

REGIONAL TRANSPORT AUTHORITY KOTTAYAM



**Board Meeting on
05.03.2025
Decision**

**MINUTES OF THE MEETING OF
THE REGIONAL TRANSPORT AUTHORITY - KOTTAYAM
HELD ON 05.03.2025**

Present

Chairman

Sri. John V Samuel, IAS, District Collector, Kottayam

Members

1. Sri Shahul Hameed A , IPS, District Police Chief, Kottayam.
2. Sri. Anoop Varkey, Deputy Transport Commissioner (Law),
CZ-II, Ernakulam.

Item No.1

J1/9993/2022/K

This is an application for grant of a fresh stage carriage permit preferred by Smt. Sheeja Thomas, W/o. Thomas, Thakadiyel parambil, Kottayam for the route Cherthala – Kurupamthara via, Varanad, Thanneermukkam, Kallara. Of late concurrence of the RTA Alappuzha has been received. She had in her application offered KL 35 F 4290 at the time of making the application and at the time of consideration she has offered another vehicle KL 5 T 3131. But the said vehicle is not owned or possessed by her, but owned by Sri.Reji Kurian, which is now running on a temporary permit issued in favour of its registered owner. Therefore the applicant is deemed to have offered no vehicle at all even at the time of consideration for grant of permit. This authority has every right to consider the relevant particulars of the vehicle offered, if any, so as to make appropriate evaluation of the application as ruled in Mitilesh Gargh V. Union of India reported in AIR1992 (SC) 443. The applicant is not entitled to a stage carriage permit under the Act since she has also indulged herself in trafficking in permit. Her husband Sri.Thomas is also regularly engaged in trafficking in permit as evidenced by his application for transfer of permit in respect of his vehicle KL 34 5441 contained in item RTA/KL05/DECISION/05.03.2025

No.90 of this Agenda. There is a civil case pending (O.S 5/2005 before the Honourable Sub Court, Kottayam) preferred by Mrs. Sherly Jacob against Sri.T.C.Thomas for unauthorized taking possession of the said vehicle even after accepting the sale price of Rs.25 lakhs. A criminal case C.C 28/2025 before the Chief Judicial Magistrate's Court, Kottayam is also pending. There is also an allegation that Sri.Thomas T.C and the applicant Smt. Sheeja Thomas have together accepted Rs.25 lakhs being the premium arising out of the said transfer of permit. Moreover Sri.T.C.Thomas has preferred an application in item No. 2 of this agenda for grant of a fresh permit on the route Mandiram – Cherthala offering a vehicle bearing registration No. KL 34 5441. The said vehicle is owned by the applicant himself but covered by a regular permit on the route Attipeedika – Medical College, an application for transfer of permit of which is included in item No. 90 of this Agenda. The applicant Sri.T.C.Thomas has misrepresented facts and is attempting to deceive this authority by furnishing before us a vehicle which is not entitled for a fresh stage carriage permit. This authority has every reason to believe that the applicant Smt.Sheeja Thomas and her husband Sri.T.C.Thomas are engaged in the trade and business of buying and selling stage carriage permits with a view to earn unlawful gains. This is a clear case of trafficking in permit. The conduct of this applicant is unbecoming of a bonafide holder of a permit. She is not entitled to the grant of anymore permits in her favour. Therefore the application for grant of permit is **rejected**.

Item No.2

G1/85147/2018/K

This is an application for the grant of fresh stage carriage permit preferred by Sri.T.C.Thomas, Thakadiyel parambil house, Chammanickad, Kottayam for the route Mandiram- Cherthala. The applicant had offered a stage carriage vehicle KL 5 M 7344. But at the time of consideration of the application he offered another stage carriage KL 34 5441 owned by the applicant himself. But the said vehicle is already covered by a regular stage carriage permit on the route Attipeedika-Medical College. A stage carriage covered by regular permit is not entitled for another stage carriage permit. The applicant has misrepresented facts and is trying to deceive this authority

in as much as he offered on e and the same vehicle KL 34 5441 for grant of regular permits in items 1 and 2 and also he has sought for transfer of permit in respect of the same vehicle in item no. 90 of this agenda.

The applicant Sri.T.C.Thomas is in the habit of indulging himself in the business of trade of buying and selling of stage carriage permits with a view to earn unlawful gains thereby abusing the permit granted to him. The applicant has obviously proposed in item No.90 of this Agenda the transfer of permit in respect of vehicle KL 34 5441 to Smt.Sherly Jacob, after obtaining a portion of the premium, consideration of Rs.25 lakhs arising out of the said transfer of permit. Smt. Sherly Jacob has preferred a civil case OS No. 5/2005 before the Sub Court Kottayam for cheating and unlawful snatching of vehicle KL 34 5441 from her possession which is pending disposal.

The whole transactions have taken place under the unlawful trafficking in permit practiced by the applicant which is not permitted under Section 82 of the Act. This being the state of affairs, and his conduct being unbecoming of a stage carriage operator the applicant is not entitled to the grant of a fresh stage carriage permit and hence the application is **rejected**.

Item No.3

J1/4316/2023/K

The applicant Sri.Shejeef has now offered a 2009 model vehicle bearing Registration No. KL 02 AD 9003 in connection with his application for grant of stage carriage permit on the route Anjalithanam-Changanasserry. Concurrence received from R.T.A, Pathanamathitta. Considered the application and **granted** permit subject to settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.4

J1/3141/2023/K

The applicant Sri.Tomin Kuriakose has procured a stage carriage KL 17 J 3106 two years after the date of making the application. Considered the application. Permit is **granted** subject to the condition that all the trips shall be operated between Kuzhimavu and Elamkadu without there being any cut

trips falling outside the main route and settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.5

J1/3347/2023/K

Application is for grant of permit preferred by Mrs. Reshmi Sasidharan for grant of permit on the route Kumarakam - Vaikom. She has offered vehicle No.KL 05 BA 3113, a 2023 model vehicle. Permit is **granted** to this vehicle subject to the condition that all the trips shall be operated on the entire route between Kumarakam and Kuruppamthara without there being any cut trips in between and settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No. 6

J1/5331/2023/K

The application filed by Sri.Geemon C.G for grant of permit on the route Ettumanoor – Chavuttuveri is considered after hearing him. He has, after the lapse of two years from the date of his application, offered a vehicle KL 08 AG 7003 which was registered on 05.09.2005. This bus is obviously a discarded/condemned vehicle having been replaced by later model vehicle under Section 83 of the Act while it was being operated by its previous owners. The proposed terminus Chavuttuveri as not been fixed and approved by the transport authority under rule 207 of the KMV rules taking into consideration the facility to stop and wait for picking up or setting down passengers. Chavuttuveri is not a focal point at all.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of two years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 20 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone

would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS: 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieve the aims and objects of the Act viz; public safety, convenience, health and good morals, hereby **reject** the application.

Item No.7

J1/5332/2023/K

This is an application for grant of regular permit submitted by Sri.Jomon Gopi in respect of his vehicle KL 06 D 1662 on the route Ettumanoor- Chavuttuveri. This is a 2006 of model vehicle registered on 21.02.2006.Heard the applicant also. The proposed termini Chavuttuveri has not been fixed and approved by this authority taking into consideration the facility to stop and wait for picking up and setting down passengers under rule 207 of KMV rules. Chavuttuveri is not a focal point at all.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of three years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 19 years of age would meet the comforts and convenience of the passengers and satisfy the emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate, from the concerned agencies. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieving the aims and objects of the Act viz; public safety, convenience, health and good morals, hereby **reject** the application.

Item No.8

J1/5333/2023/K

The application by Smt. Sini Shaji was considered by this authority on 03.07.2023 and 24.08.2024. She has offered a vehicle KL 35 D 7257 admittedly a 2012 model vehicle. Permit is **granted** subject to settlement of

timing which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.9

J1/6013/2023/K

The application by Sri. Siju Kumar K.N was considered for the grant of stage carriage permit on the route Manimala -Pala Kottaramattom in respect of his vehicle KL 05 T 9333, which is a 2005 model vehicle registered on 09.06.2005. Heard the Applicant. It is admittedly a vehicle got rid of by the previous permit holder being unsuitable for further use on road.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of two years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 20 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS: 052 specified under Rule 125C of C.M.V Rules. This authority having regard to the aims and objects of the Act viz; public safety, convenience, health and good morals hereby **reject** the application.

Item No.10

J1/6014/2023/K

This is an application for stage carriage permit preferred by Sri.Philip Jose in respect of his vehicle KL 05 AD 5445 for the route Pala – Kottaramattom – Chenappadi. Permit is **granted** subject to settlement of timing which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.11

J1/12562/2023/K

The application for grant of stage carriage permit on the route Manimala – Kanjirapally in respect of a vehicle KL 16 B 1022 was considered. The vehicle offered is a 2005 model which is covered by a motor training school permit RTA/KL05/DECISION/05.03.2025

valid up to 04.02.2030. It is not a stage carriage by classification but a heavy passenger vehicle only, suitable for a driving school establishment. A stage carriage shall essentially comply with the provisions of Rule 269 and other relevant provisions under chapter VII of the Rules. This vehicle does not meet such requirements. It is not a passenger vehicle at all. The applicant has been attempting to misrepresent facts and mislead this authority and playing fraud and deception on this authority underestimating the vigilance of this authority. Therefore the application is summarily **rejected**.

Item No. 12

J1/615145/2023/K

The application by Sri. Suraj V.M. is considered for the grant of stage carriage permit on the route Kombukuthy – Mundakkayam- Kuzhimavu in respect of his vehicle KL 51 4771, permit is **granted** subject to settlement of timings which shall be in conformity with the provisions of section 91 of the MV Act and section 13 of the Motors Transport Workers Act 1961.

Item No. 13

J1/17439/2023/K

Sri. George Joseph has applied for a stage carriage permit on the route Kuravilangad – Paika in respect of his vehicle KL 10X 3660 which is a 2005 model got to rid of by the previous permit holder, being unsuitable further use. Considered the application. Heard the Applicant.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of two years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 20 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate from the concerned agencies. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority having regard to the aims and

objects of the Act viz; public safety, convenience, health and good morals hereby **reject** the application.

Item No.14

J1/744/2024/K

The applicant Sri.Sibin George has applied for the grant of a stage carriage permit in respect of his vehicle KL 35 6750, a 2007 model vehicle registered on 29.08.2007, in relation to the route Ramapuram–Manimala. This vehicle has not been modified to satisfy the bus body code specified under rule 125 C of CMV Rules and hence not fit for further use as stage carriage. Heard the applicant.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of three years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 19 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help ensure safety and comforts of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieving the aims and objects of the Act viz; public safety, convenience, health and good morals hereby **reject** the application.

Item No.15

J1/2047/2024/K

The application for regular permit on the route Ettumanoor – Pallikathodu was filed by Sri.Joel K. Joseph in respect of his vehicle KL 16A 5002. The said vehicle is a 2004 model registered on 01.06.2004 dult discarded by its previous owners for being unfit for stage carriage operation.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of hardly one year as per Rule 260A of the K.M.V Rules. The permit if at all

sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 20 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority having regard to the aims and objects of the Act viz; public safety, convenience, health and good morals hereby **reject** the application.

Item No. 16

J1/3493/2024/K

This application is for the grant of regular stage carriage permit on the route Mundakayam – Erumeli in respect of stage carriage KL 55 D 1538 preferred by Sri. Jis Jose. The vehicle is a 2009 model registered on 11.03.2009. Permit is **granted** subject to settlement of timing which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.17

J1/e1012459/2025/K

This application for regular stage carriage permit was filed by Sri. Ayyapadas in respect of his vehicle KL 3 M 5599 for the route Kodungoor – Pala. The vehicle offered is a 2005 model vehicle either condemned or discarded by its previous owner for being unfit for use as stage carriage. There are plenty of such discarded vehicles available in the scrap market after acquiring the ownership of which fresh stage carriage permits are sought to be granted in its favour by this authority.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of two years as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of twenty years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate

and pollution under control certificate. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS: 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieving the aims and objects of the Act viz; public safety, convenience, health and good morals hereby **reject** the application.

Item No. 18

J1/e1012450/2025/K

This is an application submitted by Sri.John Mathew, Vazhiplakkal, Nedumkunnannam for grant of a fresh stage carriage permit on the route Chamamapathal – Kanjirapally in respect of bus KL 33 Q 9855. Heard the applicant.

The precedence of the applicant Sri.John Mathew discloses that he has been indulging regularly in trafficking in permit. He is a party (proposed transferee) in the joint applications submitted before this authority in connection with transfers of permit in items 52 (KL 5 AQ 2983), 61 (KL 33 B 2890), 62 (KL 33 C 1809), 94 (KL 05 AT 8369) and supplementary item 31(KL 33 D 3461) of this Agenda. So far he has not been subjected to consideration by the transport authority as to his entitlement to hold stage carriage permits except as being transferee of permits. The enquiry report by the Secretary R.T.A discloses that Sri. John Mathew is financially sound and capable of managing the bus services. But the financial stability and proficiency in the conduct of service are no sufficient grounds for either granting new permits or for holding permits on transfer. It is true that this applicant has not transferred the permit to other persons but he is in search of permits put for sale for transfer for premium payments. However he is a party to the unlawful practice of trafficking in permits as disclosed above. Therefore he is not entitled to a fresh permit. Application is **rejected**.

Item No. 19

J1/4062/2024/K

This application for regular stage carriage permit on the route Vaikom – Pala was filed by Sri. Roy Joseph in relation to his vehicle KL 05 T 2970. Heard the applicant. The vehicle offered is a 2005 model registered on 05.05.2005 got to rid of by its previous owner obviously for replacement by new ones.

There are plenty of such discarded vehicle in the scrap market which are offered by prospective applicants for fresh permits as if a junk vehicle were sufficient for the grant of permit.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of two years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 20 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority being obliged to achieve the aims and objects of the Act viz; public safety, convenience, health and good morals, hereby **reject** the application.

Item No. 20

J1/e933701/2024/K

Heard the applicant.

