4072, subject to the clearance of Govt. dues, if any and remittance of application fees, if not paid, so as to conduct substitute services in the following route also,

<u>Permit No.</u>	<u>Reg. Mark</u>	<u>Route</u>
KL2020-SC-0094A	KL 08 AH 9855	Azhikode – Thrissur

only when, the respective vehicles owned by the applicant, having valid regular permit/temporary permit are kept off – road, subject to the below mentioned conditions in SRO No. 880/75.

1. The reserve bus shall be used solely for substitute service in place of the regular route stage carriages (route buses) for which the reserve bus is authorized to conduct substitute service and not for any other purpose during the entire quarter; and
2. Tax in respect of all route buses, in place of which the reserve bus is authorized to ply, shall be paid within the prescribed period of the quarter.
3. The reserve stage carriage (reserve bus) shall be used only for 20 days at a time; subject to maximum of 2 months only in any one quarter in place of any one regular route stage carriage (route bus).
4. The reserve bus shall be used only when the regular route stage carriage is kept off the road.

## **Item No 41**

Perused the judgment of Hon'ble High Court of Kerala dated 13/10/2022 in WP(C) No. 31882/2022.

(1) and (2) Heard. This is an application for renewal of permit in respect of stage carriage KL 6 C 9697 on the intra district route Chimmini Dam - Kodungallur operating as LSOS and valid upto 06.04.2021. The vehicle covered by the permit has attained 17 years of age as on 06/11/2022, set for LSOS stage carriages. Application for renewal of permit was filed on 23/03/2021. Vehicle is not held under HPA. Due to the age restriction, the vehicle KL 6 C 9697 has become unsuitable for operation and was under arrear of motor vehicle tax. On 18/02/2020, an application for replacement of vehicle is filed with later model stage carriage KL 58 K 8388, owned by the permit holder himself. Hence **renewal of permit is granted by allowing replacement of stage carriage KL 6 C 9697 by KL 58 K**

8388, subject to the production of NOC from financier, if applicable, clearance of motor vehicle tax and Govt. dues if any and remittance of application fees, if not paid.

### **Item No 42**

(1) and (2) Heard. This is an application for renewal of permit in respect of stage carriage KL 08 V 8832 on the intra district route Munakkakadavu - Kunnamkulam operating as Ordinary Service and valid upto 17.04.2020. The vehicle covered by the permit has attained 20 years of age as on 14/11/2022, set for Ordinary stage carriages. Application for renewal of permit was filed on 30/09/2021. (As per the Notifications of various dates issued by MorTH and as per G O (Rt) No. 408/2021/Trans dated 22/11/2021, the validity of documents related to Motor Vehicles Act and Rules are treated as valid till 31/12/2021). Vehicle is not held under HPA. Due to the age restriction, the vehicle KL 8 V 8832 has become unsuitable for operation and was under Form G. On 25/11/2022, an application for replacement of vehicle is filed with later model stage carriage KL 07 AY 5720, owned by the permit holder himself. Hence **renewal of permit is granted by allowing replacement of stage carriage** KL 8 V 8832 by KL 7 AY 5720, subject to the production of NOC from financier, if applicable, clearance of motor vehicle tax and Govt. dues if any and remittance of application fees, if not paid.

### **Item No 43**

Heard. This is an application for renewal of permit in respect of stage carriage KL 09 R 1028 on the inter district route Guruvayur - Palakkad operating as LSOS and valid upto 26/03/2021. The vehicle covered by the permit has attained 17 years of age as on 27.06.2022, set for LSOS stage carriages. Application for renewal of permit was filed on 05/03/2021. Due to the age restriction, the vehicle KL 09 R 1028 has become unsuitable for operation and was laid up under continuous Form G. On 19.12.2022, an application for replacement of vehicle is filed with later model stage carriage KL 17 J 2005, owned by the permit holder himself. The material difference in terms of seating capacity exceeds 25% by increase in the number of seats from 38 to 48, but it seems to be beneficial for travelling public. Hence **renewal of permit is granted by allowing replacement of stage carriage** KL 09 R 1028 by KL 17 J 2005, subject to the production of NOC from financier, if applicable, clearance of motor vehicle tax and Govt. dues if any and remittance of application fees, if not paid.

### **Item No 44**

1) Perused the judgment of Hon'ble High Court of Kerala dated 14.10.2022 in WP(C) No. 32625/2022.

