

**DECISIONS OF THE MEETING OF REGIONAL TRANSPORT AUTHORITY,
PALAKKAD HELD ON 14.11.2023 AT 11.00 AM AT DISTRICT
COLLECTORATE CONFERENCE HALL, PALAKKAD**

Present:

Chairman : Dr.S.Chithra IAS
District Collector &
Chairman-Regional Transport Authority,
Palakkad.

Member : Sri.M.P.James,
Deputy Transport Commissioner,
Central Zone-1, Thrissur &
Member-Regional Transport Authority,
Palakkad.

DECISIONS OF REGIONAL TRANSPORT AUTHORITY,
PALAKKAD DATED 14.11.2023

Item No.01

The stakeholders, including the Municipal Chairman of Cherpulassery Municipality and the counsel for the General Secretary of Ottappalam Taluk Private Bus Operators' Association, have been heard regarding the request of the Secretary of Cherpulassery Municipality for approval of the newly constructed bus stand at Cherpulassery.

Having perused the enquiry report submitted by JRTO, Ottappalam and the NOC issued by the District police Chief, this authority has determined that a joint inspection by a team of officers comprising JRTO, Ottapalam, the competent officers of PWD, Police & Municipal authorities is required for verifying whether the proposed Bus Stand has been constructed in accordance with the requirements and conditions stipulated in Rules 207 & 344 {(2),(3),(4)} of KMV Rules,1989. JRTO, Ottapalam shall co-ordinate the team and submit the report before this authority for re consideration of the matter. **Hence, the decision on the matter is adjourned.**

Item No.02

Heard. This pertains to reconsidering the application for a new regular stage carriage permit to operate on the intra-district route between Parathur and Pattambi. This application was first placed in the RTA meeting held on 11.11.2022 in supplementary item no.01, but the decision was deferred .

Upon detailed examination of the application and field officer's enquiry report, the authority has found that the focus of operation primarily lies between Pallippuram and Pattambi and the proposed timings will conflict with the well-established schedules of existing stage carriages, particularly in the Pattambi and Pallippuram areas. Granting this permit may lead to unhealthy competition among fellow operators, posing a significant threat to road safety.

Considering the reasons highlighted above, the application for a fresh permit has been rejected

Item No.03

Heard. This pertains to the reconsideration of an application for a new regular stage carriage permit on the intra-district route from Cherpulassery to Ottapalam via Ambalapara. During the initial consideration by the Regional Transport Authority on 11. 11, 2022 (item no. 11), the decision was postponed due to the absence of mandatory details in the submitted P.St.S.A form, as specified in Section 70(1)(b), such as vehicle's type, seating capacity, and maximum laden weight.

Subsequently, the fresh application submitted by the applicant was considered in the RTA meeting held on 18.03.2023 (item no. 07). However, the decision was deferred, directing the applicant to submit a modified proposal regarding timings. The aim was to ensure an equitable distribution of trips to underserved areas such as Mavundirikadavu and Ponpilaya Pookottukavu, because most of the proposed trips by the applicant were concentrated in the well-served Cherpulassery-Ottapalam sector.

Upon detailed examination, considering the field officer's enquiry report, the authority found that: (i)The majority of proposed trips connect Cherplassery, with a primary focus on the well-served Cherpulassery-Ottappalam sector, which is not significantly beneficial for the travelling public and students. (ii) Notably, several inter-district services also operate in this sector alongside local services. So, granting this permit could disrupt the well-established timings of this sector, potentially leading to time clashes, traffic congestion, and accidents..

Hence, **taking road safety aspect into account, this authority has decided to reject the fresh permit application."**

Item No.04

Heard. This is to reconsider the application for fresh regular stage carriage permit to operate on the intra-district route

Sholayur--Kottiyurkandi. This application was placed in the RTA meeting held on 27.06.2023 in item no. 5 and the decision was adjourned because it was not seen specifically reported by the field officer about the class of stage carriage suitable for operation on the virgin portion and the place where the fare stage to be fixed on the virgin portion from Paloor to Kottiyorkkandi.

Upon thorough verification of the application and the fresh enquiry report submitted by the field officer, SRT0, Mannarkkad, it is understood that a fare stage can be appropriately fixed at Kottiyurkandi and only LMV stage carriage is suitable for operation on the above virgin portion. Besides, The 3-kilometer virgin route segment from Paloor to Kottiyorkkandi has been deemed fit for stage carriages weighing below 8 tonnes as reported by the Executive Engineer of the Local Infrastructure Development and Environment Wing (LID & EW), Programme Implementation Unit, District Panchayath, Palakkad.

The field officer's enquiry report further highlights the following points. (i)The proposed route serves remote areas of the Attapady Tribal Taluk, providing essential connectivity.(ii)Trips from Goolikkadavu to Kottiyurkandi via Thavalam and from Agali to Paloor are crucial, as these areas currently lack sufficient stage carriage services.(iii)Additionally, the trip from Agali to Cheerakadavu (via Thavalam and Thekkuvatta) is highly beneficial, considering the absence of stage carriage services on this route.

(iv)Students and staff of the Government Tribal L.P School, situated in the virgin portion of the route from Paloor to Kottiyurkandi, will also benefit from improved transportation.

Hence, **fresh regular stage carriage permit is granted fixing a fare stage at Kottiyurkandi**, subject to settlement of timings & remittance of application fees (if applicable) and production of current records of a suitable LMV stage carriage within one month from the date of communication of the decision, failing which grant of permit will be treated as revoked.

Item No.05

1. Perused the judgment dt 10.02.2023 in WP(C) no. 4584/2023 by the hon'ble High Court of Kerala.

2. Heard. This is to reconsider the application for fresh regular stage carriage permit on the intra-district route Meenakshipuram-Palakkad SBS. This matter was adjourned by the RTA ,Palakkad dt. 18.03.2023 in item no.14, since the applicant was absent.

Upon detailed verification of the application in the light of the route enquiry report of the field officer of SRTTO, Chittur , it is revealed that proposed route is beneficial to the travelling public and students especially at the sector Meenakshipuram to Gopalapuram.

Hence, **fresh regular stage carriage permit is granted**, subject to settlement of timings & remittance of application fee (if applicable) and production of current records of a suitable stage carriage within one month from the date of communication of the decision, failing which grant of permit will be treated as revoked.

Item No.06

Heard .This application for fresh regular stage carriage permit to operate on the intra-district route Kuttippallam-Kuzhalmannam was earlier considered in the RTA meeting held on 18.03.2023 in additional supplementary item no. 02 and the decision was adjourned by directing the secretary, RTA to obtain an enquiry report from the field officer (a) ascertaining the suitability of the proposed time schedule and submit a detailed report clarifying whether the proposal will lead to severe time clashes with existing services since the proposed route was through an already well served area and (b) regarding the feasibility of parking at Kuzhalmannam and Kuttippallam and (c) the actual distance of overlapping with notified scheme specifically mentioning "the via" along with a neat sketch . Then, the matter was placed in the RTA meeting held on 27.06.2023 in item no.7, but the decision was adjourned since the applicant was absent. The subsequent route

inquiry report from the field officer, SRTO Chittur, highlights the following points:

(i) the proposed broken trips between Chittur and Koduvayur, which is already a well served route ,will definitely cause time clash and will result in unhealthy competition with en route operators and shall not be permitted and only if the applicant is willing to propose and conduct full round trips between Kuttipallam and Kuzhalmannam, the proposal will be beneficial to the travelling public and students in the sector.(ii) Neither Kuttipallam nor Kuzhalmannam has an official bus stand or designated parking area owned or maintained by the Panchayath or any Public Authority and the applicant's intention is to park the vehicle on the side of public road in front of a Mosque at Kuttipallam or at busy junctions like Chanthapura Jn in Kuzhalmannam which is not advisable as far as the road safety aspect is concerned since it will definitely cause inconvenience to the public and other road users. (iii) The proposed route when travelling from Koduvayur side to Kuzhalmannam Chanthapura, which is about 200 metres from NH 544 at Kuzhalmannam jn, cuts across the notified scheme Ernakulam-Palakkad of width 17.5 metres at Kuzhalmannam Jn .

In view of the reasons stated above in (i)&(ii), the **application for fresh permit is rejected.**

Item No.07

Heard. This pertains to reconsidering the application for a new regular stage carriage permit to operate on the inter-district route between Thiruvilwamala and Palakkad Stadium Bus Stand. This application was initially considered by the Regional Transport Authority (RTA) meeting held on 18.03.2023, as an additional supplementary item no.1. However, the decision was deferred pending the following requirements: (a) Prior Concurrence from RTA Thrissur since a portion of the proposed route falls within the Thrissur district. (b) An enquiry report on the actual distance of overlapping with existing notified schemes, accompanied by a clear sketch.

Subsequently, in item no. 145 of the RTA meeting in Thrissur on 12.07.2023, concurrence was granted for the route segment from Thottumukku to Thiruvilwamala. However, the fresh route enquiry report dt 16.06 2023 from the field officer, SRTO Alathur, highlighted the following aspects.

(i) The proposed time schedule by the applicant does not allow trips to be completed at a rate of 2.5 km per minute.

(ii) The sectors between Thiruvilwamala-Kottayi and Kottayi-Palakkad, as well as the connection from Palakkad Stadium Stand to Palakkad Medical College, are adequately served by KSRTC and other private stage carriages. So, there is no urgency for granting this permit

(iii) Granting this permit may lead to unhealthy competition among fellow operators, posing a significant risk to road safety.

(iv) The proposed service operates from 4:00 am to 10:20 pm, requiring over 18 hours daily for the completion of all trips, raising doubts about its feasibility.

Considering the reasons outlined in (i) to (iv), the application for a fresh permit has been rejected.

Item No.08

1. Perused the judgment dt.04.07.2023 in WP(C) no.18903/2023 by the Hon'ble High Court of Kerala.

2. Heard. This application for fresh regular stage carriage permit to operate on the intra-district route Chittur-Civil Station to Koduvayur was earlier considered in the RTA, meeting held on 18.03.2023 in item no. 16 and the decision was adjourned by directing the applicant to submit a modified timing proposal mentioning major intermediate points with passing timings. The enquiry reports submitted by the field officers in connection with this application reveals that (i) major/main portions of the route are well served with stage carriage services in every 10 minutes, and (ii) there's no urgent need of a fresh stage carriage permit on the above route, and (iii) allowing the introduction of a new service

may lead to a competitive race among fellow operators, which could result in accidents and harm to other road users. This would defeat the purpose of road safety.

For the above reasons, the **application for fresh permit is rejected.**

Item No.09

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route Muriyankanni-Thenkara. Upon verification of the application along with the route enquiry report of the field officer of SRTTO, Mannarkkad, this authority have noted that (i) the timing proposal does not specify any intermediate points for a distance of 27 km from Muriyankanni to Pullissery. Therefore, the secretary RTA will report the same with sector-wise frequency. The secretary RTA shall also (ii) verify the distance of overlapping from Ponnampkode to Thachampara and (iii) specify the path from Pullissery- Thachampara –Kanjirapuzha-Thenkara- Mannarkkad.

For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.10

Heard. This is to consider the application for fresh permit to operate on the intra district route Palakkad Stadium Bus Stand-Padalikkad. After scrutinizing the application and the route enquiry report, this authority finds it necessary to seek clarification on certain aspects before making a decision. Therefore, the secretary of RTA is directed to (i) specify the intermediate points and the main junctions in each trip, (ii) report the frequency of stage carriages in all the major sectors on the proposed route, and (iii) check the feasibility of turning the vehicle at Kalmandapam. For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.11

Heard. This authority is considering the application for a fresh regular stage carriage permit to operate on the intra-district route between Thrithala and Koppam. After verifying the application and the route enquiry report, and hearing the arguments of the applicant as well as the enroute operators, this authority believes it is necessary to obtain clarification on certain aspects before making a decision on the matter. Therefore, the secretary of RTA is directed to (i) specify the intermediate points between all the main junctions in each trip, (ii) report the present condition of the road between Chembra Alinchuvadu and Vilathur and Koppam, and (iii) report the frequency of stage carriages in all the major sectors on the proposed route. For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.12

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route Koduvayur---Nelliyampathy.