The application for regular permit on the route Kombukuthy – Mundakayam was filed by Sri.Ali V.S. in respect of his vehicle KL 09 AG 6999. The permit is **granted** subject to settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961 and refixing of the time table so as to run and operate all the trips between Madukka-Kombukuthi-Mundakkayam-Vattakkavu- Kuzhimavu

Item No.21

J1/e933567/2024/K

This application was filed by Sri. Jis Jose, Yenthayar, for the grant of a stage carriage permit on the route Mundakkayam – Erumeli. He has not offered any vehicle or the particulars of any vehicle even in his application or at the time of hearing, today. The seating capacity, type of body and registered

laden weight etc. are relevant particulars for consideration by this authority for the grant of a permit. Rule 159 (2) does not enable this authority to grant any permit without due consideration of the particulars required in Section 70 (1) of the Act and other relevant matters. This authority does not insist on production of ready vehicle even at the time of consideration of the application. The Honourable Supreme Court in *Mitilesh Gargh V. Union of India* (reported in AIR 1992 (SC) 443) in paragraph 15 highlights the necessity for the consideration of all the relevant factors in the application before granting a permit. The judgment in *Maharashtra SRTC Vs. Manglur Pir* (1971 (2) SCC 222) permits the transport authority to call for the required information before it for a meaningful and complete consideration of every application for grant of permit. Under this circumstance the applicant is requested to furnish the registration number of the vehicle or the particulars of such vehicle which shall necessarily be of Type II category for inter urban/inter city operation for the safety and the comforts of the passengers within a period of two months so as to reconsider the matter. Further the applicant shall modify the time schedule proposed by him so as to conform to the provisions of Section 91 of the M.V. Act and Rule 188 of K.M.V Rules. **Adjourned.**

Item No.22**J1/e936970/2024/K**

This is an application for fresh stage carriage permit for the route Palachuvadu- Kanjirapally in respect of a vehicle bearing No. KL 36 A 7190 submitted by Smt.Smitha Mathew. Heard the applicant. Permit is **granted** subject to the condition that all the trips shall be run and operated between Palachuvadu and Kanjirapally without there being any cut trips and after hearing the interest operators and settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.23**J1/e933553/2024/K**

This is an application submitted by Smt. Leelamma for fresh stage carriage permit on the route Kothanalloor – Njeezhoor in respect of a vehicle KL 17 D 2133, which is a 2006 model vehicle registered on 02.03.2006, and

which was got rid of by its previous owner for reasons of unfitness and consequent replacement.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of three years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 19 years of age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieving the aims and objects of the Act viz; public safety, convenience, health and good morals to hereby **reject** the application.

Item No.24

J1/e982192/2024/K

Heard the authorized representative of Smt. Nisha Thomas who submitted an application for fresh stage carriage permit on the route Mundakkayam – Pala. He submitted that there does not exist any approved scheme of nationalization hitting his application for fresh permit. The approved scheme in notification GO(P) No.13/2023 has been set aside and the original scheme vide notification GO(P) No. 42/2009/Trans dated.14.07.2009 does not have any application in this case and there for the application is liable to the granted.

Heard the objectors including KSRTC. The authority is satisfied that the scheme in GO(P) No.42/2009 has been revived by necessary implication and the route sought for overlaps the notified route Kottayam- Thekkady for a distance of 14.5 km from Mundakkayam to Kanjirappally and another notified route Kottayam-Kattappana from Kottaramattom-Maharani Junction for a distance of 1.9 km. This is objectionable overlapping on the notified routes therefore the application is **rejected**.

Item No.25**J1/e933635/2024/K**

Application submitted by Sri. Rinju Cherian, Puthupally for a fresh stage carriage permit on the route Pampady - Chingavanam in respect of vehicle No. KL 10 W 9518, which is a 2006 model vehicle admittedly got rid of by its previous owner consequent to its replacement by suitable vehicle.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of three years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 19 years old would meet the safety, comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate, from the concerned agencies. Such certificates alone would not help ensure safety and comfort of passengers unless the bus satisfies the standard AIS: 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieve the aims and objects of the Act viz; public safety, convenience, health and good morals do hereby **reject** the application.

Item No. 26**J1/3914/2025/K**

This application is submitted by Sri. Bijumon Francis, Nirapel for a fresh stage carriage permit on the route Ponkunnam – Manimala. He has offered a vehicle KL 05 W 5511, which is a 2006 model vehicle which was got rid of from operating on regular permit obviously for replacement.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of five years to a vehicle which has a life span of three years only as per Rule 260A of the K.M.V Rules. The permit if at all sanctioned would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 19 years old would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards even if the applicant might be able to procure the fitness certificate and pollution under control certificate. Such certificates alone would not help

ensure safety and comfort of passengers unless the bus satisfies the standard AIS : 052 specified under Rule 125C of C.M.V Rules. This authority being bound to achieve the aims and objects of the Act viz; public safety, convenience, health and good morals do hereby **reject** the application.

Item No. 27

J1/e1012438/2025/K

The application is preferred by Sri. Subhas K. Vinister for a fresh stage carriage permit on the route Ponthanpuzha– Kanjirapally. The applicant has not offered any vehicle or furnished the particulars of the vehicle either in his application or at the time of consideration of the application. This authority is bound to take into account, inter alia, the relevant particulars of the vehicle for a meaningful consideration as per the judgment of the Hon'ble Supreme Court in Mitilesh Gargh V. Union of India (reported in AIR1992 (SC) 443). Therefore the applicant is requested to furnish such particulars required by Section 70 (1) of the Act in terms of the judgment in Maharashtra SRTC V. Manglur pir (1971(2)SCC 222) within a period of two months from the date of receipt of this decision for re-consideration of this application. The vehicle so offered or the particulars of which are furnished shall be of Type II category conforming to AIS: 052 specified under Rule 125 C of CMV Rules. Hence **adjourned.**

Item No.28

J1/4703/2024/K

Application for fresh stage carriage permit was submitted by Smt. Molly Manuel on the route Kalathukadavu – Chottipala by offering a vehicle KL 35 M 8851, which is a 2019 model vehicle.

Heard the applicant. The application is **granted** subject to settlement of timings which shall be in conformity with the provisions of Section 91 of the M.V Act and Section 13 of the Motor Transport Workers Act, 1961.

Item No.29

J1/4689/2024/K

Concurrence **granted.**

Item No.30**J1/4688/2024/K**Concurrence **granted.****Item No.31****J1/Conc2/2025/K**Concurrence **granted.****Item No.32****J1/Conc3/2025/K**Concurrence **granted.****Item No.33****J4/3634/2024/K**

The application for variation of permit submitted by Sri.Rajesh K.M. in respect of bus KL 2 BG 3999 running on the route Vaikom- Kottayam is considered after hearing the applicant. The permit was valid up to 25.07.2021. At present the vehicle is covered by a temporary permit issued under Section 87 (1) (d) of the Act which is valid up to 12.05.2025. Variation of conditions of a temporary permit is not contemplated under Section 80 (3) of the Act. Variation of condition of a permit which had not been renewed for reasons is not contemplated in the Act or rules. Therefore the application is **rejected.**

Item No. 34**J4/3634/2024/K**

The application for variation of permit submitted by Sri. Jerin George in respect of bus KL 05 AF 2673 running on the route Kottayam – Kadapoor is considered after hearing the applicant. The permit was valid up to 08.05.2021. At present vehicle is covered by a temporary permit issued under Section 87 (1) (d) of the Act which is valid up to 17.04.2025. Variation of conditions of a temporary permit is not contemplated under Section 80 (3) of the Act. So also is the case of a permit which has not been renewed for reasons and therefore the application is **rejected.**

Item No. 35**J4/590/2025/K**

The application for variation of permit is submitted by Sri. Faizal V.A in respect of bus KL 34 E 590 running on the route Pampavalley-Kottayam. The
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regular permit is valid up to 22.11.2029. The original permit was granted taking in to account the convenience of the travelling public. No circumstances laid down in rule 145(6) of KMV Rules have ever arisen justifying variation of the route or conditions of permit. There is no case that the transport requirements on the original route has ceased to exist. The commuters cannot be denied of their existing travelling facilities at the instance of an operator who seeks to advance his commercial interests only. Hence **rejected**.

Item No. 36

J7/9542/2024/K

The permit holder of stage carriage KL 35 9542 Sri. Mohammed Rasi has applied for variation of the existing route by curtailment of a portion from Kanjirappally to Edakkunnam (6km) and the existing return trip from Edakkunnam – Kanjirappally. Of course complaints were raised against the proposed variation. Adverted to the judgements and directions of the Tribunal and High Court and subsequent decision of RTA dated 30.11.2017. The matter has come up for reconsideration pursuant to the order dated 20.08.2018 in WP (C) No.1098/2018. Unlike held by the RTA on 30.11.2017 there is no provision in the approved scheme GO(P) No.42/2009/Trans dated.14.07.2009 restraining the curtailment of route. The only restriction in clause 19 of the said scheme is in the increase in the number of trips. In this case the application relates to curtailment of a trip between Knajirappally and Edakkunnam which is permissible under law. Hence the variation applied for is **allowed**.

Item No.37

J5/4429/2024/K

Heard the applicant

This is an application for variation of the conditions of permit in respect of bus KL 34 F 6031 plying on the route Changanassery - Elamkadu – Mangapetta submitted by Sri. Jijo Jacob. Variation is **granted**.

Item No.38**J5/4971/2024/K**

Application is submitted by Sri.M.V. Sajamon for variation of conditions of permit in respect of bus KL 02 BH 7670 operating on the route Pampady – Medical College.

Considered the application. Regular permit is valid up to 07.09.2021 only. At present the vehicle is covered by a temporary permit issued under Section 87 (1) (d) of the Act which is valid up to 02.05.2025. Variation of a permit which is not in force is not contemplated in the Act or Rules. So also is the case of variation of temporary permit which is not permissible under section 80 (3) of the Act. Hence **rejected**.

Item No. 39**J4/3621/2024/K**

The application for renewal of permit in respect of stage carriage KL 5 AC 3621 is delayed by eight months. A medical certificate produced by the applicant Sri.N.C. Thomas is not good and sufficient reason for condoning the delay and granting renewal. However it is necessary to enquire about the whereabouts of the vehicle and whether the vehicle has conducted service after 13.03.2023. The Secretary will cause a detailed enquiry on the existence of the said vehicle and default of service if any. He will examine whether there is any scope for dealing with permit less operation of the vehicle, and also whether the possession of vehicle has ever been changed. Hence **adjourned**.

Item No. 40**J4/14760/2024/K**

Heard the Applicant. Considered the application for renewal of permit in respect of bus KL 33 Q 3977 on the route Kuzhimavu – Manimala. The permit expired on 22.08.2024. Delay in making the application is **condoned**. Renewal is **granted**.

Item No. 41**J4/4626/2024/K**

Renewal of permit in respect of bus KL 05 R 4626 on the route Pongamthanam – Thiruvalla is sought for from 09.11.2024 by the permit holder Sri.Sabu C.V. The application was in time and hence renewal of permit is **granted**.

Item No. 42**J4/1033/2024/K**

Heard the matter in great detail. The counsel for the applicant endeavoured to state that the applicant was holding a stage carriage permit (Superfast service) on the route Kumily- Ernakulam. The so-called permit holder or his counsel could not establish that

- (i) there exists a permit which is renewable or that Sri. Vijayappan Nair is the holder of a permit.
- (ii) the applicant is entitled to seek renewal of permit, replacement of vehicle, temporary permits under section 87(1)(d) of the Act from time to time, and variation of conditions of permit and
- (iii) the objections preferred by other persons were unfounded.

The historical backgrounds in brief have been examined with a view to deciding the matter hanging fire for the last seven years.

- (i) Sri. Vijayappan Nair held a stage carriage permit (Superfast service) on the route Kumily-Ernakulam in respect of his vehicle KL 34 D 1033 and the said permit was valid up to 07.03.2018 only.
- (ii) The said permit was not renewable by virtue of an approved scheme of nationalization in relation to the superclass services by notification GO(P) No.73/2013 dated 16.07.2013.
- (iii) The permit holder was well aware of his disentanglement to operate service beyond the date of expiry the permit on 07.03.2018 because of the approved scheme and he sold the route bus KL 34 D 1033 to another operator Sri. Manoj Kumar, Kottarakara who in turn got the ownership of the vehicle transferred into his name.
- (iv) The moment the permit holder ceased to own the vehicle covered by the permit the permit was deemed to be cancelled or become invalid under the provisions of section 86(1)(c) of the Act. Even if there existed a valid permit (in this case no valid permit) it would have ceased to be effective from the date on which the permit holder parted with his vehicle KL 34 B 1033.
- (v) The decisions of the RTA on various occasions, interim orders passed by the Tribunal and Hon'ble High Court, objections and suggestions by interested operators KSRTC including KSRTC were all incidental to unlawful claims, fraud and misrepresentation of facts and underestimating of the vigilance of this authority.

Having regard to the aforesaid facts and circumstances the matter is decided as follows.

1. The permit held by the applicant in relation to the route Kumily-Ernakulam (Vyttila) is no more in existence after 07.03.2018 having been hit by the approved scheme of nationalization GO(P) No:73/2003 dated.16.07.2013 and the said permit was not renewable. Hence the application dated 19.02.2018 for renewal of permit is **rejected**.
2. In the absence of a valid permit attachment of stage carriage vehicle KL 06 H 1291 to the permit is impermissible and hence the request for the replacement of vehicle is **rejected**.
3. In the absence of a valid permit variation of the conditions of permit from Superfast service to LSOS is **declined** despite the applicant's willingness to refix the route length below 140 km.
4. The so-called permit holder/applicant is not entitled to temporary permit under section 87(1)(d) in respect of any vehicle as if there were an application for renewal pending consideration by this authority. Therefore TP application is **rejected**.

Item No. 43

J4/4919/2024/K

The application for renewal of permit in respect of stage carriage KL 16 B 4919 was considered. The route applied for is Thottabagam-Changanassery Perunna bus station. Renewal is **granted**.

Item No. 44

J7/8214/2024/K

Renewal **granted**.

Item No. 45

J7/9462/2025/K

Renewal **granted**.