2) Heard. This is an application for replacement of stage carriage KL 04 P 463 by another stage carriage KL 38 1921. Perused the reports of the enquiry officer dated 03.12.2022. Since a complaint is received alleging the non existence of the vehicle KL 04 P 463, Secretary shall conduct a specific enquiry and report whether the stage carriage covered by the permit is in existence confirming the date and place of dismantle of the vehicle and shall place the application before this authority in the next meeting. For compliance of the above direction and for want of the report, the decision on the **application of replacement of vehicle is adjourned.**

3) In the light of the above decision, the decision on the **application for renewal of permit is adjourned.**

4) In the light of the above decision, the decision on the **application for 4 months temporary permit u/s 87 (1) d is adjourned.**

### **Item No 45**

(1) and (2) Heard. On perusal of records, it is seen that, the permit renewal was granted as per order no. C1/42812/2022 dated 03/12/2022 of the Secretary RTA Thrissur. But the applicant has not availed the grant permit in time by producing the current records of the vehicle. On 31/08/2022, the applicant has submitted an application for replacement of vehicle by a later model vehicle KL 10 W 7172. The **replacement of vehicle is granted** since the records of KL 10 W 7172 are current to endorse the granted renewal of permit in respect of KL 08 Y 143 subject to the clearance of tax arrears and Govt. dues in respect of the outgoing vehicle and remittance of application fees, if not paid.

### **Item No 46**

(1) and (2) Heard. The permit in respect of KL 08 AG 4959 was valid upto 15.08.2021. The permit holder Sri Balan expired on 19/11/2018. Applications for renewal of permit and transfer of permit subsequent to the death of permit holder were considered by this authority in its meeting dated 17/09/2022 in Item no. 29 and transfer of permit granted to the name of Vasanthi. The decision is seen communicated to the applicant on 31.10.2022, but a request for allowing maximum time for producing a later model vehicle was submitted, since the stage carriage covered by the permit KL 08 AG 4959 had major repair works. Within the stipulated time, on 16/02/2023 the applicant produced a later model vehicle KL 40 A 1173 for replacement with the stage carriage KL 8 AG 4959. Hence **delay in submitting the current records is condoned u/R 172 (3) (a).**

Secretary is **permitted to endorse the granted transfer of permit (death)** , in the name of Vasanthi, by replacing the vehicle KL 8 AG 4959 by KL 40 A 1173 and **renewal of**



**permit is granted** subject to the production of NOC from financier, if applicable, clearance of motor vehicle tax and Govt. dues if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 47**

Heard, this is an application for replacement of stage carriage KL 08 AK 529 operating on the route Althara - Thrissur by the stage carriage KL 02 BL 4738. The material difference exceeds 25% by reducing the seating capacity from 38 to 34. But the enquiry officer found it feasible that though the revenue of the government in terms of motor vehicle tax will be slightly decreased but provide better comfort and safety to the passengers since the vehicle of later model is built as per bus body code, which, the Hon'ble Supreme Court of India in its dictum has upheld. Hence the application for **replacement of vehicle is allowed**, subject to the production of NOC from the financier, if applicable, clearance of motor vehicle tax and Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 48**

A) Perused the judgment of the Hon'ble High Court of Kerala dated 22.03.2021 in WP(C) No. 4977/2021 (V).

B) and C) Heard. This is an application for renewal of permit and reconsider the transfer of permit filed by the applicant Sri Hari M R, subsequent to the death of his father Sri M K Raman who is the permit holder and registered owner of the stage carriage KL 45 H 8445, which is authorized to operate on the intra district route Perinjanam - Thrissur on the strength of regular permit valid up to 29.12.2021. The application for renewal of permit is filed on 04.12.2021 and for the transfer of permit was filed on 19/11/2019. As per the notes of the Secretary RTA, all the legal heirs were heard and there was no objections recorded at the time of the hearing, that was conducted on 24/11/2020. No other objections are found. Hence **application for the transfer of permit (death) is allowed and the renewal of permit is granted**, subject to the production of NOC from the financier, if applicable and clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 49**

A) and B) Heard. The regular permit in respect of KL 46 H 6044 is valid upto 28/08/2021. The permit holder expired on 22/03/2021. The application for renewal of permit (later rectified) is seen filed on 30/09/2021. No temporary permit is seen availed by the proposed transferee to continue operation with effect from 01/02/2022 to 07/08/2022. Delay in filing application for transfer of permit subsequent to the death of

the permit holder is condoned, since this authority is convinced that the proposed transferee is prevented by good and sufficient reasons from making application in time.

Hence **Renewal of permit and transfer of permit** to the name of Smt Nadeera Rahman is **granted** subject to the production of NOC from the financier, if applicable and clearance of Govt. dues, if any and remittance of application fees, if not paid.

Secretary shall also verify the service of vehicle from 01/01/2022 to 07/08/2022 and realize compounding fees if permitless operation is detected.

### **Item No 50**

1) Perused the judgment of Hon'ble High Court of Kerala dated 02.08.2019 in WP(C) No.19793/2019.

2) Heard. This is an application for transfer of permit subsequent to the death of permit holder Sri K H Ummer in respect of stage carriage KL 08 Z 6000 to the name of his wife Smt. P K Sheena. Permit was valid upto 26/11/2022. Also an application for renewal of permit is filed by the proposed transferee on 07/11/2022 after the demise of Sri Aravindakshan on 13/06/2019.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of both the applications for renewal of permit and transfer of permit, with due notices to all the concerned. Hence decision on the applications for transfer of permit (death) and renewal of permit **adjourned**.