Upon examining the route enquiry report in comparison with the application, it is observed that the application and route enquiry report do not match. Therefore, the secretary, RTA shall specify where exactly the applicant intends to terminate all the trips at Nelliyampathy. Additionally, the width of the single lane road which is a part of the proposed route and the feasibility of parking and turning the vehicle at Nelliyampathy shall be verified and reported. **The decision on the application for fresh regular stage carriage permit is adjourned until the above directions are complied with.**

Item No.13

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the inter-district route Ponpilaya---Poothakkad. The route enquiry report dated 03.06.2023 by the field officer of SRTTO, Ottapalam reveals that proposed route traverses for a distance of 10 kms in Malappuram district, out of total distance of 53 kms. So prior concurrence from sister RTA is required for consideration of the application.

Hence, Secretary is directed to obtain **prior concurrence from RTA Malappuram** with specific mention about the intermediate points on the route and the exact distance of overlapping with notified route in the jurisdiction of RTA Malappuram.

For compliance of the above, **decision on the application for fresh permit is adjourned.**

Item No.14

Heard. This authority is considering the application for a fresh regular stage carriage permit to operate on the intra-district route Kuttippallam--Meenakshipuram. After hearing the arguments of the applicant as well as the enroute operators, and verifying the application and the route enquiry report, this authority believes it is necessary to obtain clarification on certain aspects before making a decision on the matter. Therefore, the secretary of RTA is directed to (i) specify the intermediate points with main junctions in each trip, (ii) report on the scope for granting this permit in the context of road safety explaining the chances of time clashes, unhealthy competition and accidents the since almost all the major sectors of on the proposed route are well served. For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.15

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route

Kozhinjampara -Palakkad SBS. Upon examining the application as well as the route enquiry report, this authority thinks it is necessary to obtain clarification on certain aspects . Therefore, the secretary, RTA has been directed to (i) specify the intermediate points between all the main junctions in each trip, (ii) report the frequency of stage carriages in all the major sectors on the proposed route, (iii) report whether the proposed route is adequately served or not . For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.16

1. Perused the judgment dt 20.10.2015 in MVAA no.32/2015 by the Hon'ble STAT, Ernakulam.

2. Heard. This is to consider the modified application for fresh regular stage carriage permit to operate on the intra-district route (1)Kanjikkode Wise Park (Pepsi Jn)- Nelliampathi-Karappara. After considering the arguments and objections of the applicant and other stakeholders, and examining the application and route enquiry report, this authority believes it is reasonable and appropriate to seek clarification on certain aspects before reaching a decision on the matter. Hence, the secretary, RTA shall report the following (i) specify the intermediate points between all the main junctions in each trip, (ii) re-verify the total route length of the proposed route and the actual distance of overlapping with the notified scheme (iii) check the suitability of the road from Kaikatty to Karappara (via) Nooradipalam for stage carriage operation and confirm it through the concerned road authority . For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.17

Heard.This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route

Anakkatty-Thekkupana. Having examined the application and the route enquiry report, this authority requires further information before making a decision on the matter. Hence, the secretary, RTA is directed to (i) specify all the intermediate points with main junctions in each trip, (ii) report whether the route/area in question is sufficiently served by KSRTC services and (iii) report the necessity of further stage carriage permits on the proposed route/area considering the fact that a fresh permit was recently granted by this authority on a similar route (vide decision of RTA dt. 27.06.2023 in item no.13). For the compliance of the above, **decision on the application for fresh regular stage carriage permit is adjourned.**

Item No.18

1. Perused the judgment dt.22.08.2023 in WP(C) no.27017/2023 by the Hon'ble High Court of Kerala.

2. Heard. This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route Anakkatty-Kozhikkoodam. Upon verification of the application and the enquiry report, it is seen that the stretch of the route from Sholayur to Kozhikkoodam is highly beneficial to the travelling public since it is not well served with sufficient number of stage carriage services at present and Some portions of the proposed route traverses through the remote areas of Attappadi Taluk .

Hence, **fresh regular stage carriage permit is granted**, subject to settlement of timings & remittance of application fees (if applicable) and production of current records of a suitable stage carriage within one month from the date of communication of the decision, failing which grant of permit will be treated as revoked.

Item No.19

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the intra-district route Naduvathpara –Palakkad SBS. On perusal of the connected

enquiry report, it is revealed that (i) the proposed route is sufficiently served by other private stage carriages and hence, there is no urgency for granting this permit , and (ii) granting this permit may lead to unhealthy competition among the fellow operators, posing a great threat to road safety (iv) As per the proposed time schedule, the service starts at 5.00 am and halts at 9.50 pm, requiring more than 17 hours daily for the completion of entire trips, which is not permissible under section 91 of MV Act, 1988 with a single crew. For the reasons stated above, the **application for fresh permit is rejected.**

Item No.20

Heard. This is to consider the application for a fresh permit on the intra-district route between Nemmara Bus Stand --Karimpara. After examining the application and the connected enquiry report, this authority believes that a clarified report on the necessity of further stage carriage services on the proposed route/area is required before making a decision on the matter since some permits have been granted by this authority on a similar route very recently. Therefore, the Secretary, RTA shall provide a specific report on this aspect, keeping in mind the above fact. **The decision on the matter is adjourned to comply with the above order.**

Item No.21

Heard. This is an application for a new permit on the intra-district route Anicode – Gopalapuram. After reviewing the application and the field officer's route enquiry report, this authority feels that a specific enquiry report as detailed below is necessary before making a decision. (i) The secretary, RTA shall verify and report on the feasibility of allowing stay time at Anicode, as well as (ii) whether the sectors Anicode-Chittur Civil station & Anicode-Nallepully are adequately served by the existing stage carriage services. Additionally,(iii) the secretary shall check whether the road safety aspect is endangered if further stage carriage

permits are allowed on these sectors, given that the applicant's main operation is focused between Anicode and Chittur Civil station.

As a result of these requirements, **the decision on the application for a fresh regular stage carriage permit has been adjourned.**

Item No.22

Heard. This is an application for a new permit on the intra-district route Anakatty – Puliyaara. After examining the application and the connected enquiry report, this authority believes that a clarified report on the necessity of further stage carriage services on the proposed route/area is required before making a decision on the matter since some permits have been granted by this authority on a similar route very recently. Therefore, the Secretary, RTA shall provide a specific report on this aspect, verifying whether there is any permanent need for further stage carriage permit.

The decision on the matter is adjourned for complying with the above order.

Item No.23

Heard. This is to consider the application for fresh regular stage carriage permit to operate on the inter-district route Thrithala--Valanchery. The route enquiry report of the field officer of SRTTO, Pattambi reveals that proposed route traverses for a distance of 5 kms in Malappuram district, out of total distance of 37.6 kms. So prior concurrence from sister RTA is required for consideration of the application.

Hence, Secretary is directed to obtain **prior concurrence from RTA Malappuram** with specific mention about the intermediate points on the route and the exact distance of overlapping with notified route in the jurisdiction of RTA Malappuram.

For compliance of the above, **decision on the application for fresh permit is adjourned.**

Item No.24

Heard. This is an application for application for fresh regular stage carriage permit to operate on the intra-district route Panamarathuvayal--Kozhikoodam. Having gone through the application and the connected enquiry report, it is seen that the applicant is mainly focussing his operation on the sector Anakkatty-Sholayur . Hence, the Secretary, RTA shall provide a specific report verifying whether the above sector is adequately served by the existing stage carriage services including KSRTC. Additionally,(iii) the secretary shall check whether the road safety aspect is in danger if further stage carriage permits are allowed on this sector/area.

For compliance of the above, **decision on the application for fresh permit is adjourned.**

Item No.25

Heard. This is an application for application for fresh regular stage carriage permit to operate on the intra-district route Thiruvegapura check post--Cherpulassery. After perusing the application the application and the associated inquiry report, it is understood that the applicant is primarily concentrating his operation on the sector Koppam- Cherpulassery . Hence, the Secretary, RTA shall provide a specific report verifying whether there is any permanent need for further stage carriage permits on this route/area. Furthermore, the secretary is required to report the location where a fare stage can be fixed, if necessary, on the virgin portion.

For compliance of the above, **decision on the application for fresh permit is adjourned.**

Item No.26

Heard. This is an application for application for fresh regular stage carriage permit to operate on the intra-district route Kuppooth--Pattambi. After perusing the application the application and the associated inquiry report, it is understood that the

applicant is primarily concentrating his operation on the sector Kupooth-Koppam. Hence, the Secretary, RTA shall provide a specific report verifying whether the above sector is adequately served by the existing stage carriage services and mentioning the intermediate points with main junctions in each trip.

For compliance of the above direction, **decision on the application for variation of permit is adjourned.**

Item No.27

Heard. This is an application for application for fresh regular stage carriage permit to operate on the intra-district route Koppam-Thathanampulli. This authority, upon examination of the application as well as the connected enquiry report, likes to have a specific report from the Secretary, RTA on the following respects. (i) report details of intermediate points & main junctions in each trip, (ii) report the frequency of operation of stage carriage services on the major sectors, and (iii) report whether the Koppam sector/area is adequately served by the existing stage carriage services and check whether the road safety aspect is in danger if further stage carriage permits are allowed on this sector/area.

For compliance of the above, **decision on the application for fresh permit is adjourned.**

Item No.28

Heard. Perused the request of the applicant . On verification of the connected records, the following facts are revealed :(i) As per the decision of Regional Transport Authority, Palakkad in the meeting held on 18.03.2023 in item No.01, a fresh regular stage carriage permit had been granted to the applicant on the intra-district route Chemmanampathy-Palakkad Stadium Bus Stand, subject to settlement of timings and production of current records of a suitable stage carriage within one month from the date of communication of the decision, on the condition that the grant of permit would be revoked, if the grantee failed to do so. (ii) The above decision was communicated to the applicant on 11.05.2023. (iii) Subsequently, considering the request dated 05.06.2023 filed by the grantee, maximum time of four months in aggregate is allowed under rule 159(2) of KMV Rules, 1989 from 11.05.2023 up to

10.09.2023 to produce the current records of suitable stage carriage by the RTA in its meeting dt 27.06.2023 in item no.18 (iv) On 05.09.2023, the applicant filed a request to allow an extension of time beyond the maximum time granted by the RTA to produce the current records of a suitable stage carriage to avail the granted permit.

Obviously, the applicant has failed to produce the current records of a suitable vehicle within the maximum permissible period of four months (expired on 10.09.2023), allowed as per rule 159(2) of KMV Rules, 1989. Hence **the request of the applicant is rejected and the grant of permit stands revoked.**

Item No.29

1. Perused the judgment dt. 29.09.2023 in WP(C) no.31844/2023 by the hon'ble High Court of Kerala.

2. Heard. This is an application for variation of permit in respect of stage carriage KL-09-U-205 authorised to operate on the intra-district route Karimpara --- Palakkad on the strength of regular permit 9/476/2000 valid up to 07.11.2025.

3. This application was considered in the RTA meeting held on 18.03.2023 as item no.26, and the decision was adjourned directing the applicant to furnish a modified time-schedule retaining the existing timings as far as possible with only changes necessary to accommodate the proposed additional trips. But the applicant did not submit any modified timing proposal as directed. Instead, produced the above judgment of the hon'ble High Court of Kerala, in which it has been directed to consider the application of the petitioner in accordance with law within two months and pass necessary orders.

Upon scrutiny of the proposed timings, it is clear that the applicant has practically changed the entire set of settled timings unnecessarily, especially at Palakkad, Kollengode, and Nemmara under the pretext of proposed variation. This is tantamount to considering an application for a fresh permit, under section 80(3) of

the Motor Vehicles Act, 1988, not as an application for variation of permit.

Hence, **the above application for variation of permit is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.30

Heard. This is an application for variation of conditions of permit in respect of stage carriage KL-52-C-0387 authorised to operate on the inter-district route Cherpulassery- Valanchery on the strength of regular permit 9/1030/2001 valid up to 12-Jul-2024. This application was considered in the RTA meeting held on 27.06.2023 as item no.22, and the decision was adjourned directing the secretary, RTA to obtain a specific report clarifying some defects in the application as well as in the route enquiry report.