Item No. 46

J5/e972699/2024/K

Delay **condoned**. Renewal is **granted**.

Item No. 47**J4/8818/2024/K**

Heard the applicant.

The following are the matters placed for consideration.

- i. Renewal of regular of permit.
- ii. Condonation of delay in making application for renewal
- iii. Issue of temporary permit under section 87(1)(d)

The application for renewal of permit in respect of bus KL33 H 8818 permitted to ply on the route Mattakkara- Kottiyam was filed by the permit holder Sri Joseph Mathew. NOC from the financier produced by the applicant was fabricated and was not genuine. The financier has objected to renewal of permit. The vehicle KL 33 H 8818 is owned by Sijo Mathew. Smt. Lekha Prasad filed an objection before this authority alleging that the ownership of the vehicle was transferred to the name of Sijo Mathew on the basis of forged documents and that the said vehicle was leased out to the permit holder Josph Mathew. A Civil case No. 96/2022 and a writ petition (crime) No.306 2023 are pending disposal in this regard. Under the circumstance the matter is **Adjourned** for further enquiry laying stress on trafficking in permit. Application for TP will be **considered** and disposed of by the secretary RTA.

Item No. 48**J4/8359/2024/K**

The application for renewal is considered. The permit has already expired. The application is in time. Vehicle is held under HP agreement. NOC has not been produced. The financier has objected to the renewal of permit. The permit holder has taken on lease vehicle No. KL 05 AT 8359 which is already held under HP agreement. A second agreement of lease is incompetent and illegal. Therefore **adjourned** for enquiry as to the existence of HP and lease agreements and also whether the lease agreement has been entered in the certificate of registration under section 51(1) of the Act. Enquiry shall be directed to the entitlement of the permit holder to possess the vehicle under lease agreement so executed and produced.

Item No. 49**J4/4192/2024/K**Renewal **Granted.****Item No. 50****J4/90/2025/K**

This is an application for transfer of permit in respect of stage carriage KL 5 AC 3747 permitted to ply on the route Kottayam – Ponkunnam. The transferor Sri.John K.Jacob and the transferee Binu M. Nagapally have submitted the joint application. Heard the applicants. The transfer of permit is **permitted.**

Item No. 51**J4/410/2024/K**

This is an application for transfer of permit in respect of stage carriage KL 05 AF 720 permitted to ply on the route Elamkad – Kuzhimavu - Erumeli. The transferor Sri.Mathew Cherian and the transferee Smt. Sini Shaji have submitted the joint application. Heard the applicants. The transfer of permit is **permitted.**

Item No. 52**J4/2627/2024/K**

This is an application for the transfer of permit in relation to stage carriage KL 5 AQ 2983 covering the route Kulathoormoozhi - Changanassery. Heard the permit holder Sri.Varghese Kuriakose and the proposed transferor Sri. John Mathew. The permit is valid up to 28.03.2026.

The joint application filed by the applicants does not ascribe any grounds for seeking transfer of permit. The applicants have not furnished the statement under Rule 178 (2) of the K.M.V Rules disclosing the premium, payment or other considerations, if any, arising out of the transfer which has passed or which is to pass between them. The amount and manner of payment or consideration has also not been furnished by means of the agreement executed between the parties. There is nothing on records to show that the proposed transfer of permit is bonafide. This authority is not satisfied that the proposed transfer is bonafide.

The transfer of permit preferred by Sri. Varghese Kuriakose in favour of Sri. John Mathew is with a clear motive of making profit and taking undue advantage of his position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his favour. The permit was obviously granted to him having regard to his entitlement to the permit and his offer to serve public interest in particular. Permits are granted to persons not for trade or business involving sale or purchase of permits or for earning unlawful gains by trafficking in permits. The proposal is not made in the normal circumstances of the business of bus service or through any exigencies provided in Section 82 of the Act. The conduct of the permit holder indulging himself in improper dealings of the above nature is corroborated by other identical proposals made by him in the following items of the Agenda.

- i) Item No. 61 – Vehicle No. KL 33 B 2890 – Changanassery – Mallappally – Varghese Kuriakose is the transferor and John Mathew is the transferee.
- ii) Item No. 78 – Vehicle No. KL 5 Q 7421 – Santhipuram – Changanassery – Varghese Kuriakose is the transferor and Josekutty is the transferee.

Sri. John Mathew is involved in the process of trafficking in permit discernible in items 61,62,94 and supplementary item 31 of this agenda. In view of the above said facts and findings the application for transfer of permit is **rejected**.

Item No. 53

J4/4471/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 5 AT 108 covering the route Ernakulam - Kottayam. Heard the permit holder Sri. Abraham Mathew and the proposed transferor Sri. Jaimon Joseph. The permit is seen expired on 18.08.2020 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of RTA/KL05/DECISION/05.03.2025

the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination of the terms and conditions of the proposal.

2. The regular permit in respect of the vehicle has expired on 18.08.2020. Transfer of a permit which is not valid is not contemplated in the Act or Rules.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferrable save under the exigency arising out of the death of the permit holder or other similar situation emerging during the course of normal bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:

- (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
- (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvattupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
- (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the usual course of bus service. The conduct of the permit holder and the proposed

transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 54

J4/10003/2024/K

This is an application for transfer of permit submitted by Sri.K.P. Pankajakshan and Sri. Nomy J. Thomas in respect of the vehicle KL 5 U 909 plying on the route T.V. Puram – Kanjiramattom. The permit is valid up to 12.04.2029. Heard both the applicants. Transfer of permit is **permitted**.

Item No. 55

J4/E1010637/2024/K

Heard the applicants.

The existing permit in respect of bus KL 05 W 720 operating on the route Pala – Kuravilangad is sought to be transferred from Sri. Joseph Mathew to Mr. Mathew Jose. The joint application filed by the applicants does not contain any grounds or reasons justifying the transfer of the said permit. They have not submitted the statement under rule 178 (2) disclosing the premium, payment or consideration which has passed or is to pass and the nature and the amount of such payment arising out of the proposed transfer of permit. There is nothing on record to prove the bonafides of the transfer of permit. The

report of the secretary that the transferor is financially sound and that he is capable of managing the service of the vehicle is insufficient to satisfy this authority that the proposed transfer is bonafide. Therefore the application is **rejected**.

Item No. 56

J4/2808/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 06 E 2808 covering the route Ernakulam - Kottayam. Heard the permit holder Sri.Abraham Mathew and the proposed transferor Sri. Jaimon Joseph. No reasons have been ascribed to the proposed transfer of permit. The permit is seen expired on 26.06.2021 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. The regular permit in respect of the vehicle has expired on 26.06.2021 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferable save under the exigency arising out of the death of the permit holder or other similar situations emerging during the course of normal bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the

Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:

- (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
- (ii) GO(P) No 05/2017/Trans dt 21-02-2017- Ernakulam-Muvattupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
- (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the usual course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)

6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 57

J4/2808/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 07 BV 3725 covering the route Ernakulam - Kottayam. Heard the permit holder Sri.Abraham Mathew and the proposed transferor Sri. Jaimon Joseph. Examined the joint application. The permit is seen expired on 10.02.2021 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** for the following reasons:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. The regular permit in respect of the vehicle has expired on 10.02.2021 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferrable save under the exigency arising out of the death of the permit holder or any similar situations emerging during the course of normal bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit

under consideration was already hit by the following approved schemes to the extent noted against each:

- (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
 - (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvat-tupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
 - (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.
4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the usual course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 58**J4/1007/2024/K**

This is an application for transfer of permit in respect of vehicle KL 17 F 1007 permitted to ply on the route Ponkunnam –Cheruvally. The permit holder Sri. Siju P.D has offered to transfer the permit in favour of Sri.K. Biju. The permit is valid up to 24.07.2027.

The joint application filed by the applicants does not ascribe any grounds for seeking transfer of permit. The applicants have not furnished the statement under Rule 178 (2) of the K.M.V Rules disclosing the premium, payment or other considerations, if any, arising out of the transfer which has passed or will pass between them. The amount and manner of payment or consideration has also not been furnished by means of the agreement executed between the parties. There is nothing on records to show that the proposed transfer of permit is bonafide. This authority is not satisfied of the bonafides of the application.

The transfer of permit preferred by Sri. Siju P.D in favour of Sri.Biju K. is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his favour. The permit was obviously granted to him having regard to the entitlement of the permit holder and the public interest in particular being offered by the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gains. The proposal is not made in the normal circumstances of the business of bus service or through any exigencies provided in Section 82 of the Act or any similar situations emerging during the usual course of bus service. The conduct of the permit holder indulging himself in improper dealings of the above nature is

corroborated by another application in Agenda item No. 147 of this authority dated 24.08.2024, whereby the permit in respect of bus KL 34 A 1209 was sought to be transferred from Siju P D to Sri.Biju K. Both the transferor and the transferee indulged themselves in trafficking in permit. Under the above facts and circumstances the application for transfer of permit is **rejected**.

Item No. 59

J4/4527/2024/K

This is an application for transfer of permit preferred Sri.Sonu Francis in respect of vehicle KL 18C 1236 plying on the route Changanassery-Mallapally. The permit is valid up to 10.08.2026. Heard the applicants. The following matters have been noticed by this authority.

The applicants have not furnished any reasons or grounds for the proposed transfer of permit in the joint application.

1. They have not furnished the statement in writing required by Rule 178 (2) of the Kerala Rules.
2. The transferor has not produced the copy of the promisory note or contract agreement by whatever name called to establish the bonafides of the transfer of permit.
3. A proper enquiry contemplated in Rule 178(7) does not seem to have taken place to examine the bonafides of the transfer of permit.
4. No proof of payment of contribution to Motor Transport Workers Welfare Fund Scheme 1985,

In the circumstances the matter is **adjourned** for further enquiry.

Item No. 60

J4/1013/2024/K

This is an application for transfer of permit preferred Smt. Shyla Uthaman in respect of vehicle KL 24 A 1013 plying on the route Moothedathukavu-Kaipuzha mutu. The permit is valid up to 30.09.2027. Heard the applicants. They have not in their joint application set out any grounds or reasons for the proposed transfer of permit.

1. They have not furnished the statement in writing required by Rule 178 (2) of the Kerala Rules.
2. The transferor has not produced the copy of the promisory note or contract agreement by whatever name called to establish the bonafides of the transfer of permit.
3. A proper enquiry contemplated in Rule 178(7) does not seem to have taken place to examine the bonafides of the transfer of permit.
4. No proof of payment of contribution to Motor Transport Workers Welfare Fund Scheme 1985, has been produced.

In the circumstances the matter is **adjourned** for further enquiry.

Item No. 61

J4/2454/2024/K

The application for transfer of permit submitted by Sri.Varghese Kuriakose in respect of vehicle KL 33 B 2890 permitted to ply on the route Changanssery – Mallappally is proposed to be transferred in favour of Sri.John Mathew. The permit is valid up to 20.07.2029.

The joint application filed by the applicants does not ascribe any grounds for seeking transfer of permit. The applicants have not furnished the statement under Rule 178 (2) of the K.M.V Rules disclosing the premium, payment or other considerations, if any, arising out of the transfer which has passed or will pass between them. The amount and manner of payment or consideration has also not been disclosed by means of the agreement executed between the parties. There is nothing on record to show that the proposed transfer of permit is bonafide. The financial stability or instability of either the transferor or transferee is not a relevant consideration for allowing the transfer of permit.

The transfer of permit preferred by Sri. Varghese Kuriakose in favour of Sri.John Mathew is with a clear motive of making profit and taking undue advantage of the position of the latter as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his favour. The permit was obviously granted to him having regard to the entitlement of the permit holder and the public interest in particular being assured by the permit holder. Permits are granted to persons not for trade or business or for earning

unlawful gains. The proposal is not made in the normal circumstances of the business of bus service or through any exigencies provided in Section 82 of the Act or under any other similar circumstances emerging from the usual course of bus service. The conduct of the permit holder regularly indulging himself in trafficking in permit in contravention of the conditions of the permit is corroborated by other identical proposals made in

Item No. 52 - Vehicle No. KL AQ 2983 – Kulathoomuzhi – Changanssery wherein Sri. Varghese Kuriakose proposed to transfer the permit to - John Mathew

Item No. 78 - Vehicle No. KL 5 Q 7421 – Santhipuram – Changanassery- wherein Sri. Varghese Kuriakose proposed to transfer the permit to Josekutty.

Item No.62 - KL 33 C 1809- Kulathoomuzhi – Changanssery –wherein Sri.John Mathew proposes to purchase the permit from Molly Antony.

Item No. 94 - KL 05 AT 8369 – Sri. John Mathew purchases the permit from Roy Zacharia.

Item No. 31 - KL 33 D 3461 Sri. John Mathew purchases the vehicle from Subaida.

RTA Pathanamthitta has not directed that the endorsement given by it shall be continued to exist on transfer of the permit. This authority is not satisfied of the bonafides of the proposed transfer and therefore the application is **rejected**.

Item No. 62

J4/1809/2024/K

This is an application for transfer of permit in respect of bus No. KL 33 C 1809 permitted to operate on the route Kulathoomuzhi – Changanssery. The permit held by Smt. Moly Antony which is valid up to 19.07.2029 is sought to be transferred to Sri.John Mathew.

The joint application filed by the applicants does not ascribe any grounds for seeking transfer of permit. The applicants have not furnished the statement under Rule 178 (2) of the K.M.V Rules disclosing the premium, payment or other considerations, if any, arising out of the transfer which has passed or will pass between them. The amount and manner of payment or consideration has also not been furnished by means of the agreement executed between the parties. There is nothing on record to show that the

proposed transfer of permit is bonafide. This authority is not satisfied that the proposed transfer is bonafide.

The transfer of permit preferred by Smt. Moly Antony in favour of Sri.John Mathew is with a clear motive of making profit and taking undue advantage of her position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in her favour. The permit was obviously granted to her having regard to the entitlement of the permit holder and the public interest in particular being offered to be fulfilled by her. Permits are granted to persons not for trade or business or for earning unlawful gains. The proposal is not made in the normal circumstances of the business of bus service or through any exigencies provided in Section 82 or any other similar circumstances emerging during the course of usual bus service. The conduct of the permit holder and the proposed transferee Sri.John Mathew indulging themselves in trafficking in permit of the above nature is corroborated by identical proposals made in the following Items of this agenda.