### **Item No 51**

Heard. This is an application for transfer of permit subsequent to the death of the permit holder Sri Balan in respect of stage carriage KL 47 B 239 to the name of his wife Smt. Ambika. Permit was valid upto 23.03.2022. Also an application for renewal of permit is filed by the proposed transferee on 14.03.2022 after the demise of Sri Balan on 25.07.2019. The delay in filing the application is condoned.

**Transfer of permit (death) and renewal of permit** are **granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 52**

Heard. This is an application for transfer of permit subsequent to the death of the permit holder Sri Vasudevan in respect of stage carriage KL 05 V 786 to the name of his

wife Smt. Sreejabai. Permit was valid upto 14.09.2021. Also an application for renewal of permit is filed by the proposed transferee on 07.09.2021 (within the extended validity period) after the demise of Sri Vasudevan on 31.05.2021.

**Transfer of permit (death) and renewal of permit are granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 53**

A) Perused the judgment of the Hon'ble High Court of Kerala dated 22.03.2021 in WP(C) No. 4977/2021 (V).

B) and C) Heard. This is an application for renewal of permit and reconsider the transfer of permit filed by the applicant Sri Hari M R, subsequent to the death of his father Sri M K Raman who is the permit holder and registered owner of the stage carriage KL 6 E 864, which is authorized to operate on the intra district route Perinjanam - Thrissur on the strength of regular permit valid up to 22.03.2021. The application for renewal of permit is filed on 17.11.2020 and for the transfer of permit was filed on 14.11.2019. As per the notes of the Secretary RTA, all the legal heirs were heard and there was no objections recorded at the time of the hearing, that was conducted on 24/11/2020. No other objections are found. Hence **application for the transfer of permit (death) is allowed and the renewal of permit is granted**, subject to the production of NOC from the financier, if applicable and clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 54**

Heard. This is an application for transfer of permit subsequent to the death of the permit holder Sri Gopi M K in respect of stage carriage KL 36 670 to the name of his son Sri Jithin M G. Permit was valid upto 21.08.2021. Also an application for renewal of permit is filed by the permit holder on 10.08.2021 (within the extended validity period). As per the notes of the Secretary RTA, all the legal heirs were heard and there was no objections recorded at the time of the hearing that was conducted on 15.11.2022.

**Transfer of permit (death) and renewal of permit are granted**, subject to the production of NOC from financier, if applicable, clearance of Govt. dues if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 55**

A) and B) Heard. The regular permit in respect of KL 49 6500 is valid upto 23.04.2021. The permit holder expired on 31.05.2021. The application for renewal of permit is seen filed on 30.09.2021 (within the extended validity period). Delay in filing

application for transfer of permit subsequent to the death of the permit holder is condoned, since this authority is convinced that the proposed transferee is prevented by good and sufficient reasons from making application in time.

Hence **Renewal of permit and transfer of permit** to the name of Sri S Santhosh is **granted** subject to the production of NOC from the financier, if applicable and clearance of Govt. dues, if any and remittance of application fees, if not paid.

Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found.

### **Item No 56**

Heard. As per decision of this authority in Item no. 8 dated 21/01/2020 the application for renewal of permit is considered and rejected. On perusal of records, a judgment dated 09/03/2021 in WP (C) No. 26885/2020 (I) of Hon'ble High Court of Kerala directing the competent authority to consider the petitioner's application for renewal on merits was noticed. In view of the above direction of Hon'ble High Court of Kerala and finding that the agreement of hypothecation between the petitioner and the 3<sup>rd</sup> respondent, Thrissur District Motor Transport Owners Co-operative Society is terminated, the decision of this authority dated 21/01/2020 is reviewed.

Hence **renewal of permit is granted and transfer of permit** subsequent to death of the permit holder to the name of Mary Chittilappilly is **allowed**, subject to the production of NOC from the financier, if applicable and clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall also verify whether permitless operation is detected during this period and realize the compounding fees if any found. .

### **Item No 57**

Heard. This is an application for renewal of permit in respect of the stage carriage KL 08 BC 6885 operating on the inter district route Thrissur - Palakkad, valid upto 04/10/2021. The enquiry officers had reported the overlapping with the notified route is not objectionable in case of existing permit. Hence Renewal of permit is **granted** subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of fees if not paid.

Decision on the application for transfer of permit is **adjourned** for validation of the permit. The Secretary RTA shall place the application for transfer of permit before this authority in the next meeting after endorsing the granted renewal as per the above decision and issuing due notices to both the applicants.