The new enquiry report submitted by the field officer has been perused by this authority. However, upon scrutiny of the PVA submitted by the applicant “vis-à-vis” the timing proposal , it is explicitly clear that one is inconsistent with the other. What actually intended by the applicant is not reflected in the application. Since the application submitted is erroneous and invalid, Hence, **the above application for variation of permit is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.31

Heard. This is an application for variation of permit in respect of stage carriage KL 52 J 0419 authorised to operate on the inter district route Arangottukara --- Kumbidi with the strength of regular permit 9/615/2001 valid up to 21.03.2026. This authority, upon examination of the application as well as the connected enquiry report, wants to have a specific report from the Secretary, RTA on the following points for a proper decision on the matter. (i) Details of intermediate points & main junctions in each trip in both

the existing and proposed timings,(ii) proposed curtailment of trips with intermediate points and route length, (iii) proposed deviation with intermediate points and route length,(iv) total route length before and after variation, (v) in which trip the variation is proposed (vi) no time change is seen reported on the trip at 9.45 am from Padinjarangadi to Kumbidi in the proposed time schedule though the via has been changed through Parakkulam NSS College (vii) number of existing trips via Thannercode.

For compliance of the above direction, **decision on the application is adjourned.**

Item No.32

1. Perused the judgment dt. 15.09.2023 in WP(C) no.30311/2023 by the hon'ble High Court of Kerala.

2. Heard. This is an application for variation of conditions of permit in respect of stage carriage KL 06 C 0672 authorised to operate on the intra-district route Kollengode --- Palakkad on the strength of regular permit 9/411/2004 valid up to 25.03.2024. On verification of the application and the route enquiry report of the field officer, the following facts are revealed -(i) There is no need to divert the route from Kinassery-Mannathkavu-Koduvayur-Pudunagaram to Kinassery-Peruvembu-Pudunagaram because the proposed route Kinassery-Peruvembu-Pudunagaram is already well-served. Koduvayur, being a major town and place of commercial significance, cannot be excluded from the route. Also the travelling public and students of Kinassery-Mannathkavu-Koduvayur will be adversely affected.

(ii) The proposed extension from Kuruvikkoottmaram to Thekkinchira will be beneficial to public only if the number of trips to Thekkinchira is increased. But, proper Thekkinchira is a remote and ill-served area, and there is no space available to facilitate vehicle reversing (iii)It is also reported that there is no changed circumstance stipulated in KMVR 145 (6) to entertain the application. (iii) Furthermore, a people's representative has submitted a mass petition from locals opposing this proposal.

Considering the reasons outlined from (i) to (iii), the application for variation of permit has been rejected by this authority and it is instructed to realize the application fee if not paid.

Item No.33

Heard. This is an application for variation of conditions of permit in respect of stage carriage KL-10-AD-0788 authorised to operate on the inter-district route Parakkulam-Karingallathani on the strength of regular permit 9/1029/2005 valid up to 25.11.2025.

After examining the application and the route enquiry report of the field officer, SRTTO, Chittur, it is understood that a clarification is required on the following points: (i) verifying the distance of the curtailed portion from Anakara to Parakkulam via Cheekode, and (ii) mentioning each existing trip with intermediate places and main junctions, and each proposed trip variation with intermediate places and main junctions. The secretary shall place a report specifically explaining all the above points before this authority for reconsideration, and **for compliance of the above directions, the decision on the application is adjourned.**

Item No.34

Heard. This is an application for variation of permit in respect of stage carriage KL 09 M 1166 authorised to operate on the intra district route K.T Padi --- Ottapalam with the strength of regular permit 9/3055/2013 valid up to 27.11.2023 .

During scrutiny of the application, the proposed time schedule and the connected report, certain discrepancies have been identified. Notably, the variation suggested by the applicant in the PVA form is absent from both the agenda and the field officer's report. Consequently, the secretary has been instructed to rectify the agenda based on the application. Furthermore, the secretary shall furnish a fresh enquiry report containing the following points:

(i) Provide details of each existing trip, including intermediate places and main junctions.

(ii) Verify whether any existing trips have been curtailed and assess their impact on the travelling public.

(iii) Examine whether the existing set of settled timings has been shuffled, potentially leading to time clashes and competitive operations among en route operators, endangering the safety of travellers and other road users.

As a result, the decision regarding the application for a variation permit has been adjourned.

Item No.35

Heard. This is an application for variation of permit in respect of stage carriage KL-51-H-1239 authorised to operate on the intra-district route Thrangali--Ottapalam on the strength of regular permit 9/1803/2009 valid up to 19.07.2024.

Upon reviewing the application, the proposed time schedule and the connected report, the following observations were made:

(i) The Thrangali-Ottapalam trip at 6:45 am has been curtailed. Additionally, a new trip is proposed from Ottapalam to Kanjirakadavu at 6:00 am and the trip from Ottapalam towards Kanjirakadavu at 9.00 am is also curtailed. However, these changes are not explicitly mentioned in the application.

(ii) It appears that under the guise of the proposed variation, the applicant intends to curtail several existing trips. This could adversely impact the travelling public in the affected areas. Furthermore, the proposed changes in the settled timings at prominent locations like Ottapalam may lead to severe time clashes and competitive running among en route operators. Such changes could jeopardize the safety of both passengers and other road users.

Considering the above factors, **the application for variation of the permit is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.36

Heard. This is an application for variation of permit in respect of stage carriage KL-65-T-1410 authorised to operate on the inter-

district route Shornur-Cherpulassery-Mappattukara on the strength of regular permit 9/10016/2006 valid up to 02.10.2027.

Upon thorough examination of the application, proposed time schedule, and the field officer's route enquiry report, this authority observes the following: (a) the Cherplassery-Shornur trip at 11:25 am, (b) the Shornur-Thazhepra-Kanyam trip at 4:20 pm, and (c) the trip from Shornur to Mundakottukurussi at 8:30 pm are curtailed, although these are not explicitly mentioned in the application.

Hence, the secretary ,RTA shall submit a fresh enquiry report addressing the above points, also verifying (i) whether the proposed additional trips from Shornur to Cherpulassery at 4:35 pm and (ii) from Shornur to Thazhapra at 8:30 pm, followed by a return to Shornur at 8:55 pm, and onward to Kanayam at 9:20 pm violate clause 19(c) of G.O(P).13/2023/Tran dated 03.05.2023.

For the compliance of the above, **the decision on the application for variation of permit is adjourned.**

Item No.37 & 68

Heard. This is to consider the applications for curtailment of the route portions from Walayar to Palakkad & from Kozhikkode to Kozhikkode Medical College as well as renewal of permit 9/1029/1997 (valid till 24.04.2022) in respect of the stage carriage KL-47-B-1961, which was authorised to operate on the inter-district route Walayar-Kozhikkode Medical College Via Palakkad, Ottapalam, Vaniamkulam, Vallapuzha, Mulayankavu, Koppam, Valanchery, Kottakkal, Kolappuram, Kozhikkode University, Ramanattukara and Kozhikkode , so that the total route length does not exceed 140 kms as per Rule(oa) of Kerala Motor Vehicles,1989 which states that an “ *Ordinary Limited Stop Service means a service, which is operated on a route having a distance of not exceeding 140 km with limited number of stops, having at least one stop in every fare stage.*”

The route enquiry report submitted by the Motor Vehicle Inspector , Palakkad indicates that out of the total 171 kilometers, a segment of 25 kilometers between Walayar and Palakkad, as well as another 6.1 kilometers from Kozhikkode to Kozhikkode Medical

College, are proposed to be curtailed, which is to ensure that the overall route length does not exceed 140 kilometers. (specifically 139.9 kms)

Moreover, according to the notification G.O(P) No.13/2023/Trans dt 03.05.2023 issued by the Govt. of Kerala “*the existing valid regular permits as on 14.07.2009 in operation with trips and vehicles of the private stage carriage operators will be permitted to operate as ordinary service only with stops in all the approved bus stops under rule 206 of KMV Rules, 1989 in each fare stage , subject to the conditions (i) the route length of such ordinary service shall not exceed 140 km (ii) if the existing route length exceeds 140 kms , such ordinary service shall be permitted to curtail the route length provided the trips shall not be increased in the notified route*”

Under these circumstances, **renewal of permit is granted to operate on the inter district route Palakkad--Kozhikkode via Ottapalam, Vaniamkulam, Vallapuzha, Mulayankavu, Koppam, Valanchery, Kottakkal, Kolappuram, Kozhikkode University, Ramanattukara as ordinary service by allowing the proposed curtailment of the route portions from Walayar to Palakkad & from Kozhikkode to Kozhikkode Medical College without changing the existing timings** subject to (1) stipulations laid down in G.O(P) No.13/2023/Trans dt 03.05.2023 (2) production of NOC from the financier, if applicable (3) clearance of motor vehicle tax and Govt. dues, if any & remittance of fee for the above applications, if not paid.

Item No.38

Heard. This is an application for variation of permit in respect of stage carriage KL-53-U-2024 authorised to operate on the inter-district route Perinthalmanna--Ottapalam on the strength of regular permit 9/1026/2001 valid up to 04.04.2026.

After a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority

has identified the following issues: (a) The 01:05 PM trip from Cherplassery to Kulappada is curtailed, impacting both commuters and students. (b) Similarly, the late-night trip from Cherplassery to Ottapalam at 9:00 PM is also curtailed, even though these changes were not explicitly mentioned in the application. Given the mass petition against this proposal, this application for rearrangement of trips is deemed inadvisable. Hence, **the application for the permit variation is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.39

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-50-C-2233 authorised to operate on the intra-district route Anakatty--Paloor on the strength of regular permit 9/662/2005 valid up to 05.01.2025. The proposed variation includes “ an extension from Paloor to Thekkupana. Decision on this application was adjourned by the RTA dt.27.06.2023 in item no.26 with direction to enquire and report the adverse effects of changes in time at Paloor & Anakatty, if any, on the travelling public along with frequency of stage carriage services on the sector Anakatty-Paloor.

The specific enquiry report submitted by the field officer, SRTO, Mannarkkad reveals that (i) since the timings at peak hours remains unchanged, proposed changes will not affect the travelling passengers adversely and (ii) since the proposed extension is on the ill served area, it is beneficial to the travelling public.

Hence, the **variation is granted subject to settlement of timings** subject to (1) stipulations laid down in G.O(P) No.13/2023/Trans dt 03.05.2023 & remittance of application fee if not paid.

Item No.40

Heard. This is to reconsider the application for variation of permit in respect of stage carriage KL-45-D-2233 authorised to operate on the intra-district route Natyamangalam- Cherpulassery on the strength of regular permit 9/65/2002 valid up to 04.01.2027.

The proposed variation is an extension from Natyamangalam to Kattupara Bridge Junction via Ittakkadavu.

When the matter was considered in the RTA meeting held on 27.06.2023 in item no.27, the decision was adjourned for a clarified report on the following aspects :-(i) Whether the stage carriage crosses the Kattupara Bridge (ii)Whether there is enough space for parking or turning the vehicle (iii) Route length after variation.

The specific route enquiry report of the field officer SRTO, Pattambi, confirms that (i)the stage carriage does not cross the Kattupara Bridge, (ii) there is enough space for parking or turning the vehicle, and the (iii) the total route length after variation is 54.9 kms. It's already reported that the proposed variation is beneficial to the travelling public and students of this sector.

Hence, the **variation is granted subject to settlement of timings on the proposed extension portion only without changing the existing timings** & (1) stipulations laid down in G.O(P) No.13/2023/Trans dt 03.05.2023 & remittance of application fee if not paid.

Item No.41

Heard. This is an application for variation of permit in respect of stage carriage KL-08-AM-3700 authorised to operate on the intra-district route Anakkatty - Paloor on the strength of regular permit 9/645/2017 valid up to 18.04.2027.

The route enquiry report submitted by the field officer of SRTO, Mannarkkad reveals that proposed extension of 2.5km from Paloor to Thekkupana does not overlap with any notified routes and covers a remote area of Attapady Tribal Taluk and it will be useful for the travelling public as well as the students since this sector is ill served.

Hence, the **variation is granted subject to settlement of timings on the proposed extension portion only without changing the existing timings** & (1) stipulations laid down in G.O(P) No.13/2023/Trans dt 03.05.2023 & remittance of application fee if not paid.

Item No.42

Heard. This is an application for variation of permit in respect of stage carriage KL-10-S-4116 authorised to operate on the inter-district route Valanchery- Valanchery on the strength of regular permit 9/1046/2002 valid up to 26.08.2027.