Item No. 101 (vehicle No. KL 33 A 8363 - route Changanassery – Chethimukku wherein Smt. Molly Antony transferred the permit and this authority permitted transfer. Now Smt. Molly Antony seeks revocation of the grant of permit, following disputes between the transferor and the transferee.

Item No. 52 Sri. John Mathew proposed to purchase the permit in respect the route Kulathoormuzhi- Changanassery.

Item No. 62 Sri. John Mathew purchases the permit in respect the route Kulathoormuzhi- Changanassery.

Item No.61 John Mathew purchase the permit in respect of the route Changanassery - Mallappilly.

Item No.94 John Mathew purchases the permit in respect of route Kottayam- Mallappilly.

Suppli. Item 31 John Mathew purchases the permit in respect of route Changanassery – Erattupetta.

Sri. John Mathew is thus a party to the established practice of trafficking in permit. This authority had no occasion to evaluate his qualifications to hold a stage carriage permit with reference to the provisions of section 70 of the MV

Act. This authority is not satisfied of the bonafides of the proposed transfer of permit and hence **rejected**.

Item No. 63

J4/171/2025/K

This is an application for transfer of permit in respect of bus KL 33 D 2233 permitted to ply on Koruthodu – Ernakulam valid from 09.08.2024 to 08.08.2029. Sri.Saikumar, Thittavila, Descent junction, Kollam is said to be the permit holder and he is the transferer and Sri.Jayamohan, Kulangareth, Vandanpathal, Erumely is the proposed transferee. The said vehicle KL 33 D 2233 is owned by Sri.Savin Vishwam, Umbukkal, Kanjirapally.

- (1) The permit holder has possessed the said vehicle under an agreement dated 25.10.2019 from its registered owner for operation till 06.08.2020.
- (2) Joint application was filed by Sri.Sasikumar and Sri.Jayamohan, Kulangareth, Vandanpathal. No reason has been set forth for the proposed transfer of permit. No statement has been submitted by them under the provisions of Rule 178 (2) of the K.M.V.A Rules disclosing the premium, payment or consideration and the amount and mode of payment arising out of the proposed transfer of permit; The transfer of permit does not appear to be bonafide.
- (3) As per the agreement dated 25.10.2019 the permit holder Sri.Sasikumar was authorized to operate service with the above said vehicle till 06.08.2020 only. The possession of the said vehicle with the permit holder is unauthorized and he has no right either to operate the service after 06.08.2020 with the said vehicle or transfer the permit to Sri.Jayamohan, Kulangareth.
- (4) As per the `Vahan' records the permit No. KL 55/80/1994 stands in the name of Sri.Savin Vishwam. But the application for transfer of permit is not proposed by Sri.Savin Vishwam. Sri.Sasikumar has no right to apply for transfer of permit. However, there seems to be some discrepancies or manipulations which has to be clarified by a report of the Secretary, R.T.A. The Secretary shall enquire whether the said vehicle KL 33 D 2233 is still operated on the said route and whether the said vehicle has been

transferred to the name of Sri.Sasikumar. He shall also clarify the discrepancies noted above. The report of the Secretary shall be placed before this authority on the date of its next meeting, to examine the scope of initiating action under Section 86 (1) of the Act.

- (5) In view of the observations and findings in paragraph 2 and 3 above the application for transfer of permit is **adjourned**.

Item No. 64

J7/9005/2024/K

Heard the applicants. The transfer of permit in respect of stage carriage KL 33 D 8568 permitted to ply on the route Mukkada – Pallikathodu from the name of Smt.Preetha Sheeja to Sri.Bijo Antony is **permitted**.

Item No. 65

J4/34/2024/K

Heard the applicants. Transfer of permit in respect of stage carriage KL 33 L 34 permitted to ply on the route Kottayam – Adichipuzha which is valid up to 02.06.2027 is sought for, from the name of Sri.Sajumon J. Mattathil (Permit holder) to Smt.Jessy Mathew, Vazhiplackal, Nedumkunnam, Kottayam. Smt. Beena Raju is also a party to this proposal. The application is **rejected** on the following grounds.

- (1) The joint application filed by Sri.Sajumon J. Mattathil and Smt. Jessy Mathew dated Nil does not set forth any reason for the proposed transfer of permit. They have not submitted any statement required under Rule 178 (2) of the K.M.V. Rules disclosing the premium, payment or consideration and the amount of such premium or consideration and the manner of its payment arising out of the transfer of permit. There is nothing on record or on enquiry to show that the proposed transfer is bonafide.
- (2) The said vehicle KL 33 L 34 is owned by Smt.Beena Raju, Puthenpurackal, Cheeranchira P.O. and was given in possession of Sri.Sajumon J. Mattathil for operation on the strength of the permit held by him. Before that the permit holder had in his possession bus KL CH 2536 leased out by Sri.Mathew Cherian, Vazhiplackal, Nedumkunnam. In the meantime on 03.12.2021 an agreement was executed between

Sri.Mathew Cherian and Smt.Beena Raju for the use of the vehicle KL 33 L 34 by the former. Smt. Beena Raju has stated before the Secretary, R.T.A on 23.11.2023 that she intends to give her bus KL 33 L 34 to Smt.Jessy Mathew, Vazhiplackal on lease for being operated by the later. But no agreement between Smt.Beena Raju and Smt.Jessy Mathew has been produced before the Secretary.

- (3) The whole transactions involving Sri.Mathew Cherian, Sri.Sajumon J Mattathil, Smt.Beena Raju and Smt. Jessy Mathew are the clear indications of trafficking in permit with the motive of unlawful gains and profit. Sri.Sajumon J. Mattathil, the permit holder has not offered a vehicle registered in his name. Instead he used to hire or take on lease vehicles owned by other persons. Sri.Mathew Cherian is in the conduct of indulging regularly in trafficking in permit as evidenced by various transaction in this item.
- (i) KL 7 CH 2536 – Sri.Mathew Cherian leased out Sri.Sajumon,
 - (ii) KL 33 L 34 – Sri.Mathew Cherian took possession on lease agreement
 - (iii) KL 33 L 34 – Smt.Jessy Mathew proposes to take possession of.

Item no.51 KL 5 AF 720 – Sri.Mathew Cherian proposed transfer of permit to Smt.Sini Shaji

- (4) The proposed transferee Smt.Jessy Mathew is the wife of said Sri. Mathew Cherian and she is also a part of trafficking in permit practiced by her husband Sri.Mathew Cherian.

The Secretary, R.T.A will cause a detailed enquiry about the said illegal transactions and operation by different persons on the route Kottayam–Adichipuzha and submit before this authority for initiating action under Section 86 (1) of the K.M.V Act. The report shall be submitted before this authority on the next meeting.

Item No. 66

J4/1432/2024/K

Heard the counsel for the applicants, Sri.Mathew Chumappunkal and Sri.Abraham Mathew respectively, the permit holder and the proposed transferee in respect of bus KL 34 A 1432 permitted on the route

Kavukandam–Kanjirapally. The said permit is valid up to 05.05.2025. The application is **rejected** on the following grounds.

- (1) The joint application does not set out any grounds or reasons for seeking the transfer of permit.
- (2) The applicants have not submitted any statement required by Rule 178 (2) of K.M.V Rules. Nor have they produced any promissory note or contract agreement executed by them in connection with the transfer of permit.
- (3) There is reason to believe that the transferor and transferee have indulged themselves in trafficking in permit in as much as the former sells his permit as well as his vehicle KL 43 A 1432 to the latter. The second applicant Sri. Abraham Mathew is often engaged in not only selling permits but also buying permits evidently by the applications in items 66 and 69 of this Agenda.
- (4) Permits are granted by this authority not for sale or purchase thereby practicing trade or business. The permit holder has abused the permit granted to him in as much as he already transferred the vehicle without permission.
- (5) The conduct of the proposed transferee is unbecoming of a stage carriage operator similarly Sri. Abraham Mathew has transferred very many permits to other operators there by engaging trafficking in permits as evidence to the following items. This authority is not satisfied of the bonafides of the application for transfer of permit.

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloore
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam – Kottayam

Item No. 67**J4/3635/2024/K**

Heard the applicants. This is an application for transfer of permit in respect of stage carriage KL 34 A 4435. The transfer of permit applied for is **permitted** subject to the payment of all government dues on account of check reports, e-challans, LAR, IAR and contribution to Kerala Motor Transports Workers Welfare Fund.

Item No. 68**J4/2765/2024/K**

This is an application for the transfer of permit in relation to stage carriage KL 34 D 2765 covered by the route Perunna – Ernakulam Kaloor. Heard the permit holder Sri. Abraham Mathew and the proposed transferee Sri. Jaimon Joseph. Examined the joint application. The permit is seen expired on 23.07.2020 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** for the following reasons:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferable save under the exigency arising out of the death of the permit holder or any other situation emerging from the usual course of bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught

with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:

- (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
- (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvat-tupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
- (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 69**J4/4471/2024/K**

This is an application for the transfer of permit in relation to stage carriage KL 35 F 4577 covering the route Ernakulam (kaloor) - Kottayam. Heard the permit holder Sri. Shaju Mathew and the proposed transferee Sri. Jaimon Joseph and Abraham Mathew. Examined the joint application. The permit is seen expired on 29.06.2023 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** for the following reasons:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination of the terms and conditions of their agreement.
2. The regular permit in respect of the vehicle has expired on 29.06.2023 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferable save under the exigency arising out of the death of the permit holder or any other situation emerging during the usual course of bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any

violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:

- (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
 - (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvat-tupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
 - (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.
4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 70**J4/10003/2024/K**

Heard the applicants. This is an application for transfer of in respect of stage carriage KL 35 G 2255. The transfer of permit applied for is **permitted** subject to the payment of all government dues on account of check reports, e-challans, LAR, IAR and contribution to Kerala Motor Transports Workers Welfare Fund.

Item No. 71**J4/1025/2024/K**

This is an application for the transfer of permit in relation to stage carriage KL 38 F 1025 covering the route Vaikom - Kottayam. Heard the permit holder Sri.Saju Joseph and the proposed transferor Sri. Rajesh K.M. examined the joint application. The permit is seen expired on 25.04.2020 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination of the terms and the conditions of the agreement.
2. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferrable save under the exigency arising out of the death of the permit holder

or any other similar situations emerging from the usual course of bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the approved schemes in as much as the permit authorized unlawful overlapping on Kottayam –Neendoor route complete exclusion. (No 34626/TC2/64/PW dt 06-05-1965)

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/ her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any other exigencies emerging out of such services provided under section 82 of the Act.

Item No. 72

J4/3598/2024/K

This is application for transfer of permit in respect of bus KL 40 C 1188 permitted to ply on the route Moothedathukavu- Kaippuzhamutt from the name of Rayees to Kannan K D the permit is valid up to 01.07.2027. No proper enquiry has been conducted by the secretary RTA with reference to rule 178 (7) of KMV Rules. Therefore the matter is **adjourned** for a detailed enquiry.

Item No. 73

J4/4528/2024/K

Heard the applicants. Byju Sebastain and LaLu Sebastain in connection with the application for transfer of permit in respect of bus KL 42 A 301 plying on the route Payippad- Perunna Changanassery. The Permit is valid up to

06.01.2028. It appears that the transfer is bonafide inasmuch as it is a transfer between brothers. Transfer of permit is **Permitted**.

Item No. 74

J4/4835/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 67 A 1279 covering the route Piravom - Kottayam. Heard the permit holder Sri.Simon Abraham and the proposed transferor Sri. Anil K. Joseph. The applicants have not set forth any reasons for the proposed transfer. The permit is seen expired on 14.06.2021 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds.

1. There is no provision in the Act or Rules which enables this authority to accord sanction to transfer a permit which is not in force. The transfer of temporary permit is also not contemplated in the Statute.
2. The applicants have not in the joint application furnished any reason for the proposed transfer of permit. Nor have they submitted the statement required by Rule 178 (2) of the Kerala Rules.
3. It seen that the permit was inadvertently granted authorizing the overlapping on the notified Kottayam- Neendoor covered by complete exclusion scheme. The right to operate service in violation of the approved scheme cannot be conferred on the proposed transferor though the existing operator was authorized to do so.
4. The first applicant has not produced the promissory note or any other agreement for examination whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration.

This authority is not satisfied of the bonfides of the proposed transfer of permit.

Item No. 75

J4/801/2024/K

Heard the applicants. The permit in respect of bus KL 37 801 plying on the route Thempravinkadavu- PathinanjilKadavu valid up to 16.04.2029 is

sought to be transferred from the name of Sajan P Babu to Soman K Scaria. The joint application does not state any reasons for seeking the transfer of permit. The applicants have not submitted any statement required by rule 178(2) of KMV Rules disclosing the premium, payment or consideration and the amount and mode of payment which has passed or will pass, arising out of the said transfer of permit. The promissory note or agreement of contract executed between the applicants has not been produced for examination. The financial stability of the proposed transferee is no sufficient ground for permitting the transfer. This authority is not satisfied of the bonafides of the transfer of permit. Besides there is reason to believe that the parties to the transfer have indulged themselves in trafficking in permit as evidenced by their application in item no.76 of this agenda wherein Sri. Soman K Scaria has proposed to purchase the route permit in relation to the route Kottayam-Changanassery from Mr. Sibi K George. Under the circumstances the application is **rejected**.

Item No. 76

J4/3635/2024/K

Heard the applicants. Sibi K George and Soman K Scaria in connection with the transfer of permit in respect of stage carriage KL 32 4140 permitted to ply on the route to Kottayam – Changanassery, valid upto 28.05.2027.

The joint application does not state any reasons for seeking the transfer of permit. The applicants have not submitted any statement required by rule 178(2) of KMV Rules disclosing the premium, payment or consideration and the amount and mode of payment which has passed or which is to pass, arising out of the said transfer of permit. The promissory note or agreement of sale executed between them has not been produced for examination. The financial stability of the proposed transferee is no sufficient ground for permitting the transfer. This authority is not satisfied of the bonafides of the transfer of permit. Besides there is reason to believe that the parties to the transfer have indulged in trafficking in permit as evidenced by the application in item no.76 of this agenda. Hence the application is **rejected**.