### **Item No 58**

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

Secretary shall revalidate the permit as per the decision above and **endorse the granted transfer of permit** after conducting fresh necessary enquiry to ensure the compliance of the conditions stipulated in Rule 178 of KMV Rules 1989.

### **Item No 59**

Heard . Perused the records. Transfer of permit (death) from the name of the deceased permit holder Sri. Subramanian P A to his wife Smt. Nalini K M is **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall verify the service of the vehicle after expiry of 3 months from the date of demise of the permit holder. If vehicle is found conducted service without obtaining temporary permit, the permitless operation shall be compounded.

### **Item No 60**

Applicant is absent. Hence decision on application for **transfer of permit (death)** is **adjourned**. Secretary, RTA is directed to place the application in the next meeting of the RTA, after issuing due notice to the applicant without fail.

### **Item No 61**

Heard. This is an application for transfer of permit subsequent to the death of permit holder Sri Thomas in respect of stage carriage KL 08 AP 9450 to the name of his wife Smt. Baby Thomas. Permit is valid upto 21/05/2026.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of the application for transfer of permit, with due notices to all the concerned. Hence decision on the application for transfer of permit (death) **adjourned**.

### **Item No 62**

Heard . Perused the records. Transfer of permit (death) from the name of the deceased permit holder Smt Fathima to her son Sri Shaheer Majeed is **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall verify the service of the vehicle after expiry of 3 months from the date of demise of the permit holder. If vehicle is found conducted service without obtaining temporary permit, the permitless operation shall be compounded.

### **Item No 63**

Heard. This is an application for transfer of permit subsequent to the death of permit holder Sri Joseph Davis in respect of stage carriage KL 08 AR 3313 to the name of his wife Smt. Leegi Joseph. Permit is valid upto 01/02/2028.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of the application for transfer of permit, with due notices to all the concerned. Hence decision on the application for transfer of permit (death) **adjourned**.

### **Item No 64**

Heard. This is an application for transfer of permit subsequent to the death of permit holder Sri Joseph Davis in respect of stage carriage KL 75 A 4224 to the name of his wife Smt. Leegi Joseph. Permit is valid upto 02.06.2023.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of the application for transfer of permit, with due notices to all the concerned. Hence decision on the application for transfer of permit (death) **adjourned**.

### **Item No 65**

Heard. This is an application for transfer of permit subsequent to the death of permit holder Sri Joseph Davis in respect of stage carriage KL 44 C 3067 to the name of his wife Smt. Leegi Joseph. Permit is valid upto 18.03.2026.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of the application for transfer of permit, with due notices to all the concerned. Hence decision on the application for transfer of permit (death) **adjourned**.

### **Item No 66**

Heard . Perused the records. Transfer of permit (death) from the name of the deceased permit holder Smt Fathima to her son Sri Shaheer Majeed is **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. Secretary shall verify the service of the vehicle

after expiry of 3 months from the date of demise of the permit holder. If vehicle is found conducted service without obtaining temporary permit, the permitless operation shall be compounded.

### **Item No 67**

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

### **Item No 68**

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

### **Item No 69**

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

### **Item No 70**

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

### **Item No 71**

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

### **Item No 72**

Heard, the counsel representing the applicants and the objector. The objection against allowing transfer of permit is filed by the Chairman, We One Kuries & Loans (P) Ltd, Thrissur. On perusal of records the vehicle is not under any agreement of hypothecation, hire purchase or lease. No prohibitory order refraining this authority from considering this application in favour of the applicants is produced by the objector. Hence by overruling the objection transfer of permit is **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 73**

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

### **Item No 74**

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

### **Item No 75**

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

### **Item No 76**

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

### **Item No 77**

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

### **Item No 78**

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

### **Item No 79**

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

### **Item No 80**

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



### **Item No 81**

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

### **Item No 82**

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

### **Item No 83**

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

### **Item No 84**

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

### **Item No 85**

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

### **Item No 86**

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

### **Item No 87**

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

### **Item No 88**

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

### **Item No 89**

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

### **Item No 90**

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

### **Item No 91**

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

### **Item No 92**

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

### **Item No 93**

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

### **Item No 94**

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

### **Item No 95**

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

### **Item No 96**

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

### **Item No 97**

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

### **Item No 98**

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

### **Item No 99**

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

### **Item No 100**

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

### **Item No 101**

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

### **Item No 102**

1) and 2) Perused the judgment of Hon'ble High Court of Kerala dated 07/02/2023 in WP (C) No. 3105 Of 2023

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

### **Item No 103**

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

### **Item No 104**

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

### **Item No 105**

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

### **Item No 106**

Heard, the counsel representing the applicants and the objector. The objection against allowing transfer of permit is filed by Sri Nidheesh N , Ariyur, Mannarkkad. On perusal of records the vehicle is not under any agreement of hypothecation, hire purchase or lease. No prohibitory order refraining this authority from considering this application in favour of the applicants is produced by the objector. Hence by overruling the objection transfer of permit is **allowed**, subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 107**