After a thorough verification of the application, proposed time schedule, and the field officer's route enquiry report , the authority has identified that as per the timing proposal, there are three trips proposed from Irimbilayam to Mankeri, which is not explicitly mentioned in the application and hence, the application is found not tallying with proposal . Moreover, the proposed change of trips are objected by the general public. Hence, **the application for the permit variation cannot be entertained and is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.43

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-52-K-4370 authorised to operate on the inter-district route Nedungottur- Cherpulassery on the strength of regular permit 9/558/2002 valid up to 16.08.2027. The matter was adjourned by RTA dt. 18.03.2023 vide additional supplementary item no.5 , directing the applicant to submit a modified application mentioning all the intended changes with rectified set of proposed timings and the secretary to enquire and report on the modified application , ascertaining violation clause 19 of G.O(P) No.42/2009/Tran dated 14.07.2009 on the route portion from Pattambi to Nedungottur.

On verification of the modified application, proposed time schedule, and the field officer's route enquiry report, it is found that late night trip from Pattambi to Nedungottur (via) Koppam, Chembra is curtailed, impacting both commuters and students. Hence, **the application for the permit variation is found infeasible and is rejected by this authority and it is instructed to realize the application fee if not paid.**

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Item No.44

Heard. This is an application for variation of permit in respect of stage carriage KL-58-AA-4466 authorised to operate on the inter-district route Chelakkara- Cherpulassery on the strength of regular permit 9/613/2002 valid up to 21.01.2027.

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has identified the following issues: (a) The running time between Shornur and Cherpulassery in the trip at 2.52 pm & in the return trip at 4.22 pm is reduced without stating any valid reason, (b) the night trips from Shornur to Vaniyamkulam at 7.20 pm & from Shornur to Kanayam at 8.10 pm are also curtailed, impacting travelling public, even though these changes are not explicitly mentioned in the application and in short, (c) the application is not in sync with the timing proposal.

As a result, **the application for the permit variation is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.45

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-06-D-5296 authorised to operate on the intra-district route Mappattukara- Ottapalam on the strength of regular permit 9/1082/2001 valid up to 27.09.2026.

We have examined the application and the connected enquiry report, and we require a specific report from the Secretary, RTA on the following points to make a proper decision on the matter: (i) Details of intermediate points & main junctions in each trip in both the existing and proposed timings, (ii) specify whether the route portion from Alumkulam to Kalluvazhy is in the existing route or in the proposed route (iii) report whether there are any trip curtailment or change of timings in the existing timings due to the proposed variation and their adverse effects, and (iv) check whether

the virgin portions on the proposal are suitable for stage carriage operation.

For compliance of the above direction, **decision on the matter is adjourned.**

Item No.46

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-08-AB-5742 authorised to operate on the inter-district route Kuttippuram- Shornur on the strength of regular permit 9/6003/2008 valid up to 24.04.2008. The matter was adjourned by RTA dt. 08.06.2022 vide item no.16, for seeking concurrence of the sister RTA Malappuram for the portion of the proposed variation lying in Malappuram district. After receiving concurrence from the RTA Malappuram, it was placed in the meeting of RTA, Palakkad, held on 27 06.2023 in item no.34 and the decision was adjourned directing the secretary to enquire and place a report specifically regarding the curtailment of trip from Chalissery via Kaithakundu and other proposed time changes and its adverse effects on the travelling public and students, showing the trips with the intermediate places after the proposed variation.

This authority on perusal the specific enquiry report from the field officer pattambi, understood that the curtailment of trip from Chalissery via Kaithakundu and other proposed time changes will adversely affect the public transport facilities for general public and students and the proposed variation is not feasible.

As a result, **the application for the permit variation is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.47

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-51-K-5768 authorised to operate on the intra-district route Elumbulassery- Ottapalam on the strength of regular permit 9/25/2002 valid up to 09.05.2027.

The matter was adjourned by RTA dt. 27.06.2022 vide suppl item no.3, directing the applicant to submit a modified application mentioning the details of proposed extensions, deviations and additional trips if any with a set of proposed timings and the secretary was also directed to enquire and place a report on the modified application containing all the details specified above.

However, upon perusal of the specific enquiry report from the field officer Ottapalam, the authority has understood that the curtailment of trips from Kadampazhipuram-Brahmanchola at 3.28 pm & 5.15 pm, which is an ill-served area, will adversely affect the regular passengers depending on this service during that time. The curtailment of trips from Kadambur-Kadambur road Jn via Alangad will also make an adverse impact on the travelling public & students. The proposed changes in time at Ottapalam will cause unhealthy competition between the en route operators, posing a great threat to road safety of the general public

As a result, **the application for the permit variation is found in-feasible and is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.48

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-51-D-6618 authorised to operate on the intra-district route Pavukonam--Kongad on the strength of regular permit 9/50/2001 valid up to 16.07.2026. The matter was adjourned by RTA dt 18.03.2023 in additional suppl no.7, directing the applicant to submit a modified application with necessary corrections and directing the secretary, RTA to furnish a detailed report along with a neat sketch.

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has identified that the existing trips from Ottapalam at 7.10 pm towards Chorottur is curtailed, impacting travelling public, even though this is not explicitly mentioned in the application and in short, the application is not in accordance with

the timing proposal. As a result, **the application for the permit variation is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.49

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-49-A-7020 authorised to operate on the intra-district route Palamukku--Palakkad on the strength of regular permit 9/4101/2001 valid up to 04.12.2026.

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has noted the following facts:

- (i) The proposed variation involves reducing two out of four trips to Palamukku, which is a remote location about seven kilometers away from Nemmara. The route passes through Ayiloor, where several educational institutions such as IHRD College of Applied Sciences, Govt. U.P School, and Govt institutions such as Ayiloor Village Office, Panchayath Office, Primary Health Centre are situated. The proposed curtailment of the trips will adversely affect the travel convenience of students attending these institutions and the general public visiting these offices and officials working there.
- (iii) During the field officer's inquiry, the residents of Palamukku strongly protested against the proposed curtailment. They requested that the reduction of trips should not be allowed since the poor people of the Palamukku region are unable to afford auto/taxi services.
- (iv). A mass representation from the people of Palamukku through the member of the Ayiloor Grama Panchayath is also received requesting not to entertain the application for curtailment filed by the permit holder.
- (v) The proposal to change about seven existing timings may lead to a competitive race among en route operators, which could threaten road safety.

(vi) There is no change in circumstances warranting curtailment of trips and change of existing timings stipulated under rule 145(6)&(7) of KMV Rules, 1989 and the application for variation of permit is against the interest of the general public and students.

Hence, the above application for variation of conditions of permit is rejected by this authority and it is instructed to realize the application fee if not paid.

Item No.50

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-49-A-7300 authorised to operate on the inter-district route Ottapalam--Palakkad on the strength of regular permit 9/686/1995 valid up to 17.11.2025.

Upon verification of the application, proposed time schedule, and perusal of the field officer's route enquiry report, the authority has noted that the proposed variation involves curtailment of the portion from Palakkad to Thrissappalur (via) Yakkara, Koduvayur and Kunissery. The Palakkad-Alathur sector is very sensitive, and any sort of curtailment towards Palakkad will adversely affect the general public who travel to Medical College and students of various educational institutions located in remote places of Palakkad district. **Therefore, the above application for variation of conditions of permit is found against the interest of the general public and students and is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.51

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-51-G-7745 authorised to operate on the inter-district route Veettikkad- Shornur on the strength of regular permit 9/1020/2000 valid up to 21.03.2025. The matter was adjourned by RTA dt. 24.12.2019 vide item no.22, for seeking concurrence of the sister RTA Malappuram for the portion of the proposed variation lying in Malappuram district. Subsequently,

concurrence was granted by the RTA Malappuram dt 14.02.2023 in item no.224.

After scrutinizing the application and the route enquiry report, this authority finds it necessary to seek clarification on certain aspects before making a decision. Therefore, the secretary of RTA is directed to (i) report the present condition of the virgin portion from Ayattuchira to Poothakkad, including the type of stage carriage that is suitable for operation on this portion (ii) report whether there is any bridge on the proposed variation portion and its suitability for stage carriage operation , and (iii) the 1:00 pm trip from Cheplassery to Veettikkad and the 2:15 pm trip from Cheplassery to Karumanamkurissi are seen curtailed, and verify whether there are any other such curtailments of existing trips and report their adverse effects. For the compliance of the above, **decision on the application for variation of permit is adjourned.**

Item No.52

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-51-A-7866 authorised to operate on the intra-district route Ottapalam- Koottilakadavu on the strength of regular permit 9/1034/2004 valid up to 04.08.2025. The matter was earlier adjourned by RTA dt. 18.03.2023 vide addl suppl item no.10, with direction to the applicant to submit a modified application rectifying some defects in the application and the secretary, RTA to submit a detailed report along with a neat sketch .

After scrutinizing the application, the proposed time schedule and the route enquiry report, this authority finds it necessary to seek clarification on certain aspects before making a decision. Therefore, the secretary of RTA is directed to (i) report the condition of the road from Vengassery to Mangalamkunnu and to Karimpuzha, including the type of stage carriage that is suitable for operation on this portion (ii) report the frequency of stage carriages

on the sector Vengassery - Mangalamkunnu -Karimpuzha , and (iii) verify whether there are any curtailments of existing trips and report their adverse effects. For the compliance of the above, **decision on the application for variation of permit is adjourned**

Item No.53

Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-52-L-7901 authorised to operate on the intra-district route Muthuthala- Natyamangalam on the strength of regular permit 9/62/2000 valid up to 11.12.2025. The matter was earlier adjourned by RTA dt. 27.06.2023 vide item no.37, for a specific report on certain aspects from the secretary .

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has noted the following facts. (i) A lot of trips between Koppam and Natyamangalam are seen curtailed viz: trips towards Koppam at 6.20 am, 7.10 am, 8.30 am, 9.45 am, 10.50 am, 12.40 pm etc & trips towards Natyamangalam at 6.45 am , 7.35 am, 8.00 am, 9.15 am, 10.20 am, 12.10 pm etc and trip towards Muthuthala at 11.30 am from Koppam is also curtailed .(ii) The applicant wants to alter the entire set of current timings under the guise of a variation, which will undoubtedly cause an unhealthy rivalry among fellow operators and endanger safety of the general public and other road users. Consequently, the aforementioned application **for variation of permit is rejected by this authority and it is instructed to realize the application fee if not paid**

Item No.54

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-09-AC-7977 authorised to operate on the intra-district route Kollengode--Olavakkode on the strength of regular permit 9/421/2005 valid up to 22.06.2025.

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has noted the following facts:

(i) the proposed variation involves curtailment of the segment of the route from (a) Kambrathuchalla to Vellaramkadavu, (b) from Palakkad to Olavakkode (c) deviation of the route from Kinassery to Pudunagaram (via) Koduvayur as Kinassery to Pudunagaram

(ii) Vellaramkadavu is a remote area where poor laborers and tribal people reside. The Sneham Charitable Trust Ashram is also located in this area. Reducing the route portion would be detrimental to the interests of the public, students, and devotees of the Sneham Charitable Trust Ashram.

(iii) The applicant also intends to curtail the route portion from Palakkad to Olavakkode, which is located 5 km away from Palakkad and is home to the major railway station of the Palakkad district. It is possible that earlier the permit was granted only because of the route's connection to Olavakkode based on the train timings." If this curtailment is allowed, it will adversely affect the public who wish to travel from Vellaramkadavu, Chulliyarmedu, Kambrathchalla, Kollengode, and en route to the Olavakkode railway station. Therefore, the application for the reduction of the route portion from Palakkad to Olavakkode is highly against the interests of the traveling public.

(iv) Deviation of the route from Kinassery-Mannathkavu, Koduvayur-Pudunagaram to Kinassery-Peruvembu-Pudupariyaram-Enquiry revealed that there is no need for deviation of the route from Kinassery-Mannathukavu-Koduvayur-Pudunagaram to Kinassery-Peruvemb-Pudunagaram. Koduvayur is a major town and a place of commercial importance that cannot be excluded from the route. The travelling public of Kinassery-Mannathukavu-Koduvayur will also be adversely affected. A mass representation from the

people has also been received requesting not to entertain the above request of the permit holder.