Item No. 77**J5/5010/2024/K**

Heard the applicants. The application is for transfer of permit in respect of stage carriage KL 33 5650 operating on the route Changanssery – Mallapally from the name of Sri. Suni Kuriakose to Sri.Rahul E.R. The permit is valid up to 27.08.2025.

The joint application does not set out any valid reasons for seeking transfer of permit. The applicants have not submitted the statement required by the Rule 178 (2) of K.M.V Rules disclosing the premium, value or other considerations arising out of the proposed of transfer permit, which is to pass or has passed between them. The promissory note or agreement of sale has not been produced before this authority. Under this circumstances, a detailed enquiry is deemed necessary as to whether the transfer of permit has taken place, without permission and present processor/operator of the vehicle. The element of trafficking in permit shall also be enquired into.

It shall also be ensured that R.T.A, Pathanamthitta directs that the endorsement granted by it shall continue. The matter is **adjourned**.

Item No. 78**J5/121/2025/K**

Heard the counsel for the applicants. Transfer of permit in respect of stage carriage KL 5Q 7421 operating on the route Santhipuram – Changassery is sought to be transferred from the name of Sri.Varghese Kuriakose to Sri.Josekutty Thomas.

The joint application made by the applicants does not set out any exigencies under Section 82 of the Act for seeking the transfer of permit. They have not submitted the statement required by Rule 178 (2) of the K.M.V. Rules disclosing the premium or consideration arising out of the said transfer of permit which is to pass or has passed and the amount and mode of payment between them. No promissory note or agreement of sale has been produced to establish the bonfides of the proposed transfer.

There is reason to believe that the proposed transfer is nothing but a part of trafficking in permit with a clear motive of making profit and taking

advantage of the position as the owner of a permit attracting the stigma of trafficking in permit. The permit was obviously granted having regard to the entitlement of the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gains by trafficking in permit. The conduct of the permit holder indulging himself in improper dealings of above nature is well established by his indulgement in the following items of this Agenda. (1) Item No. 61 – KL 33 B 2890 – Changanasserry – Mallappally - Sri.Varghese Kuriakose proposes to sell his vehicle with permit. (2) Item No. 52 – KL 5 AQ 2983 – Kulathoomuzhi – Changanasserry – Sri.Varghese Kuriakose proposes to sell his vehicle with permit.

Thus it is clear that the permit holder is regularly engaged in the trade and business which amounts to trafficking in permits. This authority is not satisfied of the bonafides of the proposed transfer of permit. Hence **rejected**.

Item No. 79

J5/KL 33 F 7151/2024/K

Heard the applicants. This is an application for transfer of regular permit in respect of stage carriage KL 33 F 7151 plying on the route Changanassery – Kottayam valid up to 14.04.2027.

On the basis of the report of Secretary, R.T.A, who heard the applicants in person, transfer of permit is **permitted** subject to the payment of all government dues on account of check reports, e-chalans, LAR, IAR and contribution to Kerala Motor Transport Workers Welfare fund.

Item No. 80

J5/4245/2024/K

Heard the applicants. This is an application for transfer of regular permit in respect of bus KL 68 A 6918 authorised to operate on the route Anakal - Changanassery valid up to 07.03.2026.

On the basis of the report of Secretary, R.T.A, who heard the applicants in person, transfer of permit is **permitted** subject to the payment of all government dues on account of check reports, e-chalans, LAR, IAR and contribution to Kerala Motor Transport Workers Welfare fund.

Item No. 81**J5/4293/2024/K**

Heard the applicants. Considered the application for renewal of permit which had expired on 29.09.2024 and also considered the application for transfer of permit in respect of the vehicle KL 36 H 7605 permitted to ply on the route Pravattam – Ettumanoor from Sri.Jenson Alex to Sri.Jobby George.

Renewal of permit is **granted** subject to payment of all government dues on account of check report, e-chalans, LAR, IAR and contribution to Kerala Motor Transport Workers Welfare Fund.

The application for transfer of permit is **rejected** on the following grounds.

The joint application made by the applicants does not set out any exigencies under Section 82 of the Act for seeking the transfer of permit. They have not submitted the statement required by Rule 178 (2) of the K.M.V. Rules disclosing the premium, consideration arising out of the said transfer of permit which is to pass or has passed and the amount and mode of payment between them. No promissory note or agreement of sale has been produced to establish the bonfides of the proposed transfer.

There is reason to believe that the proposed transfer is nothing but trafficking in permit with a clear motive of making profit and taking advantage of the position as the owner of a permit attracting stigma of trafficking in permit. The permit was obviously granted having regard to the entitlement of the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gain by trafficking in permit. The conduct of the permit holder indulging himself in improper dealings of above nature is well established by his indulgement in the following items of this Agenda.

1. Item No. 97 – KL 40 R 8979 – Kolenchery Medical Mission Hospital – Kottayam- Sri. Jobby George is the proposed transferee of the permit
2. Supplementary Item No. 30 – KL 36 C 3289 – Thalayolaparambu-Kuravilangad – Sri. Jobby George is the proposed transferee of the permit.

In view of the above facts, it is observed that Sri.Joby George is a promoter of trafficking in permit discernible in other item Nos. 81, 97 and supplementary item No. 30 of this Agenda. Under these circumstances this authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 82

J5/4245/2024/K

Duplication of item No. 80.

Item No. 83

J5/e1013460/2025/K

Heard the applicants. Transfer of permit in respect of bus KL 34 B 7081 permitted to ply on the route Naranamthodu – Ponkunnam is considered. The applicants have not set out any valid reasons or grounds for the proposed transfer of permit. They have not submitted the statement required under Rule 178 (2) of the K.M.V Rules. The enquiry report is insufficient to show that the proposed transfer is bonafide. Therefore the matter is **adjourned** for further enquiry by a competent officer in the light of the provisions of Section 82 of the M.V Act and Rule 178 of the K.M.V Rules. The enquiry officer shall focus his attention to the exigencies, if any, emerged during the usual course of stage carriage service which necessitates the proposed transfer of permit. The promissory note or contract agreement by whatever name called, entered into by the transferor and transferee shall be properly adverted to.

Item No. 84

J5/e953958/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 05 AV 5400 covering the route Cherthala - Ernakulam. Heard the permit holder Sri.Abraham Matthew and the proposed transferee Sri. Jaimon Joseph. Examined the joint application. The permit is seen expired on 25.06.2021 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following reasons:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. The regular permit in respect of the vehicle has expired on 25.06.2021 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferable save under the exigency arising out of the death of the permit holder or any other similar situation emerging from the usual course of bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:
 - (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
 - (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvat-tupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
 - (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No.85

J5/e953946/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 05 AV 5553 covering the route Kottayam - Ernakulam. Heard the permit holder Sri.Abraham Matthew and the proposed transferee Sri. Jaimon Joseph. Examined the joint application. The permit is seen expired on 27.07.2020 and the vehicle plies on the route on the strength of temporary RTA/KL05/DECISION/05.03.2025

permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. The regular permit in respect of the vehicle has expired on 27.07.2020 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferable save under the exigency arising out of the death of the permit holder or any other similar situation emerging from the usual course of bus service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:
 - (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
 - (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvat-tupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
 - (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.

4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 86

J5/KL05AV6660/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 05 AV 6660 covering the route Ernakulam - Kottayam. Heard the permit holder Sri. Abraham Mathew and the proposed transferee Sri. Jaimon Joseph. Examined the joint application. The permit is seen expired on 10.01.2020 and the vehicle plies on the route on the strength of temporary

permit issued under Section 87 (1) (d) of the Act. The application is **rejected** for the following reasons:

1. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
2. The regular permit in respect of the vehicle has expired on 10.01.2020 and the vehicle is plying on the strength of a temporary permit under section 87(1)(d) of the MV Act. Transfer of a permit which is not valid is not contemplated in the Act.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferrable save under the exigency arising out of the death of the permit holder. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the following approved schemes to the extent noted against each:
 - (i) No. 34626/TC2/64/PW dt 06-05-1965-Kottayam-Neendoor route (complete exclusion) violated by overlapping.
 - (ii) GO(P) No 05/2017/Trans dt 21-02-2017 - Ernakulam-Muvatupuzha (complete exclusion) - Clause(4) of the scheme explicitly prohibits transfer of such permits saved by the scheme.
 - (iii) GO(P) No 42/2009/Trans dt 14-07-2009 - Ernakulam-Thekkady (partial exclusion) - overlapping on the notified route is permissible only for the purpose of intersection, but violated.
4. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the

position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process of abusing the permit granted in his/her favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act or other similar situation emerging during the usual course of bus service. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is corroborated by identical proposals made in the following items of this agenda itself:

Item 53	KL05 AT 108	Ernakulam - Kottayam
Item 56	KL06 E 2808	Ernakulam - Kottayam
Item 57	KL07 BV 3725	Ernakulam - Kottayam
Item 66	KL34 A 1432	Kavukandam - Kanjirappally
Item 68	KL34 D 2765	Changanassery (Perunna) - Kaloor
Item 69	KL35 F 4577	Ernakulam - Kottayam
Item 84	KL05 AV 5400	Cherthala - Ernakulam
Item 85	KL05 AV 5553	Kottayam - Ernakulam
Item 86	KL05 AV 6660	Ernakulam - Kottayam

5. RTA Ernakulam has not so far directed that the endorsement granted by it shall be continued as per clause (c) of rule 178(5)
6. This authority is not satisfied of the bonafides of the proposed transfer of permit.

Item No. 87

J5/3821/2024/K

Heard the applicant. This is an application for transfer of permit (Death) and renewal of permit in respect of stage carriage KL 33 K 8122. In view of the exigencies emerged out of the death of the permit holder transfer of permit is **permitted** subject to the renewal of permit by the Secretary, R.T.A, under delegated powers.

Item No. 88**J5/252/2024/K**

Heard the applicant. Transfer of permit (death) in respect of stage carriage KL 5 P 6357 is **permitted** after the endorsement of which renewal of permit and replacement of vehicle can be effected which are hereby granted. The attending circumstances necessitate such composite order.

Item No. 89**J4/8970/2024/K**

Heard the applicants. This is an application for transfer of regular stage carriage permit in respect of bus KL 5 W 4509 permit to ply on the route Pampady – Kottayam valid up to 24.08.2023. The matter is **adjourned** for the following reasons:

- (1) The joint application does not set out any valid reasons for seeking transfer of permit. The applicants have not submitted the statement required by the Rule 178 (2) of K.M.V Rules disclosing the premium, value or other considerations arising out of the proposed of transfer permit, which is to pass or has passed between them. The promissory note or agreement of sale has not been produced before this authority. Under these circumstances, a detailed enquiry is deemed necessary as to whether the transfer of permit has taken place, though without permission and the present possessor/operator of the vehicle. The element of trafficking in permit shall also be enquired into.

- (2) Whether the vehicle is held under higher purchase agreement.

The matter shall be placed before the next meeting of this authority with all relevant documents including the promissory note or agreement of sale by whatever name called.

Item No. 90**J5/2246/2024/K**

This is an application for the transfer of permit in relation to stage carriage KL 34 5441 covering the route Attipeedika – Medical college. Heard the permit holder Sri.Thomas T.C. and the proposed transferee Sri. Sherli Jacob. Examined the joint application. The permit is seen expired on 28.08.2021 and the vehicle plies on the route on the strength of temporary

permit issued under Section 87 (1) (d) of the Act. Application for transfer of permit is **rejected** on the following grounds.

1. There is no provision in the Act or Rules which enables this authority to accord sanction to transfer a permit which is not in force. The transfer of temporary permit is also not contemplated in the Statute.
2. The applicants have not in their joint application ascribed any valid grounds or reasons to the proposed transfer of permit. Nor have the applicants submitted the statement in writing required by rule 178(2) of the KMV Rules disclosing whether any premium, payment or other consideration arising out of the transfer is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration. They have not produced the agreement executed by them for examination.
3. Section 82 of the MV Act, 1988 lays down that a permit is not transferrable save under the exigency arising out of the death of the permit holder or any other similar situation arising out of the usual business of the service. It is not incumbent upon the Transport Authority to sanction transfer of permit from the permit holder to any other person conferring on such person the right to use the vehicle or operate the permit in the manner authorized by the permit if such authorization itself was fraught with any violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the approved scheme to the extent noted against it.
 - (i) No 34626/TC2/64/PW dt 06-05-1965 - Kottayam-Neendoor route (complete exclusion) in as much as the route in question overlaps the notified routes.
4. The proposed transferee cannot be conferred with the right to continue operation of the permit in violation of the approved scheme.
5. The proposed transfer of permit from applicant no 1 to applicant no 2 is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting the stigma of trafficking in permit. It is a clear case where the holder of the permit is in the process

of abusing the permit granted in his favour. The permit has been obviously granted having regard to the entitlement of the permit holder and in public interest. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies provided under section 82 of the Act. The conduct of the permit holder and the proposed transferee indulging themselves in trafficking in permit is supported by their involvement in items 2 & 1 of this agenda wherein the transferor Sri. T C Thomas himself and his wife Sheeja Thomas are respectively the applicant for fresh stage carriage permits. The operation of service without the permission of the transport authority is established by the sale and repossession of the route bus by Thomas TC are matters of complaint brought before the authority. Nothing more is necessary to establish the trafficking in permit practised by the transferor and the transferee.

6. The financial stability or otherwise of either the transferor or transferee is not a valid ground to weigh with this authority for according sanction of transfer of permit. This authority is not satisfied.

Item No. 91

J5/2785/2024/K

Heard the applicants. This is an application for transfer of regular stage carriage permit in respect of the bus KL 05 AL 5651 permitted to ply on the route Kottayam – Karukachal valid up to 31.05.2026. Transfer of permit is **permitted** subject to the payment of all government dues on account of check reports, e-chalan, LAR, IAR and the contribution to the Kerala Motor Transport Workers Welfare Fund Scheme.

