

**Decision of the Meeting of the Regional Transport Authority, Kasaragod held on 18-09-2023**

**Present**

- 1. Sri K Imbasekhar IAS (District Collector & Chairman RTA)**
- 2. Sri. Dr. Vaibhav Saxena IPS (District Police Chief & Member RTA)**
- 3. Sri R Rajeev (Deputy Transport Commissioner, NZ & Member RTA)**

Decision:

**ITEM No: 1**

**Heard:** This is an application for grant of regular stage carriage permit on the intra district route Thayyeni-Pulingome-Chittarikal-Kattamkavala-Malom- Vellarikundu- Odayamchal-Panathur as ordinary service .

The Motor Vehicle Inspector has reported that :

1. The proposed service is much beneficial to the public, the application of fresh permit is genuine and may be considered.
2. Frequency of service on the route – Less service.
3. There is no over lapping on the notified sector.
4. Route portion from Cherupuzha to Pulingome, 6km comes in Kannur district and concurrence may be obtained from RTA, Kannur

The applicant has not produced the details of vehicle for which the permit is to be issued. During the meeting representations received from KSRTC and private Bus Operators Association regarding the timings, which can be settled in a timing conference as per Rule 212 of KMVR. Hence , the decision on the application for the regular Stage Carriage Permit on the intra district route Thayyeni-Pulingome-Chittarikal-Kattamkavala-Malom- Vellarikundu-Odayamchal-Panathur as ordinary service is **adjourned**. The Secretary RTA is directed to obtain concurrence from RTA Kannur for the route portion comes under the jurisdiction of that RTA.

## **ITEM No: 2**

**Heard:** This is an application for regular stage carriage permit on the intra district route Mulleria-Baiyaduka-Kumbala via Seethamgoli-Nirchal-Narambadi-Mouvar-Belliga as ordinary service.

The Motor Vehicle Inspector has reported that Kumbala to Mulleriya is well served route, even though there are inconvenience to the public and students. No overlapping on nationalized or notified route. During the meeting several objections received from the enroute operators on this sector against the proposal. They raised the following objections.

1. No fresh permit shall be granted to stage carriages which are older than 8 years.
2. Vehicle details not furnished. More than 44 stage carriages having 352 trips are operating on this 29 km route.
3. The applicant submitted the application with an ulterior motive to sell the permit after it is issued to him.

As per the existing Act and Rules the life span of private stage carries is 20 years and there is no bar to grant the permit during its life span.

As per Rule 152 (2) of KMVR the grantee shall furnish the details of the vehicle with in the stipulated period, the transport authority authorized.

Hence the decision on this application is **adjourned**. The secretary RTA is to ascertain the stability of the proposal time schedule and clarify whether the proposal will lead to severe time clash with the existing services and place before the next RTA.

## **ITEM No: 3**

**Heard:** This is an application for grant of regular stage carriage permit in respect of vehicle No.KL55U5191[06-10-2016] on the route Vellachal-Bandakuka via Cheemani-Moukode-Kunnumkai-Beemadai-Vellarikundu-Kalamchira-Balal-Pudamkallu-Kolichal-Manadukam.

The Motor Vehicle Inspector has reported that major portion of the route is ill served, no direct service from Vellachal to Bandakuka, several Government offices and institutions are situated on the route, hence it is highly beneficial to the travelling public and students of this region. During the meeting objections received from KSRTC with regard to the schedule of timings, which can be settled in a timing conference as per Rule 212.

Hence fresh regular stage permit carriage is **granted** on the intra district route Vellachal-Bandakuka via Cheemani-Moukode-Kunnumkai-Bheemadai-Vellarikundu-Kalamchira-Balal-Pudamkallu-Kolichal-Manadukam in respect of S/C KL-55-U-5191 subject to settlement of timings.

**ITEM No: 4**

**Heard:** This is an application for grant of regular stage carriage permit on the intra district route Thalapacheri-Adoor-Kuttikol-Kangirathumkal-Udayapuram-Odayamchal-Periya-Kanhangad.