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

### **Item No 108**

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

### **Item No 109**

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

### **Item No 110**

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

### **Item No 111**

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

### **Item No 112**

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

### **Item No 113**

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

### **Item No 114**

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

### **Item No 115**

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

### **Item No 116**

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

### **Item No 117**

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

### **Item No 118**

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

### **Item No 119**

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

### **Item No 120**

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

### **Item No 121**

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

### **Item No 122**

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

### **Item No 123**

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

### **Item No 124**

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

### **Item No 125**

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

### **Item No 126**

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

### **Item No 127**

Heard. The transferor submitted a request for withdrawal of application, that he is not interested to transfer the permit in favour of the 2<sup>nd</sup> applicant Sri Pradeep V S. Recording the objection of the permit holder, **permitted to withdraw** the application.

### **Item No 128**

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

### **Item No 129**

Heard. This is a request of the grantee of renewal of permit, Sri Sudhakaran, the permit holder of stage carriage KL 59 A 333 to condone delay and accept belatedly submitted current records of the vehicle to avail the granted renewal of permit. On perusal of records, it is seen that renewal of permit was granted as per the decision of this

authority dated 20.04.2022 in item no. 5 of the agenda. The decision was communicated to the grantee on 15/06/2022. On 05/11/2022 the grantee filed a request along with current records to condone delay and to issue the renewed permit.

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

### **Item No 130**

Heard. This is an application for renewal of regular permit on the intra district route Ponnukkara - Irinjalakuda as Ordinary Service in respect of the stage carriage KL 45 6226. The permit was expired on 27.01.2022. But permit renewal application is filed on 18/10/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time. Hence **delay condoned** in submitting the application for renewal of permit in time and **renewal of permit is granted** from the date of application. Secretary shall verify the services of the vehicle after expiry of permit and on verification if permitless operation is detected, compounding fees shall be levied

### **Item No 131**

Heard. This is a request of Secretary, Kallidukku Janakeeya Samithi for retaining the bus stop on National Highway at Kallidukku between Pattikkad and Chuvannamannu. On perusal of records and reports, it is revealed that after the expansion of National Highway (six lane) stage carriages are not stopping at Kallidukku bus stop, where there was already a bus stop. **Secretary shall implement necessary strict measures to ensure the stage carriages plying on that route stops at Kallidukku** and stringent actions may be taken against those stage carriages violating this direction. The matter may be placed before this authority along with the remarks of NHAI on this issue after forwarding the copy of this decision to all the concerned.

### **Item No 132**

Heard. Considered the proposal submitted by the Secretary RTA Thrissur to initiate action under Rule 152 of KMV Rules 1989 against the listed nine stage carriages in participating in the lightning strike on the route Ponnani – Chavakkad – Kunnankulam held from 02/11/2022 to 04/11/2022 creating hardships to the public. The permit holders and counsels representing them submitted that their vehicles have no permits to operate on the route which is mentioned in the agenda. They also affirmed that they have not participated in this lightning strike.



Hence Secretary shall reverify the matter and furnish a detailed report whether the above stage carriages have participated in any other strikes causing difficulties to the travelling public who depends solely on stage carriages. Hence the decision on this matter is **adjourned**.

### **Item No 133**

Heard. Since the issue is under the consideration of Hon'ble High Court of Kerala in WP (C) 30705/2021, the decision on this matter is **adjourned** awaiting final verdict of the Hon'ble High Court of Kerala.

### **Item No 134**

Heard Sri Soji George. Considered the objection filed by him against the consolidated time sheet issued in respect of stage carriage KL 45 A 9495. The points raised by the objector needs close examination by perusing all connected records/ files, maintained in the office of the Secretary RTA Thrissur. In this process, Secretary shall hear both complainant and permit holder and resolve the issue. With this direction, decision on the objection/complaint is **disposed**.

### **Item No 135**

Heard. This is a request of the grantee of renewal of permit, Sri Tom Justin, the permit holder of stage carriage KL 48 A 2355 to condone delay and accept belatedly submitted current records of the vehicle to avail the granted renewal of permit. On perusal of records, it is seen that renewal of permit was granted by Secretary RTA and proceedings issued on 26/05/2022. On 17/09/2022 the grantee filed a request to allow maximum time to produce current records, since the maintenance works of the vehicle is not completed. As per Rule 172 (3)(a) the maximum time allowable is four months in aggregate from the date of dispatch of order granting the renewal of permit. In this case the current records are produced after the expiry of an aggregate period of 4 months in violation of Rule 172 (3) (a) of KMV Rules 1989. Hence **by rejecting the request to condone delay, grant of renewal of permit is revoked**.