Item No. 92

J5/15954/2023/K

Heard the applicants. This is an application for transfer of regular stage carriage permit in respect of the bus KL 17 E 6162 **permitted** to ply on the route Kainadi – Thiruvanchur valid up to 20.12.2028. Transfer of permit is permitted subject to the payment of all government dues on account of check reports, e-chalan, LAR, IAR and the contribution to the Kerala Motor Transport Workers Welfare Fund Scheme.

Item No. 93**J7/9005/2024/K**

Heard the applicants. This is an application for transfer of permit in respect of stage carriage KL 44 9005 permitted to run on the route Kottayam – Thiruvvarppu. The permit is valid up to 14.12.2025. The permit holder Smt.Kochumol Jobin and the proposed transferee Sri.Rajesh E.R have jointly applied for transfer of permit. But the transferor Smt.Kochumol Jobin has submitted before this authority that the said joint application was not duly signed by her and that she has not entered into a proper agreement between herself and the proposed transferee Sri.Rajeh E.R. Therefore the joint application filed under Rule 178 of K.M.V Rules is defective and invalid for due consideration by this authority. In W.P(C) filed by the proposed transferee there was a direction to this authority to consider the matter on merit. Accordingly the matter has been considered. The transfer of permit is declined by this authority, being satisfied that the permit holder is not a party to the joint application fraudulently submitted by the petitioner therein. However, this is a clear case of trafficking in permit whereby the permit holder has obviously handed over the possession of the vehicle to the transferee. According to the permit holder there exists some dispute between the permit holder and the proposed transferee and the permit holder has indulged herself in the business of obtaining and selling of permits with a view to earn unlawful gains arising out of transfer of permits. Neither the proposed transferee nor the transferor has furnished any grounds for transferring the permit from the name of the permit holder to any other person. Therefore this authority is satisfied that the said transfer of permit is not bonafide as required under Rule 178 (7) of the K.M.V Rules. Hence the application is **rejected**.

Item No. 94**J7/8369/2024/K**

Heard the applicants. The application is for grant of transfer of permit in respect of bus KL 05 AT 8369 permitted to ply on the route Kottayam – Mallapally from Sri.Roy Zachariah to Sri.John Mathew. The permit is valid up to 05.05.2028.

The application is **rejected** on the following reasons.

- (1) The joint application does not set out any valid reasons for the proposed transfer of permit.
- (2) The applicants have not submitted their statement under under Rule 178 (2) of the K.M.V Rules disclosing the premium or considerations arising out of the proposed transfer of permit and the amount and the mode of payment between them. They have not produced the promissory note or agreement of sale by whatever name called to prove bonafides of the application.
- (3) There is reason to believe that the proposed transfer amounts to trafficking in permit with a clear motive of making profit and taking advantage of the position as the owner of a permit attracting stigma of trafficking in permit. The permit was obviously granted having regard to the entitlement of the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gains by trafficking in permit. The conduct of the permit holder indulging himself in improper dealings of the above nature is well established by his indulgement in the following items of this Agenda.
 - i. supplementary item No. 34 – KL 33A 7002 – Kozhenchery – Kottayam – Sri.Roy Zachariah proposes to transfer his permit to Smt.Annamma Chacko
 - ii. the proposed transferee Sri. John Mathew has indulged in the purchase of a number of permits as disclosed in items 61,62,94 of this agenda and 34 in suppli. Agenda.
- (4) The R.T.A, Pathanamthitta has not directed that the endorsement given by that authority shall continue to exist after the transfer of permit under Rule 178 (4) of K.M.V Rules.
- (5) This authority is not satisfied of the bonfides of the proposed transfer.

Item No.95

J7/9449/2024/K

Heard the applicants. The application is for grant of transfer of permit in respect of bus KL 36 9449 permitted to ply on the route Colony - Kottayam from Sri.Thomas V Kurian to Sri.Rishi Kunjumon. The permit is valid up to 22.05.2028.

The application is **rejected** on the following reasons.

RTA/KL05/DECISION/05.03.2025

- (1) The joint application does not set out any valid reasons for the proposed transfer of permit.
- (2) The applicants have not submitted their statement under under Rule 178 (2) of the K.M.V Rules disclosing the premium or considerations arising out of the proposed transfer of permit and the amount and the mode of payment between them. They have not produced the promissory note or agreement of sale by whatever name called to prove the bonafides of the application for transfer.
- (3) There is reason to believe that the proposed transfer is amounts to trafficking in permit with clear motive of making profit and taking advantage of the position as the owner of a permit attracting the stigma of trafficking in permit. The permit was obviously granted having regard to the entitlement of the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gains by trafficking in permit. The conduct of the permit holder indulging himself in improper dealings of the above nature is well established by his indulgement in the following items of this Agenda.
 - i. item No.96 – KL 33 D 9729 – Kottayam – Colony Sri.Thomas Kurian proposes to transfer his permit to Sri. Rishi Kunjumon.
- (4) This authority is not satisfied of the bonfides of the proposed transfer.

Item No.96

J7/10156/2024/K

Heard the applicants. The application is for renewal of permit and transfer of permit in respect of bus KL 33 D 9729 permitted to ply on the route Kottayam - Colony from Sri.Thomas V Kurian to Sri.Rishi Kunjumon. The permit is valid up to 09.08.2024. The delay occurred in making application for renewal of permit is **condoned** and renewal is **granted**.

The application for transfer of permit is **rejected** on the following reasons.

- (1) The joint application does not set out any valid reasons for the proposed transfer of permit.
- (2) The applicants have not submitted their statement under under Rule 178

- (2) of the K.M.V Rules disclosing the premium or considerations arising out of the proposed transfer of permit and the amount and the mode of payment between them. They have not produced the promissory note or agreement of sale by whatever name called to prove the bonafides of the application for transfer.
- (3) There is reason to believe that the proposed transfer is nothing but trafficking in permit with a clear motive of making profit and taking advantage of the position as the owner of a permit attracting stigma of trafficking in permit. The permit was obviously granted having regard to the entitlement of the permit holder. Permits are granted to persons not for trade or business or for earning unlawful gain by trafficking in permit. The conduct of the permit holder indulging himself in improper dealings of the above nature is well established by his indulgement in the following items of this Agenda.
- i. item No.95 – KL 36 9449 Colonnay – Kottayam – Thomas Kurian proposes to transfer his permit to Sri. Rishi Kunjumon
- (4) This authority is not satisfied of the bonfides of the proposed transfer.

Item No.97

J7/8979/2024/K

This is an application for the transfer of permit in relation to stage carriage KL 40 R 8979 covering the route Kolenchery Medical Mission Hospital - Kottayam. Heard the permit holder Sri.K.K. Shameer and the proposed transferee Sri.Jobey George. Examined the joint application. The permit is seen expired on 15.01.2021 and the vehicle plies on the route on the strength of temporary permit issued under Section 87 (1) (d) of the Act. The application is **rejected** on the following grounds.

1. The Applicants have not in the joint application furnished any reasons or grounds for the proposed transfer of permit.
2. They have not submitted the statement required by Rule 178 (2) to prove the bonafides of the application.

3. There is no provision in the Act or Rules which enables this authority to accord sanction to transfer a permit which is not in force. The transfer of temporary permit is also not contemplated in the Statute.
4. There is a reason to believe that the applicants have indulged themselves in trafficking in permit as evidenced by the matters dealt with in items 81 and supplementary item 30 of this agenda. The permit was originally granted to the permit holder having regard to his entitlement and public interest. The permit holder has abused the permit by sale to the transferee with the motive of unlawful gains. The conduct of Sri. KK Shameer is unbecoming of a permit holder providing transport facilities to the public.
5. The RTA Ernakulam has not directed that the endorsement given by it shall be continued on transfer of the permit.
6. It is not open to this authority to permit the transfer of permit conferring on the proposed transferee the right to operate the permit in the manner authorized by the permit if such authorization itself is fraught with the violation of approved schemes under Chapter VI of the Act. The permit under consideration was already hit by the approved scheme No. 34626/TC 2/64/PW dated.06.05.1965 inasmuch as there existed prohibited overlapping on the notified route Kottayam- Neendoor.
7. This authority is not satisfied of the bonafides of the application for transfer of permit.

Item No.98

J7/9101/2024/K

Heard the applicants.

The permit in respect of bus KL 40 Q 9101 covered by the route Kottayam – Changanassery is sought to be transferred from the name of the permit holder Sri. Sibi K George, Koodathinkal to one Smt Bincy Mary Mathew, Kattadiyil. The said vehicle owned by Sri. Joyal Xavier, Edassery house was possessed by the permit holder under lease agreement and the permit holder was operating the service. Now the permit holder requests to transfer this permit to Smt. Bincy Mary Mathew provided she enters into an agreement with owner of the vehicle Sri. Joyal Xavier for conducting service by her. The

registered owner has expressed his willingness to lease out the vehicle to Smt. Bincy Mary Mathew. The permit is valid up to 06.02.2027.

The grant of permit on the strength of a lease agreement which was not properly executed or the particulars of which have not been entered in the certificate of registration under section 51 (1) of the Act itself was improper and against the provisions of MV Act. It is in the absence of such entry in the certificate of registration that the name of Joyal Xavier has been recorded as the permit holder in the Vahan portal. These are all the undesirable consequences of granting permit to persons without their own vehicles.

However according to the provisions of section 82 transfer of permit is barred except in the case of death of permit holder or under similar situations emerging under usual course of bus service. In the instant case no such circumstances have arisen or furnished in the joint application. It is a clear case of trafficking in permit. It is open to the permit holder Sri. Sibi K George to surrender the permit granted to him as and one the lease agreement with him is terminated. As per the permit available in the Vahan portal Sibi K George has no right to propose transfer of permit. Under the circumstances the application is **rejected**.

Item No.99

J7/8176/2024/K

This is an application for transfer of permit in respect of bus KL 5 S 8176 permitted to ply on route Thiruvapur-Vadavathoor.

The joint application filed by the permit holder Smt. Sindu K, Kooramattathil and the proposed transferee Sri. K R Anish Kuriyatal contains no reasons or grounds to justify the proposed transfer of permit. They have not submitted the statement required by rule 178(2) of KMV rules. Though enquiry is contemplated under rule 178(7) of KMV rules no such enquiry is in conducted by a competent officer. Therefore the matter is **adjourned** for a detailed enquiry on the basis of the provisions of section 82 of MV Act and the rule 178 of KMV rules. The enquiry officer shall specifically mention the number of stage carriage permits held by Smt. Sindu K and the number of permits sold by her. The clear terms and conditions of the agreement executed

between applicants no 1& 2 shall be traced out and reported. The present possession of the vehicle shall also be enquired into and reported.

Item No.100**J7/8187/2024/K**

Heard the counsel for the applicants.

The application is for the transfer of a permit in respect of bus KL 38 K 8187. The agenda note appears to be incorrect in all respects. In fact the stage carriage KL 38 K 8187 is not the vehicle covered by the permit. The details of the permit are available on Vahan portal which states that the permit holder is Sri. Shaji KS and vehicle in operation is KL 38 L 4649. The lease agreement and power of attorney executed in connection with this permit make the transactions dubious and the agenda note itself is incorrect and is not conclusive to demonstrate the facts of the case. Therefore the matter is **adjourned** for detailed enquiry and report before this authority for reconsideration.

Item No.101**J7/8363/2024/K**

Heard the applicants. This is an application for revoking the transfer of permit granted by this authority on 24.08.2024 in respect of stage carriage KL 33 A 8363 from the name of Smt. Molly Antony, Oniapuram house to Sri. Binu K Mathew, Kozhimannil house. It is alleged by one Mr. John Varghese Kozhimannil House that he has entered in to an agreement and advanced an amount of Rs. 200000/- to Sri. Binu K Mathew Kozhimannil house in connection with the agreement for effecting transfer of permit into his name. The request of Sri. John Varghese is not to transfer the permit from the name of Binu K Mathew to anybody else. The complaint filed by Smt. Molly Antony has been withdrawn. This authority has no jurisdiction to deal with civil matters relating to payment or acceptance of money in connection with contract agreement. So no further action is deemed necessary.

Item No.102**Ratified.**

Item No.103**J4/4808/2024/K**

Heard the applicant. The permit in respect of vehicle KL 17 Q 3907 is valid up to 15.12.2027. The said vehicle is 2017 model having seating capacity of 48 in all. The incoming vehicle KL 38 L 5857 is also of the same type and model and therefore replacement is **sanctioned**.

Item No.104**J1/BS1/2025/K**

The suggestion made by Joint R.T.O, Kanjirapally is **approved**. The Joint R.T.O will make necessary arrangements for erecting bus stop boards and bus bay, if possible at the proposed bus stop.

Item No.105**J1/BS2/2025/K**

Get a feasibility report from P.W.D authorities. The matter is **adjourned**.

Item No.106**J1/BS3/2025/K**

Get a feasibility report from P.W.D authorities. The matter is **adjourned**.

SUPPLEMENTARY AGENDA

Supplementary Item No.1**J1/e1012465/2025/K**

Heard the applicant. This is an application for fresh permit in respect of vehicle KL-62-C-0139 on the route Thiruvalla – Pambadi preferred by Sri. Danesh Zacharia. The vehicle is 2016 model. This deal an inter district permit concurrence is necessary. The Secretary RTA is directed to seek concurrence from RTA Pathanathitta. The matter is **adjourned**.