The Motor Vehicle Inspector has reported that introduction of this new service is more beneficial to the travelling public in this ill served sector. No service on the route Thalapacheri - Adoor-Kuttikol. There is an overlap of 4.20 km between Kanhangad NBS to Kizhkumkara and Periya to Central University, which is permissible overlapping as per G.O.P. No 13/2023.

Objections received from KSRTC and Private Stage Operators with regard to the proposed timings, which can be settled in a timing conference as per Rule 212, KMVR, 1989. Hence fresh regular stage carriage permit on the route Thalapacheri-Adoor-Kuttikol-Kangirathumkal-Udayapuram-Odayamchal-Periya-Kanhangad as ordinary service **is granted** subject to settlement of timings and production of suitable stage carriage within one month from the date of communication of decision, failing which sanction will be revoked without further notice.

**ITEM No: 5**

**Heard:** This is an application for regular stage carriage permit on the intra district route Kasaragod-Kayyarpadvu-Kumbala-Mudiyathaduka via Manya-Neerchal-Badiyakuka-Kinnigr-Ethaduka-Railway Station as ordinary service.

This application was placed before the RTA held on 15/06/2023 and was adjourned for a specific report following the objections raised by KSRTC and bus owners on account of overlapping on notified route. Motor vehicle Inspector reported that the proposal route overlaps 4.2km on the notified sector (Kannur-Kasaragod) which is an objectionable overlapping. The applicant has submitted that he would propose to operate the services from Kasaragod NBS. Several objections were received from private operators and KSRTC, vehemently objected the proposal on the ground that, the overlapping is more than 5% as stipulated to private stage carriage operators as per G.O(P) No. 13/2023. As per section 72 of the CMV Act, 1989, RTA may on an application made to it under section 70, grant a stage carriage permit in accordance with the application or with such modification as its deems fit. However, in the instant case, if the request of the applicant on modified route is allowed, ie. Starting the trip from Kasaragod New Bus Stand will jeopardise the convenience of the travelling public as the termini of the

moffusil services are upto old bus stand and will lead to unhealthy competition. Also to monitor each and every trip of such services are not practical.

Hence application for fresh regular stage carriage permit is **rejected** since the overlapping on the notified route exceeds the permissible limit as per G.O.P. 13/2023 and on account of the fact that the purpose will not be served if the permit is granted curtailing the portion from Kasaragod NBS to Railway station.

#### **ITEM No: 6**

**Heard:** This is an application for grant of regular stage carriage permit on the intra district route Kalathur-Bakrabail-Kasaragod via Kumbala-Seethamgoli-Angadimugaru-Permude-Majeerpalla-Mudipu-Vidyanagar as ordinary service in respect of s/c KL14H4077.

The Motor Vehicle Inspector has reported that introduction of this new service is more beneficial to the travelling public, will help to access Medical college situated at Mudipu, Karnataka and institutions like Infosys. There is no direct bus service between Nandarapadavu to Angadimoguru.

During the meeting several representations received in favour of the application especially from Sri. A.K.M. Asharaf MLA, Sri. C.H. Kunhambu, MLA, Headmaster Sri. Durga Parameshari HSS, Darmathaduka, Panchayath President Paivalika and other public figures. Objections received from the enroute operators as well as from KSRTC with regard to timings.

Route portion from Kasaragod NBS to Vidyanagar having a distance of 2.80km overlaps in the notified sector (Kannur-Kasaragod) which is below 5% of the total route length. The major portion of the route passes through remote arrears. Hence this authority is of the view that granting of this permit will be highly beneficial to the travelling public. As per section 72 of the Act RTA may on a application made to it under section 70, grant a stage carriage permit in accordance with the application or with such modification as it deems fit. However, if the application is granted to start or end the trip from or upto Kasaragod New Bus Stand will jeopardise the convenience of the travelling public as the termini of the moffusil services are upto old bus stand and will lead to unhealthy competition. Also to monitor each and every trip of such services are not practical.

Hence the decision on the application for regular permit in respect of s/c KL14H 4077 on the route Kalathur-Bakrabail-Kasaragod new bus stand via Kumbala-Seethamgoli-Angadimugaru-Permude-Majeerpalla-Mudipu-Vidyanagar is **adjourned**. The applicant is directed to submit modified route so as to cover the old bus stand.