(v) As far as the proposed extension from Kurivikkoottumaram to Thekkinchira is concerned, although Thekkinchira is a remote place, there is no place available there to facilitate the reversal of the vehicle.

(vi) There is no change in circumstances warranting the curtailment of the route or deviation of the existing route stipulated under 145(6) of KMV Rules, 1989. Hence, the above application **for variation of conditions of permit is rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.55

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-09-M-8691 authorised to operate on the intra-district route Vandithavalam--Palakkad on the strength of regular permit 9/421/2005 valid up to 22.06.2025.

After having a thorough review of the application, proposed time schedule, and the field officer's route enquiry report, the authority has understood that there are objections from the public against the proposed variation and there is no change in circumstances warranting the proposed curtailment of the route, stipulated under 145(6) of KMV Rules, 1989. Hence, the above application **for variation of conditions of permit is rejected by this authority and it is instructed to realize the application fee if not paid**

Item No.56

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-48-N-8772 authorised to operate on the inter-district route Shornur--Pattambi on the strength of regular permit valid up to 11.03.2028.

After verifying the application, the proposed time schedule, and the field officer's route enquiry report, the authorities have noted the following facts: (i) Many existing trips like the trips from Shornur at 9:40 am towards Pattambi via Kulappully and from Shornur at 1:45 pm towards Pattambi via Paruthipra etc are seen curtailed, which will impact the regular passengers who depend on this service, even though these are not explicitly mentioned in the application. (ii) The applicant wants to alter the entire set of current timings under the guise of a variation, which will undoubtedly cause an unhealthy rivalry among fellow operators and endanger the safety of the general public and other road users. (iii) Also, there are objections against the proposed variation from people's representatives. As a result, **the application for variation of permit has been rejected by this authority and it is instructed to realize the application fee if not paid**

Item No.57

1. Perused the judgment dt. 20.10.2023 in WP(C). 34779/2023 By the Hon'ble High Court of Kerala .

2. Heard. This is to re-consider the application for variation of permit in respect of stage carriage KL-10-Y-9022 authorised to operate on the intra-district route Melmuri- Natyamangalam on the strength of regular permit 9/610/2003 valid up to 10.02.2028. The matter was previously adjourned by RTA dt. 27.06.2023 vide item no.39, for a specific report on certain aspects from the secretary.

The authority has taken note of the following facts after verifying the application, the proposed time schedule, and the field officer's route enquiry report. (i) curtailment of trips to Natyamangalam, Veluthur, Prabhapuram, Vallapuzha and Melmuri will adversely affect the travelling public as well as the students of various educational institutions on the route (ii) Changing evening trips in Vallapuzha will have a negative impact on the public and last-mile connectivity. (iii) the enhancement of working hours to 17

hours is not feasible. So, the proposed variation is against the interests of the traveling public. As a result, **the application for variation of permit has been rejected by this authority and it is instructed to realize the application fee if not paid.**

Item No.58

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-35-J-9660 authorised to operate on the inter-district route Palakkad--Ayyanthole on the strength of regular permit valid up to 17.01.2025.

After scrutinizing the application, the proposed time schedule and the route enquiry report, this authority finds it necessary to seek clarification on certain aspects before making a decision. Therefore, the secretary of RTA is directed to (i) obtain specific report from JRTO, Ottapalam and RTO, Thrissur on whether there is any violation of clause 19 of G.O(P) No.13/2023/Tran dated 03.05.2023 due to the proposed additional trips on the sectors Ottapalam-Shornur and Thrissur- Ayyanthole and (ii) the secretary is also directed to verify whether there are any curtailments of existing trips and report their adverse effects. For compliance with the above, **decision on the application for variation of permit is adjourned**

Item No.59

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-10-AM-9770 authorised to operate on the intra-district route Vayalur--Panamarathvayal--Melemulli on the strength of regular permit 9/74/2020 valid up to 08.12.2025.

Upon thorough verification of the application, proposed time schedule, and the enquiry report submitted by the field officer, SRTTO, Mannarkkad, it is understood that the proposed extension from Vayalur to Sholayur is beneficial to the travelling public since the number of stage carriages on this stretch is very nominal.

Hence, the **variation is granted subject to settlement of timings on the proposed extension portion only without changing the existing timings** & subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023 & remittance of application fee if not paid.

Item No.60

Heard. This is to consider the application for variation of permit in respect of stage carriage KL-11-Y-9973 authorised to operate on the intra-district route Vayalur--Panamarathvayal--Melemulli on the strength of regular permit 9/74/2020 valid up to 08.12.2025.

Upon verification of the application, proposed time schedule, and the enquiry report submitted by the field officer, this authority finds it necessary to seek clarification on the following aspects. Hence, the secretary, RTA is directed to (i) report the adverse effect of curtailment of many existing trips like ; trip departing at 12.45 pm from Cherpulassery and arriving at 1.20 pm at Muriyankanni, and(ii) specify the total route length before and after variation. For compliance with the above, **decision on the application for variation of permit is adjourned**

Item No.61

Heard. This is an application for renewal of permit No. 9/3331/2007 valid up to 10.10.2023 in respect of stage carriage KL 50 J 22 for a further period of 5 years to operate on the inter-district route Kozhikkode-Palakkad as LSOS. **Renewal of permit is granted as ordinary service**, subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Item No.62

Heard, these are applications dated 23.08.2018 and 25.09.2023 for renewal of regular permit(Permit No. 9/459/2003) authorised to operate on the intra-district route Mudappallur-Palakkad in respect of stage carriage KL49 66 which was expired on 10.09.2018. The vehicle above is non-operational on the above permitted route for more than 07 years now. As per Rule 152 of KMV Rules 1989, it shall be a condition of the permit of every transport vehicle that the vehicle shall be so maintained as to be available for service for which the permit was granted, for the entire period of currency of the permit. In spite of notices issued, no explanation was offered by the permit holder for his lapse. No previous permission is seen obtained by the permit holder from this authority for withdrawal of service from the route. Mere filing of applications for renewal of permit for successive periods will not entitle the applicant for getting the permit renewed. Hence, this authority is of the view that the permit holder intentionally withdrawn the service in this case. Hence, by exercising the powers conferred upon this authority by the above Rule, **the permit is cancelled.**

Since permit is cancelled, the **applications for renewal of permit have become not maintainable and hence rejected.**

Item No.63

Heard. This is an application dated 06.10.2023 for renewal of permit No. 9/1046/1999 valid up to 10.11.2023 in respect of stage carriage KL 13 AB 0241 for a further period of 5 years to operate on the inter-district route Kozhikkode-Palakkad as LSOS. **Renewal of permit is granted as ordinary service**, subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Item No. 64

Heard. This an application for renewal of permit in respect of stage carriage KL 51 H 0595. On perusal of connected file, as per the order passed by Secretary, RTA, Palakkad on 18.06.2022 in note-file, renewal of permit is seen already granted. Hence, **Secretary, RTA, is directed to proceed further on the matter as per law .**

Item No. 65

1. Perused the Order of Hon'ble High Court of Kerala dated 02.11.2023 in WP(C)No.19245 of 2023.
2. Heard, this is an application for renewal of permit in respect of stage carriage KL 09 Y 1144 authorised to operate on the inter-district route Kadampuzha-Palakkad. The vehicle is under hypothecation agreement with M/s.Soanraj & Sons, Coimbatore. Application for renewal of permit under Section 81 of Motor Vehicle Act, 1988 is filed not along with No Objection Certificate from the financier as required under Section 51(7) of Motor Vehicles Act, 1988 or with the communication received from the financier, in spite of intimation to the permit holder. Hence, **application for renewal of permit is rejected.**
3. In view of the above decision on the application for renewal of permit, the **application for replacement of vehicle is disposed as in-fructuous.**

Item No. 66

Heard, this is an application dated 22.05.2020 for renewal of permit 9/628/2000 valid up to 21.05.2020 authorised to operate on the inter-district route Mappattukara-Thayoor in respect of stage carriage KL 17 B 1555. Since the validity of documents related to MV Act, 1988 was extended till 31.12.2021 by the Govt.

due to Covid-19 pandemic, the application is treated as one filed in time. **Renewal of permit is granted**, subject to conditions laid down in G.O(P) No 13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Item No. 67

1.Perused the judgment of Hon'ble High Court of Kerala dated 27.09.2023 in WP(C) No. 12108 of 2023.

2.Heard the applicant, KSRTC and other objectors. This is an application for renewal of permit(Permit No. 9/3000/2011 valid from 20.07.2011 to 19.07.2016), which was issued after 14.07.2009, in respect of stage carriage KL-13-J-691(replaced by KL-09-V-1952) for a further period of five years from 20.07.2016 to operate on the intra-district route Palakkad-Palakkad via Kottekkad, Kalleppully, Puthoor and trips (1) Padalikkad- Palakkad via Kottekkad, Kundukad, Mattumantha, Palayam and Puthur & Palakkad-Kannannore via Poodur and Thachankad.

This matter was earlier considered by the RTA Palakkad dt 29.05.2018 in item no.27 and the grant of the permit was revoked. Excerpts from the decision reproduced below.

“ The above permit was issued on 20.07.2011 as per the decision of RTA, Palakkad dated 21.02.2011 in item No.09, on the basis of a judgment in WP(C)No.15221/2011 in which it was mentioned that the issue of the permit will be subject to the final outcome of the said writ petition filed by KSRTC. The dispute raised by the KSRTC against the issue of this permit was based on the overlapping distance covered by the route applied.

This matter was considered by the Hon'ble Court and on the basis of the report of an Advocate Commission, the Court ordered to issue the permit with a condition that the issue of permit will be subject to the finalization of the writ petition number 15221/2011. The writ petition in WP(C)No.15221 of 2011 was finally disposed by the Hon'ble High Court of Kerala as per the judgment dated 20.03.2013 with the following observations.

“1.The issue relates to the grant of regular permit to the third respondent in the Palakkad-Palakkad circular route via Kottekkad,kalleppully, Puthur. The only objection raised by the Kerala State Road Transport Corporation ('KSRTC' for short) is as regards overlapping of notified route. It was stated that the stretch from Therakkad to Palakkad Municipal bus stand overlaps the notified route Palakkad -Kannur.

2. No other stretch of overlapping was pointed out by the KSRTC either before the Regional Transport Authority or before the State Transport Appellate Tribunal. I say so after referring to the proceedings dated 17-9-2007 of the Regional Transport Authority and Ext.R3(C) objection filed by the KSRTC before the Tribunal. The objection was confined to the stretch from Therakkad to Palakkad Municipal bus stand in the proceedings.

3. An Advocate Commissioner was deputed in Writ Appeal No.203/2010 between the same parties in the earlier round of litigation. The report of the Advocate Commissioner dated 26-3-2010 is categorical that the distance between Therakkad and Palakkad Municipal bus stand is only 800 mts. The inspection was done by the Advocate Commissioner in the presence of all parties.

4. The overlapping of 800 metres is well within 5% of the total route length of 26 kms sought to be operated by the third respondent. An overlapping up to 5 kms or 5% of the total route length is permissible even as per Ext.P3 notification. Two other stretches namely IMA Hall to Mission School and Mission School to Therakkad Junction are pointed out for the first time in the writ petition. I am afraid that I cannot countenance this plea at this belated stage. Such an objection was not raised either before the Regional Transport Authority or the State Transport Appellate Tribunal.

5. The finding that the overlapping is only for a length of 800 mts and within the permissible limits is a dead question of fact. Such a finding arrived at by the State Transport Appellate Tribunal is rested on evidence. The same cannot be assailed in a writ petition under Article 226 of the Constitution of India.

6. I however clarify that the KSRTC is entitled to urge all its contentions at the time of renewal of the present permit. The third respondent is operating services on the basis of the interim order passed in this writ petition. No other point arises for consideration in this writ petition.

In the above final judgment dated.20.03.2013, the Hon'ble Court after considering the subsequent contentions raised by KSRTC at the time of hearing observed that the additional objections raised by KSRTC in the later stage of hearing can be raised at the time of renewal of this permit without commenting on the contention of KSRTC in its material aspects. It is in this stage this application for renewal is considered by the RTA and KSRTC has now raised objection against the renewal of this permit that there is more overlapping than that is permissible under clause 5(c) of G.O(P) No.42/2009/Tran. Dated 14.07.2009, which is later modified by G.O(P) No.08/2017/Tran dated 23.03.2017.