Supplementary Item No. 2**J1/e1011730/2025/K**

Heard the applicant. Sri. Ajoy L.S for fresh stage carriage permit in respect of KL-61 G 4060 for operation on the route Paippad Fish market to Nagampadam, Kottayam. The route applied for is not in consonance with the traffic arrangement in force in Kottayam Town. The Traffic Regulatory Committee has directed the plying of stage carriages from Kanjikuzhi to Thirunekkara bus bay, Baker Junction and Nagampadam. But the applicant RTA/KL05/DECISION/05.03.2025

has preferred to operate service from Collectorate junction to Nagampadam. Therefore the route has to be modified accordingly by the applicant himself to comply with the above said direction. **Adjourned.**

Supplementary Item No. 3

J1/e942083/2024/K

Here the applicant. Sri. Ajoy L.S. who preferred an application for fresh stage carriage permit in respect of KL 30 L 1026 for operation on the route Paippad Fish market to Nagampadam, Kottayam. He has not offered any specific vehicle for the grant of permit. The route applied for is not in consonance with the traffic arrangement in force in Kottayam Town. The Traffic Regulatory Committee has directed the plying of stage carriages from Kanjikuzhi to Thirunekkara bus bay, Baker Junction and Nagampadam. But the applicant has preferred to operate service from Collectorate junction to Nagampadam. Therefore the route has to be modified accordingly by the applicant himself to comply with the above said decision. The applicant is required to furnish before this authority the relevant particulars of the vehicle for consideration of the application as required by the judgment in *Midhilesh Gargh Vs. Union of India* (AIR 1992 SC 443). **Adjourned.**

Supplementary Item No. 4

J1/e942091/2024/K

Sri. Ajoy L.S. who preferred an application for fresh stage carriage permit in respect of KL – 33 Q 9825 for operation on the route Paippad Fish market to Nagampadam, Kottayam. The route applied for is not in consonance with the traffic arrangement in force in Kottayam Town. The Traffic Regulatory Committee has directed the plying of stage carriages from Kanjikuzhi to Thirunekkara bus bay, Baker Junction and Nagampadam. But the applicant has preferred to operate service from Collectorate junction to Nagampadam. Therefore the route has to be modified accordingly by the applicant himself to comply with the above said direction. **Adjourned.**

Supplementary Item No. 5

J1/241/2025/K

Heard Sri. P.M.James, who preferred for an application for stage carriage permit on the route Mundakayam- Kombukuthi. He has not offered any

vehicle or furnished the particulars of any vehicle required to be furnished under section 70(1) of the Act. The particulars of the vehicle for which the permit is sought for shall necessarily weigh with the RTA while considering the application for permit. The necessity for consideration of application is laid down in the judgment *Midhilesh Gargh Vs. Union of India* reported in AIR 1992 SC 443. Therefore, the applicant is requested to furnish the particulars of vehicle if any offered by him for an effective consideration of the application relying on the judgment in *Maharashtra SRTC Vs. Manglure Pir -1971(2) SCC 222* – Grant of permit without due consideration of the application is not contemplated in the Act or rules. **Adjourned.**

Supplementary Item No.6

J1/e1057842/2025/K

Heard Sri. Abdul basith, who preferred an application for fresh permit for the route Perinad- Pala. At the time of consideration of the application the applicant offered a stage carriage KL-10-W-5651, which is a 2005 model vehicle. The time table furnished by the applicant requires modification so as to be in conformity to the provisions of Section 91 of the Act and the Section 13 of the Motor Transport workers Act, 1961.

It is not fit and proper on the part of this authority to grant a stage carriage permit for a period of 5 years to a vehicle which has a life span of 2 years only as per Rule 260 A of the KMV Rules. The permit if at all sanctioned would be in counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus o 20 years age would meet the comforts and convenience of the passengers and satisfy the exhaust emission standards. However it will not in public interest to grant a permit to such an old vehicle. Therefore the applicant is required to offer a bus which would satisfy the standard AIS:052 specified under Rule 125C of C.M.V. Rules. In the meantime concurrence of the RTA Pathanamthitta shall be called for. Consideration of application is **adjourned.**

Supplementary Item No.7

J1/86/2024/K

Heard Sri. Praveen K.C., who preferred an application for fresh stage carriage permit on the route Kodungoor- Pala. He has not offered any vehicle for being RTA/KL05/DECISION/05.03.2025

issued with a permit. He has not furnished even the relevant particulars of the vehicle at the time of the consideration of the application also. The necessity for consideration of application is laid down in *Midhilesh Gargh Vs. Union of India* reported in AIR 1992 SC 443. Therefore, the applicant is requested to furnish the particulars of vehicle if any offered by him for an effective consideration of the application relying on the judgment in *Maharashtra SRTC Vs. Manglure Pir -1971(2) SCC 222* within a period of one month. The matter is **adjourned**.

Supplementary Item No.8

J1/156/2024/K

Heard Smt. Leelamma George, who made an application for a fresh permit on the route Kodungoor – Pala. At the time of consideration today, the applicant offered a vehicle KL-37-5004 for operation on the said route, which is owned by the applicant herself. Permit is **granted** subject to settlement of timings and that all trips shall be operated between Kodungoor and back without there being any cut trips.

Supplementary Item No.9

J1/2819/2024/K

This is an application for grant of fresh permit on the route Kurumpumthara – Manimala. At the time of consideration of the application, the applicant offered a vehicle KL 46 A 6606, which is 2008 model vehicle. Considered the application in detail. This is an old model vehicle condemned by the previous permit holder for being unsuitable for use as stage carriage. It is not fit and proper on the part of this authority to grant stage carriage permit for 5 years to a vehicle which has a life span of 4 years only, as per Rule 260A of the KMV Rules. Grant of permit to such a vehicle will not be in public interest.

The Applicant Sri. Mathew Jose is admittedly a party to trafficking in permit as evidenced by the application in item No. 55 of this Agenda, wherein he purchases bus KL-05-W-720 permitted to ply on the route Pala-Kuruvilangad from Sri. Joseph Mathew who has also indulged in trafficking in permit. An applicant who is often engaged in trafficking permit is not entitled to a permit.

The route applied for is in violation of the provisions of the approved scheme G.O(P)13/2023/TRANS. Dated 03.05.2023 or the scheme before modification in as much as the overlapping from Kozha to Kuravilangad is not for the purpose of cutting across the route, but for plying up to its destination on the same line of travel by the STU Vehicles. Therefore the application is **rejected**.

Supplementary Item No.10

J1/E510502/2023/K

This is an application for grant of fresh stage carriage permit on the route Mukkada- Kanjirappally. Smt. Vidhya D the applicant has not offered any vehicles for being issued with a permit, even after the lapse of 2 years from the date of her application. The matter was once considered on 03.07.2023 and adjourned for want of a vehicle duly offered by her. The judgment in WP(c) 6386/2025 dated 17.02.2025 has been perused. This authority does not insist on production of ready vehicle even at the time of consideration of application. What is required of the applicant is the furnishing of the particulars of the vehicles if any, for the due consideration of the application, in accordance with the judgment in Midhilesh Gargh Vs. Union of India (AIR 1992 SC 433). The term “permit” defined under section 2 (31) of the Act makes it clear that permit is granted in favour of a vehicle. Grant of permit without there being a vehicle duly registered or not is not contemplated in the Act or Rules

The route applied for is hit by the approved scheme G.O.(P) No. 42/2009/Tran dated 14.07.2009. Inasmuch as it overlaps the notified routes Kottayam – Thekkady from Kurishu Kavala to Kanjirappally without there being any cutting across on the notified route. The overlapping is for the purpose of running on the same line of travel of the STU vehicles to its destination Kanjirapally. Under the above circumstance the application is **rejected**.

Supplementary Item No.11

J1/682424/2024/K

Heard the applicant – Sri. Sandeep Sathyan who filed an application for stage carriage permit on the route Kulathooremoozhi – Pala. Considered the application in the light of the judgment in WP(c) 7057/2025 also. So far the RTA/KL05/DECISION/05.03.2025

applicant has not offered any vehicle or the particulars of the vehicle necessary for consideration of the application before granting the permit. The necessity for consideration of application is laid down judgment in Midhilesh Gargh Vs. Union of India reported in AIR 1992 SC 443. Therefore, the applicant is requested to furnish the particulars of vehicle if any offered by him for an effective consideration of the application relying on the judgment in Maharashtra SRTC Vs. Manglure Pir -1971(2) SCC 222 – within a period of 1 month. Matter is **adjourned**.

Supplementary Item No.12

J1/156/2024/K

Heard the applicant – sri K.C. Jose, who filed an application for permit on the route Amanakara- Pala. He has offered a vehicle KL 13 T 9369 at the time of hearing today. The application is **granted** subject to settlement of timings which shall be in conformity with the provisions of Section 91 of the MV Act and Section 13 of the Motor Transport Workers Act, 1961 and subject to counter signature from the RTA Muvattupuzha.

Supplementary Item No.13

J1/2832/2024/K

Heard Sri. Jaya Shankar who preferred an application for grant of fresh stage carriage permit in respect of vehicle KL 06 C 4464 on the route Malarickkal – Kottayam- 15th Kadavu. The vehicle offered is 2004 model. It is not fit and proper on the part of this authority to grant a permit for a period of 5 years to a vehicle which has a life span of one year only as per rule 260 A. The permit if at all granted would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 21 years of age would meet the comforts and convenience of the passengers. The vehicle is not likely to comply with the exhaust emission standards. A permit can be granted to Type II category only for ensuring the safety and comforts of the passengers as laid down in judgment of the High Court of Kerala (Joint RTO Vs. Thomas Joseph WA NO. 454/2023). The application is **rejected**.

Supplementary Item No.14**J1/2722/2024/K**

Heard Sri. Jose K.J, in connection with the application for fresh permit in respect of vehicle No. KL 29 4174 on the route Ettumannoor – Peruva. The vehicle offered is 2007 model evidently got rid of by its previous permit holder. It is not fit and proper on the part of this authority to grant a permit for a period of 5 years to a vehicle which has a life span of four years only as per rule 260 A. The permit if at all granted would be counterminous with the bus attaining the age of 22 years. It does not stand to reason that a bus of 18 years of age would meet the comforts and convenience of the passengers and comply with the exhaust emission standards. A permit can be granted to Type II category vehicle only for ensuring the safety and comforts of the passengers as laid down in the judgment of the High Court of Kerala in Joint RTO Vs. Thomas Joseph (WA No. 454/2023). The application is **rejected**.

Supplementary Item No.15**J1/318/2025/K**

Heard Sri. Akshay Davis, in connection with the application for grant of fresh permit (LSOS) on the route Vazhikkadavu- Kottayam. He has not offered any vehicle or even the essential particulars of any vehicles necessary for consideration of application as required by the judgment in Midhilesh Gargh Vs. Union of India (AIR 1992 SC 443). The proposed route is hit by the approved scheme GO(P) NO. 42/2009/TRAN dated 14.07.2009 inasmuch as the route overlaps the notified routes Kottayam- Kattappana and Kottayam-Thekkady not for the purpose of cutting across the notified routes but for plying on the same line of travel of the STU Vehicles. Therefore the application is **rejected**.

Supplementary Item No.16**J1/e936712/2024/K**

Heard Sri. Sijomon Jose, who filed an application for a fresh permit on the route Methiri- Meladukkam. He has offered a vehicle KL-06-D8083 for operation on the route which is a 2007 model. It is not fit and proper on the part of this authority to grant a permit for a period of 5 years to a vehicle which has a life span of four years only as per rule 260 A. The permit if at all granted would be counterminous with the bus attaining the age of 22 years. It does

not stand to reason that a bus of 18 years of age would meet the comforts and convenience of the passengers and meet the exhaust emission standards. A permit can be granted to Type II category vehicle only for operation on interurban/intercity routes for ensuring the safety and comforts of the passengers. As per the judgment of the High Court of Kerala in WA NO. 454/2023 (Joint RTO Vs. Thomas Joseph). In the meantime concurrence of the RTA Muvattupuzha shall be called for. Consideration of application is **adjourned**.

Supplementary Item No.17

J1/3019/2024/K

Concurrence **granted**.

Supplementary Item No.18

J1/01/2025/K

Concurrence **granted**.

Supplementary Item No.19

J4/385/2025/K

Heard the applicant Sri. Haridas K, who is the holder of a permit in respect of stage carriage KL 05 AZ 2766 on the route Kainady- Kottayam. He has applied for the variation of the route, which involves variation of the trips and curtailment of 1st and last trips. The original permit was granted by this authority taking into account the travel needs of the public on the route. No new circumstances specified in Rule 145 (6 or 7) have ever arisen justifying the grant of variation of the route as well as the change in the trips. The permit holder cannot be given an option to ply the service on the routes of his choice from time to time. Such variation would adversely affect the existing facilities and convenience of the commuters on the original route. Therefore the application is **rejected**.

Supplementary Item No.20

J4/145/2025/K

Heard the applicant Sri. Bijumon Francis, Nirappel House, who preferred an application for variation of permit in respect of vehicle KL-34-D-2709 on the route Pala -Ponnkunnam, considered the application and **granted** the variation.

Supplementary Item No.21**J5/11/2025/K**

Heard the applicant Manu Varghese, who seeks for variation of the conditions of the permit in respect of stage carriage KL-05 AE 5515 operating on the route Ayarkunnam- Kochumattam. The permit holder desires to curtail the portion of the route between Ayarkunnam and Kottayam and extend the route from Kochumattam to Illivalavu. Perused the enquiry report by the competent officer. The report is not in favour of granting the variation applied for. Therefore this authority deems fit and proper to consider the request as an application for a fresh permit, on proper request for such consideration from the permit holder. **Adjourned.**

Supplementary Item No.22**J5/383/2025/K**

Heard Sri. N.C Thomas, Narimattathil, in connection with his application for variation of the route, Pallickathode- Athirampuzha University via Kottayam Gandhinagar, Medical college which was granted in violation of Kottayam-Needur approved scheme. The regular permit of the vehicle is valid up to 07.11.2019 only. The permit holder is operating his vehicle KL-05-AA-6636 on the strength of temporary permit only. Variation of a permit which is not in force is not permissible under the Act or Rules. So also is the case of temporary permit. In the alternative the permit holder can seek the consideration of his request as an application for the grant of a fresh permit which, is likely to be considered by this authority in its next meetings. The matter is **adjourned.**

Supplementary Item No.23**J5/382/2025/K**

The application is for variation of the route (Trip curtailment) of the regular permit in respect of stage carriage KL 05 AZ 6758 on the route Kainady-Perunna. The permit holder desires to cut the last trips from Kainady to Perunna and the return trip from Perunna to Kainady, presumably to ply his service in conformity with the provisions of Section 91 of the Act. There is no substantial change in the existing time schedule. Therefore the variation is **allowed.**

Supplementary Item No.24**J4/17739/2023/K**

This is an application for variation of the permit in respect of stage carriage KL 37 801 on the route Thempraval Kadavu- Pathinanchilakdavu preferred by the permit holder Sri. Sagin. P.Babu. The request is for extension of service from Thempraval Kadavu to Shastham Kadavu for distance of 1.4 Kms the proposed extension is with an ulterior motive to enhance the number of fair stage points where as the average distance between two fair stage points shall be 2.5 Kms. The total distance of the so varied route will be 16.4 Kms only. The existing travel facility upto 10.10 PM is also sought to be curtailed. However, variation applied for is **allowed** subject to the following conditions:

- 1) The extension of service from Thempraval Kadavu to Sasthamkadavu for a distance of 1.4 Kms only will not entitle the fixing of an additional fair stage point at Sasthamkadavu unless otherwise justified by the total distance from Kottayam to Sasthamkadavu and the total fares that could be charged for such distance so as to save the commuters from exploitation proposed by such piecemeal extension of service.
- 2) The time table shall be settled in conformity with the provisions of section 91 of the Act and Rule 188 of the KMV rules, this being be appropriate time for curing the defects once occurred.