## ITEM No: 7

**Heard:** This is an application for regular stage carriage permit on the route Kalathur-Bakrabail-Kasaragod via Kumbala-Seethamgoli-Angadimugaru-Permude-Majeerpalla-Mudipu-Vidyanagar as ordinary service in respect of s/c KL14J1677.

The Motor Vehicle Inspector has reported that introduction of this new service is more beneficial to the travelling public, will help to access Medical college situated at Mudipu, Karnataka and institutions like Infosys. There is no direct bus service between Nandarapadavu to Andadimuguru.

During the meeting several representations received in favour of the application especially from Sri. A.K.M. Asharaf MLA, Sri. C.H. Kunhambu, MLA, Headmaster Sri. Durga Parameshari HSS, Darmathaduka, Panchayath President Paivalika and other public figures. Objections received from the enroute operators as well as from KSRTC with regard to timings.

Route portion from Kasaragod NBS to Vidyanagar having a distance of 2.80km overlaps in the notified sector (Kannur-Kasaragod) which is below 5% of the total route length. The major portion of the route passes through remote arrears. Hence this authority is of the view that granting of this permit will be highly beneficial to the travelling public. As per section 72 of the Act RTA may on a application made to it under section 70, grant a stage carriage permit in accordance with the application or with such modification as it deems fit. However, if the application is granted to start or end the trip from or upto Kasaragod New Bus Stand will jeopardise the convenience of the travelling public as the termini of the mofussil services are upto old bus stand and will lead to unhealthy competition. Also to monitor each and every trip of such services are not practical.

Hence the decision on the application for regular permit in respect of s/c KL 14 J 1677 on the route Kalathur-Bakrabail-Kasaragod New bus stand via Kumbala-Seethamgoli-Angadimugaru-Permude-Majeerpalla-Mudipu-Vidyanagar is **adjourned**. The applicant is directed to submit modified route so as to cover the old bus stand.

## Item No. 8

**Heard:** This is an application for regular stage carriage permit on the route Bandiyode – Dharmathadka via Pachamballam, Ichilangod, BC Road, Pachani, Permude as ordinary service in respect of suitable vehicle.

The Motor Vehicle Inspector has reported that limited stage carriage services are there in the proposed route. There is a Pilgrim place, named, Ichilangod Malik Dinar on the route, hence to consider the application.

During meeting several objections received against the proposed route, mainly private stage carriage operators and timing objection from KSRTC. All the operators vehemently objected the granting of permit, on the ground that out of the total route, in 13 kms distance 13 buses are serving 104 trips in a gap of 5 to 10 minutes, and therefore it will lead to time clash and unhealthy competition.

On verifying the application and objections received, this authority is of the view that the introduction of the stage carriage permit on the proposed route may cause unhealthy competition among the enroute operators leading to accidents and safety issues. Besides, an amicable settlement of timing will be very difficult. Hence **rejected**.

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

**Heard:** This is an application for regular stage carriage permit in respect of S/C KL 14AC 0074 on the route Machampady – Kadambar – Hosangady – Manjeswar – Thalappady as ordinary service.

The enquiry officer has reported that total route length is 15.2 kms, out of which 7.3 kms lies in the notified sector (NH) Kasaragod – Thalappady (as per GO(P)01/2016/Trans dated 13-01-2016), which is objectionable overlapping on the Notified Sector. Portion of the route is having narrow route and narrow bridge, not suitable to conduct stage carriage service normally. A mass representation from Kadambar School, representation from Secretary, Manjeswar GP, Sri AKM Ashraf MLA, Principal Govindapai College etc received in favour of the route. KSRTC vehemently objected in the light of the notification.

Eventhough, the granting of permit is necessary, RTA is restrained from granting the permit as per the clauses 4 & 5 of the Notification as per GO(P)01/2016/Trans dated 13-01-2016. Hence **rejected**.

## **II Variation**

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

**Heard.** This is an application for regular variation of permit in respect of S/C KL 56F9310 operating service on the intra district route Poinachi – Kuttikol – Chullikkara – Kanhangad (via) Kundamkuzhi – Cheerkayam – Odayamchal – Mavungal as ordinary service. Variation applied is : 1) Deviation through the extended portion from Odayamchal to Bedadka Tq. Hospital via Vavadukam –Kanjirathunkal and Kodoth only one trip 13.2kms.