In the last RTA meeting held on 28.12.2017, this matter was considered in Item No.117 and was adjourned since the existing route enquiry reports on the actual distance of overlapping were not specific enough for taking a final decision on the matter. On perusal of the fresh enquiry report of the secretary, RTA, it is revealed that, at present, the total distance covered by the entire route is 31 KM. Out of this, there is an objectionable overlapping of 3.8 KM, from

KSRTC Bus Stand to Moyen's School junction (1.9 km) and from IMA Jn to BEM School Jn.(1.9 km). Since the overlapping distance is more than 5% of the total route length and the permit was issued after 14.07.2009, the applicant is not entitled to get the protection of a saved permit as per the government notification G.O(P) No.08/2017/Tran dated 23.03.2017.

Under these circumstances, this permit has to be considered afresh and since the existing route overlaps with notified route/approved scheme for a distance of 3.8 kms, exceeding the permissible limit of 5% of the total route length, in violation of clause 5(c) of G.O(P) No.08/2017/Tran dated 23.03.2017, this permit cannot be renewed further”.

The above decision of RTA was challenged by the applicant before the STAT in MVAA no.241/2018 and the tribunal in its judgment dt 31.01.2023 dismissed the appeal and permitted the applicant to file a modified proposal avoiding objectionable portion of the overlapping and the RTA was directed to consider the same on merits and pass orders in accordance with law within two months after hearing all the parties.

But without filing a modified proposal as directed by the STAT, the applicant approached the Hon'ble High Court of Kerala against the above order of STAT by filing the WP(C) no.12108/2023. In its judgment pronounced on 27.09 2023, ***the Hon'ble High Court set aside the impugned order of the RTA as well as the tribunal and remanded back the matter to the RTA to consider whether the new stretches, which have been pointed in the report of the MVI are on the notified route or not. It is also directed that the RTA should pass fresh orders in accordance with law , on the application of the petitioner for renewal, after hearing the petitioner and other affected parties*** and till such time, the petitioner shall be permitted to operate his stage carriage.

The ambiguity, which existed earlier, regarding the intermediate places along the nationalized routes passing through the Palakkad district was clarified by the RTA in its meeting held on 13.07.16 vide decision in item no 1 and the relevant portions of the decision is reproduced below:

1(a)

This item relates to the route portion of Trivandrum-Palghat (Sl.No.06 of G.O(P)No.42/2009/Tran dated 14.07.2009) lying in the jurisdiction of this authority. In this connection, both the private operators and KSRTC were

heard. After hearing the contentions of both sides, it is arrived at the conclusion that the intermediate places to be taken as lying on the notified route are **Vaniyampara NH, Vadakkencherry Royal Jn NH, Vadakkencherry Manglam Palam NH, Nelliyaikkunnu NH, AlathurSwathyJn NH, AlathurKindimukku NH, Thrissappalur NH, Kuzhalmannam NH, Kazhchaparambu NH, Kadumthuruthi NH, Manapullikkavu Jn NH, IMA Jn, Civil Station, PalattJn, SBI Jn, BEM School Jn, Palakkad KSRTC Bus Station**. Therefore the overlapping distances on the notified route shall be measured along with the above intermediate places for the purpose of assessing the objectionable overlapping on notified route Trivandrum-Palghat lying in this jurisdiction. This decision and intermediate points are as a clarification for uniform assessment of overlapping distances and intermediate points on the notified route lying in this jurisdiction.

1(g)

This item relates to the route portion of **Palakkad-Cannanore**(Sl.No.23 of G.O(P)No.42/2009/Tran dated 14.07.2009) lying in the jurisdiction of this authority. In this connection, both the private operators and KSRTC were heard. The following points are taken into consideration while this matter is decided.

- a) The supplementation scheme in respect of the route Palakkad-Cannanore notified in 1962 does not seek to operate on different routes during onward and return journey.
- b) In the above notification, no intermediate points are mentioned between the places Palakkad and Olavakkode.
- c) The road existed between Palakkad and Olavakkode during 1960s while the route is notified was via 'Chunnambuthara'.
- d) Later another road through 'Puthiyapalam' was came into existence connecting Palakkad and Olavakkode. Both the roads are operational now.
- e) For the last many years KSRTC opted operation through new road via Puthiyapalam in between Palakkad and Olavakkode in its course from Palakkad towards Cannanore (by avoiding road through Chunnambuthara)
- f) In the agenda placed before this authority, Secretary, RTA suggested to consider notified through the road via 'Chunnambuthara'
- g) Instead of through 'Chunnambuthara', KSRTC claims to consider the notified route both *through 'Puthiyapalam' in its onward journey to Kannur side and the portion of the road passing through, Sekharipuram, Sekharipuram Bye-pass Jn, Bye-pass, Manali Jn, Stadium Bus Stand, IMA Jn, Civil Station, Palatt Jn, SBI Jn, BEM Jn, KSRTC Bus station in its downward journey from Kannur side.* (which is the present line of travel of KSRTC)

The G.O(P)No.42/2009/Tran dated 14.07.2009 doesn't vindicate the said claim of KSRTC since as much as there is no mention of a different route or intermediate places in the scheme. While Considering the route length of any route and its overlapping distance, the distance covered by the route on one side of the route alone can be taken for the purpose of assessing route length and overlapping distance. The distance covered by the route on its downward journey due to the traffic arrangements effected along the route cannot be added to the route length between termini and thereby any overlapping distance due to the said traffic arrangement also cannot be added to the objectionable overlapping distance. Hence, the contention of KSRTC that return distance via Sekharipuram, Sekharipuram Bye-pass Jn, Bye-pass, Manali Jn, Stadium Bus Stand, IMA Jn, Civil Station, Palatt Jn, SBI Jn, BEM Jn, KSRTC Bus station of the Palakkad-Kannur notified route shall be treated as overlapping distance on the Palakkad-Kannur route is not maintainable as it is not included in the original notified route and intermediate places. All stage carriages passing through the above route are supposed to travel through the above roads which is a part of the traffic arrangement inside the town. The G.O(P)No.42/2009/Tran dated 14.07.2009 doesn't contemplate area scheme so as to reserve the right exclusively to KSRTC on all the roads and routes in Palakkad town. The claim of KSRTC is only to exclude private operators from Palakkad Town in the long run. Therefore the claim of KSRTC is found untenable and hence rejected. Hence, it is concluded that as far as the objectionable overlapping between Palakkad KSRTC Bus Stand and Olavakkode is concerned, **on the following portions of notified route Palakkad-Kannur, the distance connecting KSRTC BUS STAND-BEM SCHOOL- TOWN BUS STAND-SAKUNTHALA JUNCTION- NEW RAILWAY OVERBRIDGE- VETERINARY HOSPITAL JUNCTION- MUNICIPAL BUS STAND- MOYAN SCHOOL JUNCTION- VICTORIA COLLEGE- [Via(1) CHUNNAMBUTHARA, JAINIMEDU, TILE FACTORY & Via (2) AYYAPPURAM,**

SEKHARIPURAM JN, CHATHAPURAM, PUTHIYAPALAM, SAI JUNCTIN J- OLAVAKKODE and then through MUNDUR-KALLADIKKODE-MANNARKKAD-ARYAMPAVU-KARINKALLATHANI are to be taken as the overlapping distance on the above notified route.

The above decision of RTA was also upheld by the division bench of the Hon'ble High Court of Kerala in its judgment dt.11.12.2017 in W.A no.2350/2017 in WP(C).No. 33075/2016.

It was in line with above decision of the RTA, that field officer measured the distance of overlapping on the route in question and submitted the report clarifying that there was an objectionable overlapping of 3.8 KM, from KSRTC Bus Stand to Moyen's School junction (1.9 km) and from IMA Jn to BEM School Jn.(1.9 km).

In compliance with judgment of the Hon'ble High Court of Kerala in WP(C) no.12108/2023, this authority has considered the matter afresh and examined the above report of the Motor Vehicle Inspector and it is found that the first stretch, KSRTC Bus Stand to Moyen's School junction overlaps with the notified route *Palakkad--Cannanore* and second the stretch from IMA Jn to BEM School Jn. overlaps with the notified route *Trivandrum-Palakkad*.

It is explicitly clear that the new stretches, which have been pointed in the report of the MVI lie on the notified routes ***Trivandrum—Palakkad & Palakkad—Cannanore***, which are enlisted respectively as Sl.No.06 & Sl.No.23 in the notification G.O(P)No.42 /2009/Tran dated 14.07.2009, later modified as G.O(P) No.13/2023/Tran dated 03.05.2023 issued by the Govt of Kerala.

Hence, it is proved beyond doubt that the above route overlaps with notified route /approved scheme for a distance of 3.8 Kms, exceeding the permissible limit of 5% of the total route length, in violation of clause 5(c) of existing G.O(P) No.13/2023/Tran dated 03.05.2023 . Moreover, the above permit is not entitled to get the protection of a saved permit as per the above government notification since it was issued after 14.07.2009.

In the above circumstances, the **grant of this permit stands revoked by this authority. Consequently, the application for renewal of permit is dismissed as in fructuous.**

Item No. 68

Item No.37 & item no.68 have been considered together and a decision has been taken in item no.37.

Item No. 69

Heard, the regular permit(8/6/1997) to operate on the inter-district route Thrissur-Velanthavalam as LSOS in respect of stage carriage KL 08 AT 1999 is seen expired on 15.12.2016. The application for renewal of permit for further period of 05 years wef. 16.12.2016 is seen granted by this authority as per decision dated 08.06.2022 vide supplementary item No. 05. The decision of grant of permit is seen communicated to the grantee from this office on 26.07.2022 as per the office records. The applicant failed to obtain the granted renewal of permit within one month thereafter nor within the maximum permissible aggregate period of four months. For the above reasons, after hearing the grantee on today, **this authority is decided to revoke the above decision granting renewal of permit as per Rule 172(3) of KMV Rules, 1989.**

Since grant of renewal of permit is revoked as above, **decision on the application for renewal of permit filed for further period is found not maintainable and hence disposed as in-fructuous.**

Item No. 70

Heard. This is a belated application dated 13.06.2023 for renewal of permit (Permit No. 9/432/2003 valid up to 23.05.2023) in respect of stage carriage KL 49 F 2710 authorised to operate on the intra-district route Plazhi-Walayar. Application for renewal of permit is filed 20 days after the expiry of permit. On considering the request to condone delay (in filing application for renewal of permit by the applicant) filed on 23.06.2023 before the Secretary, RTA, Palakkad and on hearing the applicant through his counsel on

today, this authority is convinced that the applicant was prevented by good and sufficient causes from making application for renewal of permit, owing to medical reasons, within the time specified under Section 81(2) of Motor Vehicles Act, 1988.

In exercise of power conferred upon this authority by Sub Section 3 of Section 81 of Motor Vehicles Act, 1988, **renewal of permit is granted from the date of application by condoning the delay,** subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Secretary shall also verify whether the vehicle was operated on the above route after expiry of permit, if so compounding amount shall also be realised for permit-less operation.