Supplementary Item No.25**J4/9018/2024/K**

The application for variation of permit in respect of stage carriage KL 35 M 7111 on the route Kallam- Injiyani filed by the permit holder Sri. Nazeer.A, is considered after hearing the Counsel for the permit holder.

The report of enquiry reveals that the portion from Thekoy to Kaalakkode is a thickly populated area and the variation applied for would be more beneficial to the public. The permit holder seems to be running after the thickly populated areas ignoring the route granted by this authority on the portion from Thekoy to Kallam. The enquiry officer has not duly adverted to the existing facility being taken away from the commuters on the portion of Thekkoy to Kallam. This authority is not inclined to promote the commercial interests of the permit holder at the cost of inconvenience to the travelling

public. Moreover no circumstance such as those specified in Rule 145 (6 or (7) KMV rules have emerged so as to heed to the demands of the permit holder. Nothing prevents this authority from granting separate permits to operate on the routes covered by the thickly populated areas if it is expedient to do so. The request for variation is **rejected**.

Supplementary Item No.26

J4/234/2025/K

Heard the applicant Sri. Justin Jose, who seeks variation of the permit in respect of his vehicle KL-29-J-234 permitted to ply on the route Pala-Ayamkudi. Curtailment from Ayamkudi to Kuruppumthara in the first and the last trips and changing the starting place and the halting place are sought for. No new circumstances laid down in rule 145 (6) of KMV rules has arisen necessitating the proposed curtailment. The portion proposed for curtailment already lacks sufficient travelling facility. The enquiry report also is against the grant of curtailment of the route. Therefore the application is **rejected**.

Supplementary Item No.27

J4/71240/2025/K

This application for variation was preferred by Sri. Jaimon Joseph, in respect of the route S.N.Puram Temple -Ernakulam covered by stage carriage KL-05-AN-7845. The variation involves curtailing the route portion from Pampadi to S.N Puram Temple and extending the route from Pampadi to Pathanadu. A new set of time schedule has also been furnished by the permit holder. The regular permit expired on 05.02.2022 and the vehicle is operating on the strength of temporary permit. The secretary will cause a detailed enquiry on the following and submit report.

- i) Why was the permit on the route S.N. Puram Temple to Ernakulam not renewed from 05.02.2022
- ii) Is the variation of the permit permissible. In case of a permit being invalid
- iii) Is variation of temporary permit permissible under Section 80 (3) of the Act.
- iv) Does the existing route or the varied route overlap any notified route. If so furnish the details of the approved schemes and notified routes and the extent of overlapping on such notified routes.
- v) Is this route saved by any approved scheme. If so by which scheme

- vi) If it is a saved permit, whether variation of route is permitted by the scheme.
- vii) What are the prohibitory provisions of such scheme
- viii) Specific recommendation or otherwise of the proposed variation by the Secretary RTA.

The matter is **adjourned**.

Supplementary Item No.28

J4/65/2025/K

Heard the applicant Sri. Saneesh K.D. the application is for renewal of regular permit in respect of bus KL-05-W-3351 on the route Kottayam – Kollad. The permit was valid upto 12.01.2025. The delay in making the application on 06.01.2025 only delay **condoned**. Renewal is **granted**.

Supplementary Item No.29

J4/1464/2025/K

The application is for renewal of permit in respect of bus KL-38-H-1464 covered by the route Kuthadukulam -Pala filed by the Sri. Sijomon Jose, Kaduva kuzhyil. Heard the applicant. There are complaints against the renewal of permit especially regarding the varied route in item no 18 of RTA dated.24.08.2024 overlapping on notified route. Therefore the secretary will cause a detail enquiry as to the violation of the approved schemes if any. The extent of overlapping and the prohibition if any shall be specifically mentioned by the secretary. **Adjourned**.

Supplementary Item No.30

J4/1062/2024/K

The parties to the transfer of permit in respect of stage carriage KL 36 C 3289 on the route Thalayolaparambu- Kuruvilangad are absent. Hence **adjourned**.

Supplementary Item No.31

J4/11984/2024/K

This is an application for transfer of permit in respect of bus KL-33-D-3461 permitted to ply on the route Changanasserry – Erattupetta from Subaidha to John Mathew, Vazhiplackkal.

Heard the applicants. The regular permit is valid up to 21.06.2027.

The applicants have not ascribed any reasons for the proposed transfer of permit. They have not submitted any statement required under Rule 178 (2). They have not produced sufficient proof to establish that the transfer of permit is bonafide.

This is a clear case where trafficking in permit has taken place as evidenced by the proposals in item nos. 52,61 and 62. In item No. 52, Sri. John Mathew has applied for transfer of permit to his name in respect of Kulathurmoozhi Changanassery route. In item NO. 61, the said John Mathew has again sought for transfer of permit into his name in respect of the route Changanassery Mallappally. In item No. 62, John Mathew is the 2nd applicant for transfer of permit in relation to the route Kulathoormozhi Changanassery. Therefore Sri. John Mathew is an established party to the unlawful trafficking in permit.

The proposed transfer of permit is with a clear motive of making profit and taking undue advantage of the permit granted to the permit holder. The 2nd applicant is a necessary party to such unlawful practice. Permits are not granted to any persons for trade or business or for earning unlawful gains by making sales or purchase. The proposal is not made in the normal circumstances of the business of bus service or under any exigencies emerging from the operation of such service. The conduct of the permit holder as well as the proposed transferee is not in public interest whatsoever. Therefore the application is **rejected**.

Supplementary Item No.32

J4/13030/2023/K

This is an application for transfer of permit in respect of bus KL-05-Z-2556 covered by the Route Changanassery – Paala from Sri. Roy Kurian to Smt. Sumol Roy. The permit is valid up to 09.03.2028. The permit holder Sri. Roy Kurian died on 29.09.2024. Transfer of permit is **permitted**.

Supplementary Item No.33

J5/e1060645/2025/K

Heard the applicants in connection with their application for transfer of permit in respect of stage carriage KL-05-AN-4059 operating on the route Kottayam

– Kuzhimaavu. The permit is valid up to 27.08.2027. Transfer of permit is **permitted.**

Supplementary Item No.34

J5/e925924/2025/K

Heard the applicants in connection with their application for transfer of permit in respect of bus KL-33-A-7002 operating on the route Kozhencherry – Kottayam. The regular permit is valid upto 31.12.2025. The permit holder Sri. Roy Zacheria has indulged himself in trafficking permit as evidenced by his application for transfer of another permit on the route Kottayam – Mallappally in respect of bus KL-05-AT-8361 vide Item No. 94 of this Agenda. The permit holder has proposed to sell the Vehicle with permit to Sri. John Mathew.

The proposed transfer of the permit is with a clear motive of making profit and taking undue advantage of the position as the holder of a permit attracting this Stigma of trafficking permit. It is a clear case where the holder of a permit is in the process of abusing the permit granted in his favour. The permit has been obviously granted having regard to the entitlement of the permit holder and the public interest in general. Permits are not granted to any person for trade or business or for earning unlawful gains by making sales or purchased. The proposed transfer is not made in the normal circumstances of the business of bus service or under any exigencies emerging from the normal bus service.

The applicants have not ascribed any reasons for the proposed transfer of permit. They have not submitted any statement required by Rule 178 (2) of the KMV Rules. They have not produced any contract of sale or agreement for transfer of permit entered into by them to establish the bonafides of the proposed transfer of permit. The report of the secretary is also silent on matters dealt with Rule 178(7) of the Rules. This authority is not satisfied of the bonafides of the proposed transfer of permit. Therefore the application is **rejected.**

Supplementary Item No.35**J5/KL03Q6145/2025/K**

Heard the applicants Smt. Rukmaniyamma and Bijumon Francis, in connection with the transfer of permit held by the former in respect of vehicle KL-03-Q-6145 on the route Manimalla- Erumeli. The permit is valid upto 15.01.2029. The transfer of permit is **permitted**.

Supplementary Item No.36**J5/652/2024/K**

This is an application for transfer of permit in respect of bus KL-17-G-6566 operating on the route Pala-Erumeli. The permit is valid up to 25.09.2026. The matter was adjourned since specific report of the secretary has not been received. The Secretary seems to have heard all the three persons noted in the Agenda. They have stated in person before the Secretary on 05.02.2024 that they proposed to transfer the permit as well as the vehicle, which is not permissible under law. Sri. Sabu Kurian is the registered owner the vehicle. Sri. Sajeev has no authority to make sale of said vehicle to Sri. George Joseph. This authority has not been enlightened to satisfy itself that the proposed transfer of permit is bonafide. That apart the vehicle was already held under her purchase agreement with Cholamandal investments. No objection certificate has not been produced. However further enquiry by the secretary is instituted and the matter is **adjourned**.

Supplementary Item No.37**J6/8748/2023/K**

Heard both the applicants for the transfer of permit in respect of bus KL-35-E-8805 operating on the route Boyce Estate- Ernakulam Sri. Jose Antony proposed to transfer the permit to Jojo Antony. The permit is valid up to 06.10.2026. This is a permit which was in existence for the last 65 years operating as express service till 2016 (till the date on which the approved scheme of nationalization published by notification GO(P) No 73/2013/trans. Dated.16.07.2013). This is a saved permit. This service is also saved by the scheme GO(P) No 42/2009/trans. Dated 14.07.2009. In view of the report of the RTO transfer of permit is **permitted**.

Supplementary Item No.38**J6/3953/2024/K**

This is an application for transfer of permit in respect of the bus KL-35-M-8211 operating on the route Chennappady – Erattupetta. Sri. Habeeb Kareem is the permit holder and the proposed transfer of permit. Sri. Nazeer A.M. Ambazhathingal is the proposed transferee. The vehicle is covered by a temporary permit under section 87(1)(d) valid up to 26.05.2025. The applicants have not ascribed any reasons for the proposal transfer of permit in the joint application. They have not submitted any statement required by Rule 178(2) KMV Rules. They have also not produced any promissory note or agreement of contract for the transfer of permit executed between them so as to prove the bonafides of application. The report of the Secretary, RTA is silent on the matters referred to in Rule 178(7) of KMV Rules. This authority is not satisfied of the bonafides of the proposed transfer. Therefore the application is **rejected**.

DEPARTMENTAL ITEMS**Departmental item No.1**

Ratified the work done by the Secretary, R.T.A, Kottayam under delegated powers.

Departmental item No.2

In view of the long pending demand of the general public for advancing the measures for safety and comforts of passengers in stage carriages plying in the district of Kottayam on permission by this authority and in view of judgment in W.A No.454 of 2023 (Joint RTO v/s Thomas Joseph) of the Honorable High Court of Kerala this matter has, been brought up for deliberation in the meeting today. The following proposals have been deliberated.

- (a) Implementation of AIS: 052 (code of practice for bus body design and approval) under Rule 125 (c) of the C.M.V Rules, 1989 by this authority while exercising the powers under the Motor Vehicle Act.

- (b) Implementation of BS VI exhaust emission standards under Rule 115 of C.M.V Rules, 1989 while exercising the powers under the Motor Vehicle Act.

The matter was deliberated at this meeting of the authority. The objections and suggestions for and against the above said proposals were considered. In view of provisions of Section 72 (2) of the M.V Act enabling this authority to specify the description of the vehicle for grant of permit and in view of judgment in W.A No.454 of 2023 (Joint RTO v/s Thomas Joseph) of the Honorable High Court of Kerala it is resolved to implement the said proposals in a phased manner as stated below.

- (1) No fresh permit will be granted and issued in respect of a stage carriage by this authority unless such carriage is of Type I for urban and sub urban/city transport and Type II for interurban/intercity operations so as to provide the minimum safety and comforts of passengers in compliance with AIS:052.
- (2) Every stage carriage seeking grant and issue of permit under item No.1 above shall comply with BSVI emission standards.

The above resolutions shall come into force with effect from 1st July, 2025.

Explanation: The terms “urban and sub urban/city transport” would mean city or town service and “interurban/intercity” would mean moffusil service.

Departmental item No.3

No matter referred.

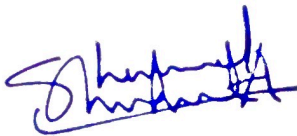
Departmental item No.4

The next sitting of R.T.A is on



**DISTRICT COLLECTOR
KOTTAYAM**

Sri. John V Samuel, IAS, District Collector, Kottayam



**SHAHUL HAMEED A. IPS
District Police Chief
Kottayam
PEN: 719746**

Sri Shahul Hameed A, IPS, District Police Chief, Kottayam.



**ANOOP VARKEY, PEN: 303636
DEPUTY TRANSPORT COMMISSIONER
CENTRAL ZONE II, ERNAKULAM**

**അനൂപ് വർക്കി
ഡെപ്യൂട്ടി ട്രാൻസ്പോർട്ട് കമ്മീഷണർ
മധ്യമേഖല -2 എറണാകുളം**

Sri. Anoop Varkey, Deputy Transport Commissioner (Law),
CZ-II, Ernakulam.