2) Extension of trip from Odayamchal to Bedadka 13.2 kms

3) Curtailment of trip from Odayamchal to Kanhangad 18.8 km and the last trip from Kanhangad to Poinachi

The enquiry officer has reported that the proposed extension is highly beneficial to general public and the curtailment portion 18.8 kms will not affect the travelling public since the route is well served.

As per Sec. 80(i) &(ii) of the CMV Act & Rules, 1989, in the case of Deviation terminus shall not be altered. The distance covered by Deviation shall not exceed 24 kms.

(ii) In the case of extension, the only limitation is that the distance covered by the extension shall not exceed 24 kms from the terminus.

(iii) In the case of curtailment, no limitation as to the distance covered by the curtailment or restriction on the change of terminus is contemplated in the act.

During the meeting, objection received against the curtailment, and timing objection from KSRTC. Sri CH Kunhambu MLA has represented in favour of the proposal as students suffer lots of hardship to reach the institutions due to lack of stage carriage service on the route Bedadka- Kodoth. Hence regular variation of stage carriage permit in respect of S/C KL 56F9310 operating service on the intra district route Poinachi – Kuttikol – Chullikkara – Kanhangad (via) Kundamkuzhi – Cheerkayam – Odayamchal – Mavungal is **granted** as follows, subject to settlement of timings :

- 1) Deviation through the extended portion from Odayamchal to Bedadka Tq. Hospital via Vavadukam –Kanjirathunkal and Kodoth only one trip 13.2kms.
- 2) Extension of trip from Odayamchal to Bedadka 13.2 kms
- 3) Curtailment of trip from Odayamchal to Kanhangad 18.8 km and the last trip from Kanhangad to Poinachi.

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

**Heard.** This is an application for regular variation of permit in respect of S/C KL 14AC 4812 operating service on the intra district route Mundyathadka – Neerchal – Alampady as ordinary service. Variation applied is : 1) Curtailing one round trip from Mundyathadka – Neerchal – Kasaragod (Ist and 2<sup>nd</sup> trip in the existing time sheet)

2) Extension of one trip from Mundyathadka to Maniyampara 6 Kms (Sheny School) (Ist and 2<sup>nd</sup> trip in the proposed time sheet)

3) Extension to Malankara from Mundyathadka (4 trips in the proposed time sheet)

The enquiry officer has reported that route distance from Mundyathadka to Seethangoli Perla Road having 3.5 kms is virgin portion for which road fitness certificate obtained. Curtailment of

the morning trip from Myndyathadka to Kasaragod and back will adversely affect the travelling public. Extension is beneficial to school children and public (Sheny School), Maniyampara to Mundyathadka is ill served.

During the meeting, objection received from KSRTC with regard to time clash which can be settled in a timing conference (Rule 212). Local club and Juma Masjid at Malankara are filed representations in favour of extension.

On verifying the application, report of the field officer, this authority is of the view that the extension of the route to Malankara will be beneficial to the public, however the curtailment of the Morning trip from Mundyathadka to Kasaragod will adversely affect the travelling public. More over, only one round trip is offered to the extended portion. Hence the regular variation of stage carriage permit in respect of S/C KL 14AC4812 operating service on the intra district route Mundyathadka – Neerchal – Alampady **is adjourned**. The applicant is directed to make a modified proposal without curtailment of the existing trip and to provide full additional round trips to the extended portion Mundyathadka – Maniyampara.

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

**Heard.** This is an application for regular variation of permit in respect of S/C KL 13 T 1566 operating service on the inter district route Cherupuzha – Payyanur – Peringara -Cheruvathur as ordinary service. Variation applied is : 1) Deviation of the route from Cheemeni to Perumbatta via Perumbatta bridge, Pallipara, Kallapathy and vice versa ( 2trips), (ii) Curtailment of trip from Cherupuzha to Perumbatta and halting trip from Perumbatta to Cherupuzha and also one trip from Cheemeni to Perumbatta via Kakkadavu on the existing operating route (21.1km).