Item No.71

Heard. This is an application for renewal of permit (No. 9/6041/1997) in respect of stage carriage KL 48 J 2885 on the inter-district route Olavakkode-Mundur as LSOS valid up to 26.10.2023. **Renewal of permit is granted as ordinary service,** subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Item No.72

1. Perused the judgment of Hon'ble High Court of Kerala dated 16.10.2023 in WP(C) No. 34050 of 2023(produced on 20.10.2023)
2. Heard the counsel representing applicant. Perused the connected records, considered the application dated 19.09.2023 for renewal of permit in respect of stage carriage KL 03L 3330 and application dated 06.11.2023 for

replacement of vehicle KL 03 L 3330 by another stage carriage KL 09 Q 9068. The stage carriage KL 03 L 3330 is seen covered by regular permit valid up to 22.09.2023 on the intra-district route Ottappalam-Kallikunnu. Tax in respect of outgoing vehicle(KL 03 L 3330) is seen cleared up to 30.09.2023. The vehicle is held under HP Agreement with M/s. Shanthi Finance Coimbatore. By filing request dated 07.11.2023, the applicant requested to condone delay (in submitting application for renewal of permit). As per the direction of Hon'ble High Court of Kerala dated 16.10.2023 in WP(C) No. 34050 of 2023, on clearing the tax arrears in respect of stage carriage KL 03 L 3330 by the applicant/petitioner, the application for renewal of permit (Ext. P4) and replacement of vehicle(Ext.P5) are considered. The application for renewal of permit is filed neither with No objection Certificate from the financier as required under Section 51(6) of Motor Vehicle Act 1988 nor with the communication received from the financier(under Sub Section (7) of Section 51 of Motor Vehicles Act, 1988) as stipulated under Section 51(8) of Motor Vehicles Act, 1988. The applicant was heard on today by this authority as required under Section 51(9) of Motor Vehicles Act, 1988 and on finding that the version of the applicant for not-complying the provisions of Section 51 of Motor Vehicles Act 1988 is un-acceptable, **as per Section 51(9)(a)(i) of Motor Vehicles Act, 1988, this authority is decided to refuse to renew the permit.** Since it is decided to decline permit renewal, **application for replacement of vehicle is considered and disposed as in-fructuous.**

Item No.73

Heard, this is a belated application dated 21.07.2023 for renewal of permit in respect of stage carriage KL 09 AN 3691(Permit No. 9/1022/2003 valid up to 03.06.2023) authorised to operate on the intra-district route Nemmara-Vandithavalam. This application is

not filed within the time stipulated under Section 81(2) of Motor Vehicles Act, 1988. Perused the request to condone delay submitted along with supporting documents. This authority is convinced that the applicant is prevented by good and sufficient cause from making application for renewal of permit within the stipulated time. Hence, **delay in filing application for renewal of permit is condoned** and decided to entertain application as per Section 81(3) of Motor Vehicles Act, 1988. **Hence renewal of permit is granted from the date of application,** subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Secretary shall also verify whether the vehicle was operated on the above route after expiry of permit, if so compounding amount shall also be realised for permit-less operation.

Item No.74

Heard, the counsel representing the claimed possessor (proposed transferee) Smt. Sheela.P, wife of the deceased Sri.A.Rajan, who was the permit holder of stage carriage KL 02 U 3710 which is authorised to operate on the intra-district route Pudukkode-Kollengode. On perusal of records, the permit is seen valid up to 28.01.2023. As per the death certificate produced, the permit holder Sri.A.Rajan is seen expired on 07.01.2023, but the application for renewal of permit is seen filed on 12.01.2023 in the name of Sri.A.Rajan(without intimating the death) which is not chronologically matching. The intimation about the death is seen submitted by the claimed possessor (Smt.Sheela. P) only on 12.05.2023. Hence, prima-facie this authority is of the impression that the application for renewal of permit filed is defective and with a non-genuine signature of the applicant. Hence, Secretary shall get the defects cured as stipulated in Rule 173 of KMV Rules, 1989 and re-submit the applications before this authority for re-

consideration with notice to the claimed possessor/applicant along with explanation of the present applicant in reply to the notice already issued by Secretary, under Rule 152 of KMV Rules, 1989. Hence, **decisions on the application for renewal of permit and transfer of permit(subsequent to death) are adjourned.**

Item No.75

Heard. This is an application dated 06.11.2023 for renewal of regular permit No. 9/339/2004 valid up to 21.11.2023 in respect of stage carriage KL 50 H 4000 authorised to operate on the inter-district route Nemmara-Kozhikkode as LSOS. The length of the route is more than 140 Km. As per the prevailing G.O(P) No. 13/2023/Tran dated 03.05.2023, permit holders of stage carriages having route length more than 140 Km should be curtailed excess route portion so as restrict the route length of their service within 140 Km. In spite of notices issued, the permit holder has not filed any application for curtailment of route portion, instead a WP(C)No. 21269 of 2023 is filed challenging the above Notification. This writ petition along with connected cases is under the consideration of Hon'ble High Court of Kerala and final verdict is awaited. Hence, **decision on the application for renewal of permit is adjourned.**

Item No.76.

Heard. This is an application for renewal of permit No. KL99/10020/2007 valid up to 16.11.2022 in respect of stage carriage KL 50 K 6166 for a further period of 5 years to operate on the inter-district route Kuttippuram-Koottanad. Application for renewal of permit is filed on 19.10.2022. On perusal of records, it seen also seen that the permit is issued on 17.11.2007. Hence, **renewal of permit is granted**, subject to conditions laid down in G.O(P) No. 13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs, tax and Govt. dues, if any and remittance of application fee, if not paid.

Item No. 77

Heard. This is a belated application dated 06.07.2023 for renewal of permit in respect of stage carriage KL 11 AA 6327 which was permitted to operate on the intra-district route Kozhinjampara-Palakkad on the strength of regular permit 9/433/2003 expired on 02.06.2023. This application is not filed in compliance with Section 81(2) of Motor Vehicles Act, 1988. Applicant has filed a request to condone delay citing reasons. This authority is satisfied that the permit holder was prevented by good and sufficient causes from making application for renewal of permit within the time specified and it is decided to entertain the application as per Section 81(3) of Motor Vehicles Act, 1988 for renewal of permit filed belatedly. Hence, **the renewal of permit is granted from the date of application by condoning the delay**, subject to conditions laid down in G.O(P) No. 13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs tax and Govt. dues, if any and remittance of application fee, if not paid.

Secretary shall also verify the service of the vehicle after expiry of permit, if found conducted permit-less operation, compounding fee shall be levied.

Item No. 78

Heard. This is an application for renewal of permit(No. 9/1082/2000) valid up to 10.11.2023 in respect of stage carriage KL 50 E 6622 which is authorised to operate on the inter-district route Palakkad-Kozhikkode. Application for renewal of permit is filed on 06.10.2023. Hence, **renewal of permit is granted as ordinary service**, subject to conditions laid down in G.O(P) No. 13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs, tax and Govt. dues, if any and remittance of application fee, if not paid.

Item No.79

Heard. This is an application submitted on 04.09.2023 for renewal of regular permit in respect of stage carriage KL 08 AN 8222 authorised to operate on the inter-district route Olavakkode Rly Colony-Thrissur Medical College as LSOS on the strength of regular permit No.9/375/1999 valid up to 18.09.2023. Hence, **renewal of permit is granted as ordinary service**, subject to conditions laid down in G.O(P) No. 13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs, tax and Govt. dues, if any and remittance of application fee, if not paid.

Item No.80

Heard, this is an application filed on 25.10.2021 for renewal of permit in respect of stage carriage KL 09 AM 8295 authorised to operate on intra-district route Para-Palakkad Stadium Bus Stand on the strength of regular permit 9/2295/2016 valid up to 09.11.2021. **Renewal of permit is granted**, subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.

Item No. 81

1. Perused the judgment of Hon'ble High Court of Kerala dated 24.05.2023 in WP(C)No. 15815 of 2023.
2. Heard the applicant through his counsel. These are belated applications dated 26.04.2023 for renewal of permit and temporary permit in respect of stage carriage KL11 AC 8484 authorised to operate on the inter-district route Thrissur-Kozhinjampara on the strength of regular permit No. 9/679/1997 expired on 28.12.2022. After hearing the petitioner(permit holder), as per the directions contained in

judgment of Hon'ble High Court of Kerala dated 24.05.2023 in WP(C)No. 15815 of 2023 considered the Exhibit P2 application for renewal of permit and Ext. P3 application for temporary permit. As per Section 81(2) of Motor Vehicles Act, 1988 application for renewal of permit shall be made not less than 15 days before the date of its expiry. This application for renewal of permit is made not within the period stipulated in Section 81(2) of Motor Vehicles Act, 1988. Though this application filed for renewal of permit is filed after 3 months of expiry of permit, this authority has considered the possibility of entertaining this application for renewal of permit as per provisions in Section 81(3) of Motor Vehicles Act, 1988, to offer an opportunity to the applicant to furnish good and sufficient causes(if any) which prevented him from making application for renewal of permit within the time stipulated in the Act. While the matter is heard, the applicant has no satisfying reasons to substantiate his delay with any supporting documentary evidences. Hence, **it is decided not to condone delay/entertain this belated application for renewal of permit and hence application for renewal of permit is dismissed.**

In the light of the above decision on renewal of permit application, it cannot be construed that application for renewal of permit is pending consideration as stipulated under Section 87(1)(d) of Motor Vehicles Act, 1988. Hence, **application for temporary permit is not maintainable and is rejected**

Item No.82

Heard, this is a request submitted on 22.08.2023 to condone delay/for allowing maximum time to produce current records to avail the granted renewal of permit in respect of stage carriage KL 51 G 9909. On perusal of records, it is seen that as per order

communicated to the grantee on 20.07.2023, renewal of permit is seen granted with direction to produce current records of the vehicle within 30 days. Considering the request of the grantee, **maximum period of 04 months in aggregate, ie., up to 19.11.2023 is allowed to produce current records and the Secretary shall endorse renewal of permit, If the applicant produces the current records of the vehicle before the above date.**

Item No. 83

Heard. These are applications dated 04.06.2018 & 18.05.2023 for renewal of permit(No. 9/635/2003) expired on 19.06.2018 in respect of stage carriage KL 12 B 2053 to operate on the inter-district route Koottanad-Kuttippuram and an application dated 27.10.2023 for replacement of stage carriage KL 12 B 2053(which had attained 22 years as on 05.10.2023) by another stage carriage KL 10 AA 0622. The present vehicle KL 12 B 2053 covered by the permit is non operational on above route for the last 07 years. Secretary shall issue notice under Rule 152 of KMV Rules, 1989 and obtain reasons/explanation in writing from the permit holder and place these applications before this authority in the next open meeting of this authority after issuing due notices/intimation to the permit holder about the date and venue of the proposed meeting. Secretary shall also ascertain the whereabouts/existence details of KL 12 B 2053 and furnish detailed notes while the matter is placed for re-consideration. For the reasons, **the decisions on the above applications for renewal of permit and replacement of vehicle are adjourned.**

Item No. 84

Heard, this is an application for replacement of stage carriage KL 10 R 2522 by KL 55 Z 9839. The stage carriage KL 10 R 2522 is a Mofussill/Ordinary Service. As per the replacement application submitted on 02.05.2023, the proposed incoming vehicle is KL 55 Z

9839, which is a “ **Type I** ” vehicle (as per AIS-052 Clause 1.1.5). As per Bus Body Code & dictum laid down by Hon’ble High Court of Kerala in the judgment dated 21.03.2023 in WA No. 454 of 2023 (against the judgment dated 10.01.2023 in WP(C) 38658/2022) of Hon’ble High Court of Kerala), “ Type II ” vehicle(as per AIS-052 Clause 1.1.6) alone can be used for inter-urban/inter-city transport. So, **this application for replacement with un-suitable vehicle cannot be entertained and hence rejected.**

Item No.85

Heard. The regular permit No.9/6006/2006 on the intra-district route Karuvnpadi-Mannarkkad was expired on 31.05.2011. The vehicle covered by the permit (KL 09 M 2795) is seen detached from the permit wef. 15.04.2013. The permit is not seen validly existing for the last 12 years. For the above reasons, **the applications for renewal of permit, replacement (by KL 48 2799) and temporary permit are found not maintainable and hence rejected.**

Item No.86

1. Perused the judgement of Hon’ble High Court of Kerala dated 09.08.2023 in WP(C)No.25352 of 2023.
2. Heard, this is an application for replacement of stage carriage KL 09 Z 4686 (covered by regular permit No. KL99/347/1998 valid up to 23.01.2025 authorised to operate on the intra-district route Cherplassery-Palakkad) by another stage carriage KL 11 BB 0389. The incoming vehicle is later year model. Both the vehicles are HPVs. The seating capacity of the existing vehicle is 38 in all and that of the incoming vehicle is 48 in all. Considering the enhancement of travelling facility to the public and increase in tax revenue in terms of Mvs.tax to Govt. exchequer, **as per the direction of Hon’ble High Court of Kerala in the above judgment of Hon’ble High Court of Kerala, considered the application for**

replacement of vehicle and allowed replacement of stage carriage KL 09 Z 4686 by KL 11 BB 0389 subject to: (1) clearance of Mvs.tax and Govt. dues in respect of out-going vehicle. (2) remittance of application fee, if not paid.