### **Item No 136**

Heard. Considered the representation filed by Sri James Muttikkal, alleging the anomaly in collecting bus fares from Thrissur to Ayyanthole Civil Station by private stage carriages. While the matter was heard, various representatives of Bus Owners Association submitted that at present they are collecting fares as per the existing Government Order. Hence Secretary shall conduct an enquiry through a competent officer not below the rank of Motor Vehicle Inspector, and verify if there is any anomaly in the collection of fares by

private stage carriages. Along with this report, the matter shall be placed for reconsideration before this authority in the next meeting. Hence **adjourned**.

### **Item No 137**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BK 668. Permit in respect of this vehicle is seen expired on 19.06.2021. Belated application for renewal of permit received on 10/10/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 138**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AW 965. Permit in respect of this vehicle is seen expired on 09.03.2022. Belated application for renewal of permit received on 31/12/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 139**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BJ 615. Permit in respect of this vehicle is seen expired on 24/08/2021. Belated application for renewal of permit received on 04/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 140**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AS 3794. Permit in respect of this vehicle is seen expired on 22/03/2020. Belated application for renewal of permit received on 26/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to her health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 141**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AX 3380. Permit in respect of this vehicle is seen expired on 23/08/2022. Belated application for renewal of permit received on 09/02/2023. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 142**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BC 3361. Permit in respect of this vehicle is seen expired on 13/03/2019. Belated application for renewal of permit received on 24/02/2023. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to her health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 143**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AV 5059. Permit in respect of this vehicle is seen expired on 06/03/2022. Belated application for renewal of permit received on 15/02/2023. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed

on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

#### **Item No 144**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AZ 5910. Permit in respect of this vehicle is seen expired on 24/04/2021. Belated application for renewal of permit received on 26/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

#### **Item No 145**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AZ 1454. Permit in respect of this vehicle is seen expired on 07/09/2021. Belated application for renewal of permit received on 31/12/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

#### **Item No 146**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 BG 4812. Permit in respect of this vehicle is seen expired on 06/06/2019. Belated application for renewal of permit received on 05/05/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

#### **Item No 147**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AW 6756. Permit in respect of this vehicle is seen expired on 20/02/2022. Belated application for renewal of permit received on 12/07/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time. Hence delay condoned, renewal of permit is **granted**, from the

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

### **Item No 148**

This is a belated application for renewal of permit in respect of auto rickshaw KL 29 G 6890. Permit in respect of this vehicle is seen expired on 25/12/2020. Belated application for renewal of permit received on 30/09/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 149**

This is a belated application for renewal of permit in respect of auto rickshaw KL 64 A 4899. Permit in respect of this vehicle is seen expired on 13/05/2022. Belated application for renewal of permit received on 11/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 150**

This is a belated application for renewal of permit in respect of auto rickshaw KL 45 E 8211. Permit in respect of this vehicle is seen expired on 20/03/2022. Belated application for renewal of permit received on 14/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 151**

This is a belated application for renewal of permit in respect of auto rickshaw KL 05 AM 4049. Permit in respect of this vehicle is seen expired on 17/04/2021. Belated application for renewal of permit received on 19/12/2022. This authority is convinced that

the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 152**

This is a belated application for renewal of permit in respect of auto rickshaw KL 64 E 1040. Permit in respect of this vehicle is seen expired on 03/06/2022. Belated application for renewal of permit received on 15/12/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 153**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 U 3320. Permit in respect of this vehicle is seen expired on 02/08/2022. Belated application for renewal of permit received on 23/01/2023. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 154**

This is a belated application for renewal of permit in respect of auto rickshaw KL 64 3847. Permit in respect of this vehicle is seen expired on 19/04/2022. Belated application for renewal of permit received on 17/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees,

if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 155**

This is a belated application for renewal of permit in respect of auto rickshaw KL 45 N 451. Permit in respect of this vehicle is seen expired on 04/04/2021. Belated application for renewal of permit received on 20/10/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 156**

This is a belated application for renewal of permit in respect of auto rickshaw KL 45 G 8081. Permit in respect of this vehicle is seen expired on 12/03/2022. Belated application for renewal of permit received on 29/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

### **Item No 157**

Applicant was absent. Considered the application for variation of permit to change the parking place to the place in the city limit, Ayyanthole Civil Station. The Secretary RTA shall conduct detailed enquiry on the proposed application for variation of permit for changing parking place to Corporation limits in Thrissur, in compliance to the directions of this authority in the meeting held on 14.06.2022. After obtaining a detailed report, by issuing due notices to Corporation authorities, Police Department and all the concerned, this application shall be placed before this authority in the next meeting. Hence decision on application for variation of permit (proposing to change the parking place) is **adjourned**.