The enquiry officer has reported that the proposal is to change the halting place from Cherupuzha to Perumbatta. The application for deviation from Perumbatta to Cheemeni via Perumbatta bridge, Pallipara, Kallapathy a distance of 8.4kms The variation is within the permissible limit. (Sec. 80(3) (i) (ii)).

During the meeting, objection received from KSRTC with regard to time clash which can be settled in a timing conference (Rule 212).

On verifying the application, report of the field officer, this authority is of the view that the deviation of the route will serve the convenience of the public and that it is not expedient to grant a separate permit on the varied route. However, the curtailment and change in halting place will not serve better and may affect the travelling public. Hence the regular variation **is granted as follows without change in the halting place and subject to settlement of timings:**

- i) Deviation of the route from Cheemeni to Perumbatta via Perumbatta bridge, Pallipara, Kallapathy and vice versa ( 2trips),
- ii) without curtailment of the existing portion from Perumbatta to Cherupuzha.



### **Item No.13**

**Heard.** This is an application for regular variation of permit in respect of S/C KL 14Q4431 operating service on the intra district route Kurichippalla , Uppala , Bayarpadavu, Beripadavu, Perla, Kaniyala.

Variation applied (i) Curtailment of route from Beripadavu to Perla 18 Kms. (one round trip), in which 13 kms is in Karnataka State (enclaved route) and 5 kms lies in Kerala State.

(ii) Extension of route from Berippadavu to Kaniyala via Bellur 5 kms, (iii)Halting place changed from Kaniyala to Bellur, Enquiry officer has reported that curtailment of one round trip from Berippadavu – Perla reaching at 12 noon will adversely affect the travelling public since it is an ill served route and only 5 stage carriages are conducting service at present. The proposed extension from Berippadavu to Kaniyala., 5kms is ill served route and will benefit the public.

As per Sec. 80(i) &(ii) of the CMV Act & Rules, 1989, in the case of (i) Deviation termini shall not be altered. The distance covered by Deviation shall not exceed 24 kms.

(ii) In the case of extension, the only limitation is that the distance covered by the extension shall not exceed 24 kms from the termini.

(iii) In the case of curtailment, no limitation as to the distance covered by the curtailment or restriction on the change of terminus is contemplated in the act.

During the meeting, objection received from KSRTC with regard to time clash which can be settled in a timing conference (Rule 212). Enroute operators objected the proposal of curtailment on the ground that this particular service is applying for curtailment for the 3<sup>rd</sup> consecutive times, earlier occasions curtailments were granted, also stated that the proposed curtailment will adversely affect the travelling public.

As per Sec. 80(3) of the MV Act, An application to vary the conditions of any permit, other than a temporary permit, by the inclusion of a new route or routes or a new area or by altering the routes or routes or area covered by it, or in the case of stage carriage permit by increasing the number of trips above the specified maximum or by the variation, extension or curtailment of the route or routes or the area specified in the permit shall be treated as an application for the grant of a new permit.

On verifying the application, report of the field officer, this authority is of the view that the curtailment of the round trip will adversely affect the travelling public in that ill served area. Extension of the route will serve the convenience of the public and that it is not expedient to grant a separate permit on the varied route. However, the curtailment will not serve better and

may affect the travelling public. Considering all these facts, the Secretary RTA may be directed to ascertain the suitability of the proposed time schedule and extension of trip without curtailment of the existing trips and to place in the next RTA.

Hence the decision on regular variation is **adjourned**.

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

**Heard.** This is a belated application for Renewal of regular permit in respect of S/C KL 58A6739[31-03-2008] operating service on the intra district route Pannippara – Erinhipuzha via Kasaragod – Thalangara, Kurichippalla as ordinary service on the strength of regular permit No. KL1414/5/1993 valid upto 15-02-2023.