Item No. 87

1. Perused the judgment of Hon'ble High Court of Kerala dated 10.08.2023 in WP(C)No. 20242 of 2023.
2. Perused the judgment of Hon'ble High Court of Kerala dated 02.05.2023 in WP(C)No.14436 of 2023.
3. Perused the judgment of Hon'ble High Court of Kerala dated 13.06.2023 in WP(C)No. 16667 of 2023.
4. Perused the decision of Regional Transport Authority, Palakkad dated 27.06.2023 in item No.51.

The judgment of Hon'ble High Court of Kerala dated 10.08.2023 in WP(C)No.20242 of 2023 directs this authority to consider the applications for renewal of permit in respect of stage carriage KL 08 AB 5543 and replacement of vehicle(KL 08 AB 5543 by KL 06 D 6733) respectively referred to in Exhibit P6 (judgment of Hon'ble High Court of Kerala dated 02.05.2023 in WP(C)No.14436 of 2023)& Exhibit P7(judgment of Hon'ble High Court of Kerala dated 13.06.2023 in WP(C)No. 16667 of 2023) after hearing the petitioner, 3rd respondent and any other affected parties. While the matter is heard, all the concerned were heard by this authority. The petitioner(Nijam.V.M) has pleaded not to consider or allow renewal and replacement applications filed by the 3rd respondent(G.Anand). The representative of the financier of the stage carriage KL 08 AB 5543 has submitted his objection against renewal of permit and allowing replacement of vehicle by pointing out that the permit holder defaulted loan installments. The permit holder has requested to allow applications for renewal of permit and replacement of vehicle.

On perusal of records, ***as per the decision of this authority dated 27.06.2023 in item No. 51, this authority had decided to refuse to renew the above permit as per Section 51(9)(a)(i) of Motor Vehicle Act, 1988 and this decision was already communicated to the applicant vide Endt. Dated 24.08.2023.*** In brief, the application for renewal of permit is already considered and disposed by this authority.

In the above backdrop, the above application for replacement of vehicle is considered now. Since there is no valid permit, ***the application for re-placement of vehicle is not maintainable and disposed as in-fructuous.***

Item No.88

1. Perused the judgment of Hon'ble High Court of Kerala dated 05.10.2023 in WP(C)No.32718 of 2013.
2. Heard, this is an application filed on 06.06.2023 for renewal of permit(No. 9/464/2003 valid up to 25.9.2023) in respect of stage carriage KL 09 Q 8888 authorised to operate on the inter-district route Palakkad-Thrissur as LSOS. The vehicle is registered on 30.06.2005. As per the direction of Hon'ble High Court of Kerala in the above judgment, considered the application for renewal of permit. ***Renewal of permit is granted as ordinary service***, subject to conditions laid down in G.O(P) No.13/2023/Tran dated 03.05.2023, production of NOC from the financier, if applicable, clearance of Mvs.tax and Govt. dues, if any & remittance of application fee, if not paid.
3. As far as ***the application for replacement*** of stage carriage KL 09 Q 8888 by the stage carriage KL 49 P 6888 ***is concerned, the secretary, RTA is directed to proceed further as per law***, subject to clearance of Mvs.tax and Govt. dues, if any in respect of both outgoing and incoming vehicles.

Item No.89

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.90

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.91

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.92

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.93

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.94

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.95

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 96

Heard, this is an **application for transfer of permit(consequent to the death of the permit holder)** in respect of stage carriage KL50 H 1249 authorised to operate on the route Peringottukurissi-Pothozhikkavu on the strength of regular permit No.9/626/2005 valid up to 27.11.2024. The permit holder Sri.P.Liyakath Alikhan expired on 27.01.2023. Death was intimated by the claimed possessor of the vehicle on 28.02.2023. **By condoning delay** occurred in filing applications, **transfer of permit is allowed to the name of Sri. Anvarali Khan,** who is one of the legal heirs, subject to production of NOC from the HP Co, if applicable, clearance of Mvs.tax and Gov. dues, if any & remittance of application fee, if not paid.

Item No. 97

Heard, this is an **application for transfer of permit(consequent to the death of the permit holder)** in respect of stage carriage KL 50 B 1292 authorised to operate on the route Kalladikkode-Ottappalam on the strength of regular permit No.9/641/2002 valid up to 07.05.2027. The permit holder Sri.P.Liyakath Alikhan

expired on 27.01.2023. Death was intimated by the claimed possessor of the vehicle on 28.02.2023. **By condoning delay** occurred in filing applications, **transfer of permit is allowed to the name of Sri. Anvarali Khan,** who is one of the legal heirs, subject to production of NOC from the HP Co, if applicable, clearance of Mvs.tax and Gov. dues, if any & remittance of application fee, if not paid.

Item No.98

Heard, **transfer of permit allowed,** subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.99

Heard, **transfer of permit allowed,** subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.100

Heard, **transfer of permit allowed,** subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.101

Heard, **transfer of permit allowed,** subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.102

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.103

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.104

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.105

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.106

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.107

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.108

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.109

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.110

Heard, this is an **application for transfer of permit/ consequent to the death of the permit holder** in respect of stage carriage KL 50 B 3840 authorised to operate on the route Cheerakuzhi-Kulappadam-Palakkad BS on the strength of regular permit No.9/686/2001 valid up to 02.07.2024. The permit holder Sri.P.Liyakath Alikhan expired on 27.01.2023. Death was intimated by the claimed possessor of the vehicle on 28.02.2023. **By condoning delay** occurred in filing applications, **transfer of permit is allowed to the name of Sri. Anvarali Khan,** who is one of the legal heirs, subject to production of NOC from the HP Co, if applicable, clearance of Mvs.tax and Gov. dues, if any & remittance of application fee, if not paid.

Item No.111

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.112

1. Perused the judgment dated 05.05.2023 in WP(C) No. 15123 of 2023 of Hon'ble High Court of Kerala.
2. Heard, re-considered the application for transfer of permit. **Transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.113

Heard, this is an **application for transfer of permit/ consequent to the death of the permit holder** in respect of stage carriage KL 09 R 4307 authorised to operate on the route Pothundy-Kollengode on the strength of regular permit No.9/4047/1999 valid up to 30.09.2024. The permit holder Sri.A.Rajan expired on 07.01.2023. **By condoning delay** occurred in filing intimation regarding death of the permit holder /application for transfer permit, **transfer of permit is allowed to the name of Smt.Sheela.P,** who is wife of the deceased and one of the legal heirs, subject to production of NOC from the HP Co, if applicable, clearance of Mvs.tax and Gov. dues, if any & remittance of application fee, if not paid.

Item No.114

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.115

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.116

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.117

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.118

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.119

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.120

Heard, **transfer of permit (Permit No. KL99/440/2003 valid up to 24.06.2028) in respect of stage carriage KL 08 AM 6003 is**

allowed subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.121

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.122

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.123

Heard, this is an application for transfer of permit in respect of stage carriage KL 35 C 6651(Permit No. 99/1036/1996 valid up to 23.10.2026) authorised to operate on the route Pattambi-Palakkad to the name Mary V.C consequent to the death of K.A.Baby(Permit holder) on 17.08.2022. **The delay in filing death-intimation/timely application for transfer of permit is condoned**. On perusal of records, the other legal heirs of K.A.Baby are seen consented to transfer the permit to the name of Mary V.C. Hence, as per Section 82(3) of Motor Vehicles Act, 1988, **transfer of permit to the name V.C.Mary(wife of the deceased permit holder) is allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.124

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.125

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.126

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.127

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 128

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 129

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 130

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.131

Heard, perused the *Errata* notes submitted in 'Supplementary agenda & notes' for this meeting. **Transfer of permit in respect of stage carriage KL 48 8815(presently replaced by KL 02 AC 7226) is allowed** from the name of Abuthahir, S/o.Abdul Kader, Picha House, Malakkad , Manapadam, Pudukkode, Palakkad to the name of Sulfikar Ali C.M, S/o. Mohammed Kasim, Chakkarathu Kulambu, Nellikode, Vandazhi, Palakkad Dt , subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.Tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.132

Heard, this is an application dated 19.06.2023 seeking permission to transfer the permit from the name of Saleem A to the name of Muhammed Shafeek. P.M. On perusal of records, it is seen that on 15.12.2022 an application seeking permission to transfer the permit to the name of Abdul Hameed.A is filed and pending for obtaining genuineness report. Secretary shall look into this matter and submit a detailed report. For compliance of the above direction, **decision on the application for transfer of permit is adjourned.**

Item No.133

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 134

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 135

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No. 136

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.137

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.138

Perused the records. Heard the counsels appeared. This application is for transfer of permit from the name of the permit holder of stage carriage KL 08 AR 9596 Sri.P.V.Ramakrishanan to

the name of Sri.Manikandan.K. The above permit holder is seen expired on 02.11.2022 as per the Death Certificate available in records. In such cases, as per Section 82(3) of the Motor Vehicles Act, 1988 on proper applications/intimations made to this authority, after obtaining permission, permit can be transferred to the person succeeding to the possession of the vehicle covered by the permit. Hence, **this application for transfer of permit is found as not bona fide one and hence rejected.**

Item No.139

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Item No.140

The permit holder is absent (even after receipt of notice) while the matter is considered by this authority. Secretary shall hear the permit holder and record his statement and submit a detailed report before this authority in the next meeting. The permit holder shall be issued proper notice while the matter is again placed before this authority. For the above reasons, **decision on further action on this matter is adjourned. .**

Item No.141

1. Ratified.
2. Ratified.
3. Ratified.

Item No. 142

1. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 33 AS 1252 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
2. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 1305 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
3. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 37 AW 4884 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
4. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 41 AK 5466 issued by Regional Transport Authority, Pollachi, Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
5. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 5641

issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.

6. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 41 AR 3530 issued by Regional Transport Authority, Pollachi, Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
7. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 7828 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
8. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 7877 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
9. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 7839 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.

10. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 Z 7886 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
11. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 38 CE 2116 issued by Regional Transport Authority, Coimbatore(North), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.
12. Heard. Considering the application for countersigning the permit in respect of Educational Institution Bus TN 99 S 2661 issued by Regional Transport Authority, Coimbatore(West), Tamilnadu, this authority hereby countersign the permit of the above vehicle, permitting the operation of this vehicle in the jurisdiction of Regional Transport Authority Palakkad, subject to the conditions already attached to the permit.

Supplementary Item No.1

Heard, re-considered the application for transfer of permit, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.2

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.3

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.4

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.5

Heard, this is an application for transfer of permit in respect of stage carriage KL 54 A 5008. Application for transfer of permit from the name of. Dipin.P to the name of Abbas is seen filed on 15.06.2023. The report of the enquiry officer reveals that the transferor is in abroad and his father is appeared before the enquiry officer during hearing(by the virtue of power attorney). As per the copy of the power of Attorney , it is seen executed during 2022. On perusal of 'Power of Attorney", the Attorney (Sri. Bharathan) is empowered to sign all documents in connection with renewal of permit only. Hence, Secretary shall conduct specific enquiry on this matter and submit a detailed report after hearing applicants/concerned and place the application before this authority for re-consideration in the next open meeting. Hence **decision on the application for transfer of permit is adjourned.**

Supplementary Item No.6

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.07

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.8

Heard, **transfer of permit allowed**, subject to production of NOC from the HP Co., if applicable, Clearance of Mvs.tax and Govt. dues, if any & Remittance of application fee, if not paid.

Supplementary Item No.9

Heard, as per the decision of RTA, Palakkad dated 27.06.2023 in item No. 43, renewal of permit is granted and decision regarding the grant of renewal of permit is seen communicated vide Ent. No. R11/4580/2021/P dated 24.08.2023 by Secretary, RTA, Palakkad. Grantee/permit holder failed to produce current records of the vehicle till date to avail granted renewal. Considering the request, **maximum aggregate time up to four months(ie., up to 23.12.2023) is granted as per Rule 172(3)(a) of KMV Rules, 1989. If grantee fails to produce current records of the vehicle covered by the permit before the above date, the decision granting renewal of permit will stand revoked.**

Supplementary Item No.10

Heard, the application for renewal of permit was already rejected by RTA, Palakkad as per the decision dated 08.06.2022 in item No.23. In the absence of valid permit, the ***application for replacement filed on 07.11.2023 along with request dated 16.10.2023 is not maintainable and hence disposed as in- fructuous.***



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



Dr. S.Chithra IAS
District Collector, Palakkad
& Chairman-RTA Palakkad