### **Item No 158**

Applicant was absent. Considered the application for variation of permit to change the parking place to the place in the city limit, Ayyanthole Civil Station. The Secretary RTA shall conduct detailed enquiry on the proposed application for variation of permit for changing parking place to Corporation limits in Thrissur, in compliance to the directions of this authority in the meeting held on 14.06.2022. After obtaining a detailed report, by issuing due notices to Corporation authorities, Police Department and all the concerned, this application shall be placed before this authority in the next meeting. Hence decision on application for variation of permit (proposing to change the parking place) is **adjourned**.

### **Item No 159**

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

### **Item No 160**

a) Ratified.

b) Ratified.

### **(Items approved by Chairman on 07-03-2022)**

### **Item No 161 A**

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

### **Item No 161 B**

1) Perused the judgment of Hon'ble High Court of Kerala dated 14.02.2023 in WP (C) No. 3793/2023

2) Heard. This is an application for renewal of regular permit on the inter district route Kodungallur - Malampuzha as LSOS valid upto 14.02.2023, in respect of the stage carriage KL 08 AL 627. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.



3) Subject to the endorsement of renewal of permit, **replacement of stage carriage KL 08 AL 627 by KL 58 P 9963 is allowed** on clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Item No 162**

Will be fixed later and published on the notice board.

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

Heard. This is an application for renewal of regular permit on the inter district route Panamanna Junction - Kodungallur as LSOS valid upto 02.07.2022, in respect of the stage carriage KL 08 AQ 7137. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

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

Heard. This is an application for renewal of regular permit on the inter district route Elanad- Thrissur - Palakkad as LSOS valid upto 06.01.2023, in respect of the stage carriage KL 48 A 6374. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No. 3**

Heard. This is an application for renewal of regular permit on the inter district route Edappal - Guruvayur valid upto 27/08/2022, in respect of the stage carriage KL 54 C 6800. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No. 4**

Heard. This is to reconsider the application for renewal of regular permit on the inter district route Guruvayur - Govindauram valid upto 16/08/2020, in respect of the stage carriage KL 06 D 5715. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. The application was considered by this authority in the meeting dated 20.04.2022 in Item No.

16 and was rejected since the vehicle covered by the permit was not suitable for operation as LSOS.

In view of the notification G O (P) No. 26/2022/Trans dated 25/09/2022 enhancing the age of LSOS stage carriages from 15 to 17 years, considering the request of the applicant, this authority is inclined to review its decision dated 20/04/2022 in item no. 16 and renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No. 5**

Applicant is absent. Hence decision on application for renewal of permit is **adjourned**. Secretary, RTA is directed to place the application in the next meeting of the RTA, after issuing due notice to the applicant without fail.

### **Supplementary Item No. 6**

Heard. This is an application for renewal of regular permit on the inter district route Kodungallur - Kozhinjampara valid upto 16/11/2020, in respect of the stage carriage KL 70 B 4599. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

### **Supplementary Item No. 7**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 08 AK 4003 operating on the intra district route Vadookkara – Ayyanthole as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 19/10/2005 in item no. 20, and is seen issued only on 12/02/2008. But the MVI Thrissur in his report dated 13/02/2023 has stated that total overlapping of 2 Km from Thrissur to West Fort in the notified scheme as per Government Notification GO (P) No.42/2009/trans Trivandrum Kannur Sl No. 7 and overlapping of 3 Km from Koorkkenchery to Thrissur in the notified scheme as per Government Notification GO (P) No.8/2017/trans dated 23-03-2017 – Thrissur – Thriprayar-Thrissur Circular are not objectionable. .

Secretary is directed to give specific remarks whether the overlapping is not objectionable for considering the renewal of the permit with 50% of total route length (10 Km) overlapping with the notified route/approved scheme and to resubmit the application in the ensuing meeting of the RTA. Hence the decision on the application for renewal of permit is **adjourned**, for want of the specific report.

### **Supplementary Item No. 8**

Heard. This is an application for renewal of regular permit in respect of the stage carriage KL 06 B 8910 operating on the intra district route Thrissur – Santhinagar - Ponnukkara as Ordinary Service. The permit was granted as per the decision of RTA Thrissur dated 18/01/2007 in item no. 171, and is seen issued only on 22/02/2008. But the MVI Thrissur in his report dated 25/02/2023 has stated that total overlapping of 5 Km from Thrissur to Kuttanellur in the notified sector as per Government Notification GO (P) No.8/2017/trans dated 23-03-2017 is not objectionable. .

Secretary is directed to give specific remarks whether the overlapping is not objectionable for considering the renewal of the permit with 31% of total route length (16 Km) overlapping with the notified route/approved scheme and to resubmit the application in the ensuing meeting of the RTA. Hence the decision on the application for renewal of permit is **adjourned**, for want of the specific report.

### **Supplementary Item No. 9**

Heard. This is an application for renewal of regular permit on the inter district route Kodungallur – Palakkad - Irinjalakuda as LSOS valid upto 22/01/2023, in respect of the stage carriage KL 08 BU 9106. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. But the application for renewal was submitted on 17/01/2023. On perusal of records, this authority is convinced that the applicant was prevented by good and sufficient reasons in filing the application within the stipulated time as per Section 81 (2). Hence renewal of permit is **granted**, subject to production of NOC from financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid.