Primary permit issued in the year 1993. On scrutiny of the application it is understood that the applicant is prevented by good and sufficient cause from making an application with in the time specified Sec 81(3). Therefore it is open to the RTA to condone delay in the making of an application for the renewal of permit. The documents of the vehicle are current. Hence the application for condonation of delay is approved and renewal of permit is **granted wef 16-02-2023 subject to the clearance of the government dues, if any.**

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

**Heard.** This is an application for Renewal of regular permit in respect of S/C KL 18 7506 operating service on the intra district route Kaniyala Edaneer via Dharmathadka Bandiyode Kumbala Kasaragod. The regular permit No. KL14/35/1982 expired on 05-01-2021.

Primary permit issued in the year 1982 and was operating as on 05-03-2019. The vehicle was under the custody of the RTO wef 05-03-2019 to 31-07-2019, seized for tax arrears. The applicant could not make the renewal application due to tax arrears. Now all the arrears cleared and vehicle is fit to use on road. Therefore it is open to the RTA to condone delay in the making of an application for the renewal of permit. The documents of the vehicle are current. On scrutiny of the application it is understood that the applicant is prevented by good and sufficient cause from making an application with in the time specified Sec 81(3). Hence the the application for condonation of delay is approved and renewal of permit is **granted wef 06-01-2021 subject to the production of NOC from HP company if applicable and clearance of the government dues, if any.**

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

**Heard.** This is an application for Renewal of regular permit in respect of S/C KL 13 AW 0177[23-12-2022] operating service on the inter district route Kannur – Kasaragod via Thaliparamba, Payyanur, as LSOS operating on the strength of the regular permit No. KL14/27/1998 valid upto 13-09-23. Primary permit issued in the year 1998 and is operating the

regular service as per temporary permit issued with Sec. 87 (i)(d) valid upto 11-01-2024. As per clause 4 of the notification GO(P) No. 13/2023, existing saved operators (permits issued as on 14-7-2009 which are in operation) can operate as **ordinary service** with stops in all the approved stops subject to maximum route length 140 kms. The route length of the permit is 110 Kms, fully lies in the notified portion in the GOP 13/223 Sl.No.30, and the primary permit is issued in the year 1998. The time allotted to this permits is 1.45 mts per kms.

Route enquiry report received from the Secretary, RTA, Kannur and stated that the overlapping on the notified sector is not objectionable since it is a saved permit.

KSRTC vehemently objected the renewal on the ground that as per the clause 4 of the notification, the applicant is not entitled to get the renewal.

On scrutiny of the application, it is found that the application for renewal of permit is genuine. applicant is entitled to get the permit since it is issued prior to 14-07-2009. The documents of the vehicle are current. Hence the renewal of permit is **granted wef 14-09-2023 as ordinary service with stops in all the approved stops subject to the production of NOC from HP company, if applicable and clearance of the government dues, if any.**

**Item No. 17:**

**Heard:** This is an application for renewal of permit and (2) Transfer of permit (death transfer) to the name of the legal heir and (3) transfer of permit from the name of the legal heir to 2<sup>nd</sup> applicant. The application for renewal is filed well in advance, however NOC not produced. During the pendency of the application, the Permit holder expired and thus the transfer of permit application.

Primary permit issued in the year 2003. Application for renewal filed on 12/04/2023. NOC produced, legal heirs were heard and the 2<sup>nd</sup> applicant was also heard at the office of the secretary, RTA. The documents of the vehicle are current. Hence the renewal of permit is **granted wef 27-01-2023 subject to the clearance of the government dues, if any, (2) transfer of permit to the name of the legal heir is allowed; and (3) transfer of permit from the name of the legal heir to the 2<sup>nd</sup> applicant is also allowed subject to payment of fees for effecting such transfer.**

**Item No. 18.**

**Heard:** This is an application for renewal of permit and (2) Transfer of permit (death transfer) to the name of the legal heir. The application for renewal is filed on 22-11-2019 and the permit expired on 16-12-2019, i.e well in advance, however NOC from financier produced on 03-08-202. During the pendency, the Permit holder expired and thus the transfer of permit application.

Primary permit issued in the year 2009 . . . NOC produced, legal heirs were heard and the 2<sup>nd</sup> at the office of the secretary, RTA. The documents of the vehicle are current. Hence the renewal of permit is **granted wef 17-12-2019 subject to the clearance of the government dues, if any.(2) transfer of permit to the name of the legal heir is also allowed.**

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

**Heard. Perused the** judgement of the Hon'ble HC of Kerala in Wp© 24056 of 2023. The application is for renewal and replacement of the vehicle by a later model, KL 58-0249 (DOR 11/07/2006). Hence the renewal of permit is **granted wef 23-07-2022 subject to the clearance of the government dues, if any, and replacement of vehicle is also granted subject to clearance of government dues if any, and production of NOC from HP company if applicable.**

#### **IV. Transfer of Permit**

**Item No. 20: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 21: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 22: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 23: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 24: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 25: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 26: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 27: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 28: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 29: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 30: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 31: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 32: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 33: Transfer of permit allowed** subject to clearance of government dues if any, and production of NOC from HP Company, if applicable.

**Item No. 34 :** Transfer of permit (death) allowed subject to clearance of government dues if any, and production of NOC from HP company if applicable.

**Item No. 35 :** The question is whether the operation of stage carriages on the deviated route are to be treated as violation of permit condition or not. It is understood that the deviation is due to road repairs work. However, frequency of services are maintained on the permitted route as per the submission from KSRTC. Hence a joint meeting of MVD, PWD Roads, Contractor Company, KSRTC, Private Stage Carriage operators has to be convened and the complainants to decide further. Hence, Secretary, RTA is directed to initiate to convene the joint meeting at an earliest date.

**Item No. 36 :** The Enquiry officer has reported that the proposal can not be considered as there sufficient space is not available at the requested place. Hence rejected.

**Item No. 37 : Heard.** As per the decision in the 22<sup>nd</sup> meeting of SITCO, Counter signature granted.

**Item No. 38 : Heard.** As per the decision in the 22<sup>nd</sup> meeting of SITCO, Counter signature granted.

### **Decision on Supplementary Agenda:**

#### **Item No: 1**

This is an application for the grant of regular stage permit on the route Cherupuzhaz – Kadumeni – Kunnumkai – Bheemanadi – Vellarikundu – Odayanmchal. Applicant is absent while the matter is taken into consideration. Hence the decision of the application for fresh regular stage carriage permit is **adjourned**.

**Item NO: 2**

**Heard:** This is an application for regular stage carriage permit of intra district route Konnakkad-Vellarikundu-Parappa-Kanhangad Via:Edathode-Kalichanadukkam-Thayannur as ordinary service .

1. The Motor Vehicle Inspector has reported that the proposed service is much beneficial to the public, students of schools and colleges, the application of fresh permit is genuine and may be considered.
2. Frequency of service on the route – Less service.
3. Total overlapping distance is 2.2 km ( Kanhangad old bus stand to Kangangad new bus stand) out of 100.2 km of the route which is below 5% of the total route length
4. The portion from Chemmattumvayal to Kooliyankal (1.8 km) is NH, which is not included in the Notified Scheme.

In the instant application the applicant has not produced the vehicle details. As per Rule 159(2) of KMVR 1989 when the application is unable to produce the certificate of registration on the date of application of permit, owing to fact that he is not on that possession of the vehicle duly registered or for some other reason, the applicant shall within the 1 month of the sanctioning of application by the RTA or such a longer period or periods not exceeding 4 months in aggregate as RTA may specify, produce the RC of the vehicle before that authority so that the particulars of the registration mark may be entered. Hence regular stage carriage permit on the intra district route Konnakkad-Vellarikundu-Parappa-Kanhangad Via:Edathode-Kalichanadukkam-Thayannur as ordinary service is **granted subject to :**

**i)settlement of timings; and**

**ii) the applicant is directed to produce a suitable vehicle with in one month from the communication of the decision, failing which the sanction will be revoked without further notice.**

**Item No.: 3**

**Heard:** This is an application for regular stage carriage permit of intra district route Madhur-Kasaragod-Kumbala-Dharmathadka Via: Bandiyode as ordinary service.

Perused the order of the Hon'ble STAT in MVAA No.246/2014 dtd 01/11/2018.