A complaint was submitted by Sri Baiju Joseph, Pattikkad alleging that the permit holder of the stage carriage KL 08 BU 9106 authorised to operate on the above route have another stage carriage KL 08 BJ 8032 covered by a permit issued by RTA Palakkad. The permit holder operates his two vehicles on the above routes by interchanging them. Secretary RTA shall conduct an enquiry on this complaint and take appropriate actions.

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

1) Perused the judgment of Hon'ble High Court of Kerala dated 11.11.2022 in WP(C) No. 36242 of 2022.

2) Heard. This is an application for renewal of regular permit on the inter district route Thrissur - Kozhikode as LSOS valid upto 04.12.2022, in respect of the stage carriage KL 08 AW 6606. The enquiry officers have reported that overlapping with notified route is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is

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

3) In view of the decision (2) above after revalidating the permit, Secretary shall consider the application for transfer of permit and endorse the same after conducting fresh necessary enquiry to ensure the compliance of the conditions stipulated in Rule 178 of KMV Rules 1989.

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

Heard. This is an application for transfer of permit subsequent to the death of permit holder Smt Sarojini in respect of stage carriage KL 06 E 7599 to the name of her son Sri Premanandan. Permit is valid upto 26.06.2023.

Section 82(2) and (3) of Motor Vehicles Act, 1988 deals with the transfer of permit subsequent to the death of a permit holder. The Secretary, RTA shall ascertain that the applicant is the person succeeding to the possession of the vehicle with the legal consent of other legal heirs and submit a report before this authority for reconsideration of the application for transfer of permit, with due notices to all the concerned. Hence decision on the application for transfer of permit (death) **adjourned**.

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

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

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

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

### **Supplementary Item No. 14**

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

### **Supplementary Item No. 15**

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

### **Supplementary Item No. 16**

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

### **Supplementary Item No. 17**

Applicants are absent. Hence decision on joint application for transfer of permit is **adjourned**. Secretary, RTA is directed to place the application in the next meeting of the RTA, after issuing due notices to the applicants without fail.

### **Supplementary Item No. 18**

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

### **Supplementary Item No. 19**

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

### **Supplementary Item No. 20**

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

### **Supplementary Item No. 21**

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

### **Supplementary Item No. 22**

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

### **Supplementary Item No. 23**

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

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

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

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

Heard. While considering this application in the meeting dated 17.09.2022 in item no. 87, this authority had directed the Secretary to conduct a specific enquiry and report whether the stage carriage KL 18 C 441 covered by the permit is in existence. Though the permit holder submitted that the vehicle has been dismantled, no specific report is seen submitted by the Secretary confirming the date and place of dismantle of the stage carriage KL 18 C 441. For want of specific and precise report, the decision on the application is **adjourned**.

### **Supplementary Item No. 26**

Perused the judgment of Hon'ble High Court dated 15.09.2020 in WP (C) No. 18928/2020 (M). Heard. On perusal the Hon'ble High Court has directed the 3<sup>rd</sup> respondent, Secretary Mattathur Grama Panchayath to pass appropriate orders after affording the petitioner and hearing the affected parties. It is seen that the Secretary, Mattathur Grama Panchayath has banned the auto rickshaw stand at Avittappilly vide Order no. A1-6286/20 dated 03/02/2021. Hence Secretary, directed to conduct an enquiry on whether this order has been complied in true spirit and the issues relating to the non compliance if any in detail. Secretary shall also obtain a detailed report on the present status of this matter from the Secretary, Mattathur Grama Panchayath. For the compliance of the above, decision is **adjourned**.

### **Supplementary Item No. 27**

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AR 7432. Permit in respect of this vehicle is seen expired on 26/01/2020. Belated

application for renewal of permit received on 15/07/2020. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

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

This is a belated application for renewal of permit in respect of auto rickshaw KL 08 AV 7306. Permit in respect of this vehicle is seen expired on 12/10/2021. Belated application for renewal of permit received on 11/11/2022. This authority is convinced that the applicant is prevented by good and sufficient reasons from making the application for renewal of permit in time due to his health related issues. Hence delay condoned, renewal of permit is **granted**, from the date of application subject to the production of NOC from the financier, if applicable, clearance of Govt. dues, if any and remittance of application fees, if not paid. If it is revealed on the enquiry that the vehicle had conducted service after the expiry of permit, compounding fees shall be levied for permit less operation.

**(Sd/-)**

**Shri. James M P**

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

**(Sd/-)**

**Smt. Aishwarya Dongre IPS**

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

**(Sd/-)**

**Smt Haritha V Kumar**

Dist. Collector & Chairman RTA  
Thrissur