The Motor Vehicle Inspector has reported that the route from Madhur-Dharmathadka Via.Kasaragod-Kumbala-Bandiyod, there is (18.5 km ) an objectionable overlap on the notified route from Kasaragod to Bandiyod Via.Kumbala Vide G.O (P)No.01/2016/Trans Dt.13/01/2016. KSRTC vehemently objected the proposal as per clauses 4 & 5 of the notification. Hence fresh

regular stage carriage permit is **rejected** since the overlapping on the notified route exceeds the permissible limit as per G.O.P. 13/2023.

**Item NO: 4**

**Heard.** This is an application for regular variation of permit in respect of S/C KL 07AP9816 operating service on the inter state route Thalappady-Thoudugoli Via.GPM College-Gerukatte-Kettumpady as ordinary service.

Variation applied is : 1) Curtailing all the trips from Nettilapadavu to Thoudugoli and back.

2)12 additional trips from Nettilapadavu to Diagoli via:Mnjanadi Yathimghana-Thoudugoli-Bakeri( Route from Adka to Thoudugoli 6.2 km overlapping in Karnataka State.

In the proposed timings additional trips are included in Manjeshwaram –Thalapady which is in notified sector .

The Motor Vehicle Inspector has reported that by this proposed variation time schedule may be changed, hence, timings maybe settled, time variation in the proposed time schedule adversely affect the public. There is an overlap (6.2 km )in the Karnataka State and curtailing the trip from Nettilapadavu to Thoudugoli will affect the travelling public.

The route from Thalapady to Manjeshwaram lies in the notified sector Kasaragod Thalappady as per GO(P) 01/2016 /Trans Dt.13/01/2016.As per the Clause 4 of the said notification all the existing and operating intra state permits granted by the RTA in Kerala as on 02/02/2015 shall be permitted to operate through this route without any variation. As per the clause 5(b) the portion other than those mentioned in 5(c) will be in partial exclusion of other services and no permit shall be granted nor shall be existing permit varied. Hence the application fo regular variation of permit in respect of S/C KL 07 AP 9816 is **Rejected**.

**Item No: 5**

**Heard.** This application was considered by the RTA in its meeting dated 15-06-2023 as item no. 9 and the decision was “**the renewal of permit application is Rejected**”. RTA **can not review** the decision taken it earlier. The applicant is left with the option to file appeal before Hon’ble STAT Ernakulam.

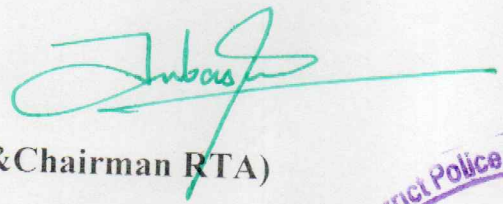
**Item No: 6**

**Heard.** This is an application for Renewal of regular permit in respect of S/C KL 57E5620[26-03-2012] operating service on the intra district route Kalanad-Kadinhimoola-Via: Kanhangad. The regular permit No. KL14/4/1988 expired on 24-05-2021. Primary permit issued in the year 1988 and was operating as on 24-05-2021. Therefore it is open to the RTA to condone delay in the making of an application for the renewal of permit. However, the applicant is failed to substantiate reasons for delay in making the application of renewal of permit. Hence the decision on the application for the renewal of permit is **adjourned** with direction to the


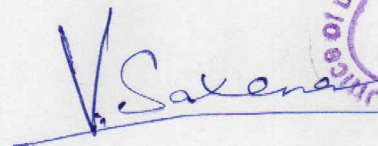
applicant to produce additional and sufficient documents to substantiate the application for dealy condonation. Secretary RTA is to place the matter before the next RTA.

Item No: 7

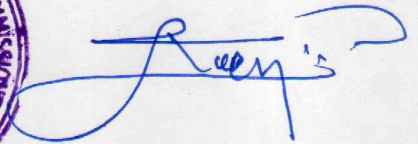
Transfer of permit allowed subject to clearance of government dues if any, and production of NOC from HP company if applicable.



1. Sri K Imbasekhar IAS (District Collector & Chairman RTA)



2. Sri. Dr. Vaibhav Saxena IPS (Distirct Police Officer & Member RTA)



3. Sri R Rajeev (Deputy Transport Commissioner, NZ & Member RTA)

\*\*\*\*\*