

**MINUTES OF THE MEETING OF
THE REGIONAL TRANSPORT AUTHORITY - IDUKKI
HELD ON 27.06.2025**

Present

Chairman

Smt .V. Vighneswary. IAS, District Collector and Chairperson RTA,
Idukki

Members

1. Sri. Anoop Varkey, Deputy Transport Commissioner (Law),CZ-II
Ernakulam.
2. Sri. Vishnu Prasad T.K. IPS, District Police Chief, Idukki(**absent**)

Item No: 1

J1/1451/2022/ID

This is an application for the grant of a fresh stage carriage permit preferred by Sri. Priyadarshan AJ, Arackkal house on the route Pooppara- Vytila hub. This application was considered on 04.06.2022 but adjourned for want of concurrence. The applicant had not offered in his application any vehicle or the particulars of a vehicle for consideration. Even after the lapse of 3 years from the date of application, he has not been able to offer a motor vehicle owned or processed by him. Vehicle KL 35 C 9321 offered today is owned and possessed by Sri. Sugathans/o Achuthan, Thalappillil Kothamangalam and the same is covered by a permit valid from 11.05.2023 to 10.05.2028. This applicant has no business to seek the grant of a permit in respect of a bus owned and possessed by someone else. It is observed that

- i. As per the provisions of section 66 (1) of the Act the application is incompetent. In as much as the applicant is not the owner of the vehicle offered.

- ii. A stage carriage covered by a valid permit is not entitled to be granted with another permit.
- iii. The applicant has made an attempt to deceive this authority in as much as he offered at the time of consideration a vehicle which was not owned or possessed by him.
- iv. There is reason to believe that the route length exceeds the permissible limit of 140 km.
- v. This applicant has applied for a fresh permit on the route Pooppara- Aluva as LSOS vide additional Item No. 6 of this agenda offering another vehicle KL 44 A 3949 which is an old model vehicle unfit for being used on road.
- vi. This applicant has sought for the transfer of a permit held by him in respect of vehicle KL 44E 5679 plying on the route Pooppara- Vytila in favour of Mrs. Rekha vide item No.77 of the agenda dtd. 4.03.2025.
- vii. An applicant who has transferred the permit held by him in favour of any other person is not entitled to apply for a new permit.
- viii. Having regard to the above said facts and circumstances the application is **rejected**.

Item No: 2

J1/2811/2023/ID

This is an application preferred by Sri Praveen Babu for the grant of a fresh stage carriage permit on the route Anakkayam- Muvattupuzha. The applicant has offered an old model bus bearing registration No KL 57 A 729 which has been replaced and discarded being unfit for use. It is a 2007 model vehicle registered on 29.01.2008 having a life span of 18 years insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would

pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by automated testing station. In view of the above facts and circumstances the application is **rejected**.

Item No: 3

J1/3682/2023/ID

This is an application for the grant of a fresh stage carriage permit preferred by Sri. James KM on the route Aluva- Poopara. The applicant has not offered any vehicle or furnished the essential particulars of any specific vehicle for being granted with a permit. Admittedly it is not mandatory on the part of the applicant to offer a ready vehicle at the time of making the application under section 70 of the Act. But it is necessary for the applicant to furnish at least the particulars of vehicle at the time of consideration of the application so as to evaluate the application and arrive at an appropriate and final decision in the matter. The Full Bench judgement in Narayanan v/s RTA Trissur (1980 KL T 249 FB) States that the appropriate date for consideration of the application is not the anterior date of application but the date on which the application is taken up for consideration the necessary implication of which is that the decision of the transport authority shall be dependent on the materials available on the date of consideration of the application.

In spite of the above said legal position this authority considered the application following the common decision in WP(C) No. 43281/2024 dtd.28.01.2025 of the High Court of Kerala and it is decided to **grant** the permit subject to the production of a stage carriage conforming to AIS:052 standards in terms of Rule 125 (C) of CMV rules 1989 which deals with code of practise for Bus body design and approval so as to ensure the minimum standards of safety and comfort of passengers and subject to settlement of timings which shall be in accordance with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 4**J2/618131/2023/ID**

Heard. This is an application preferred by Sri. Yedukrishna K B for grant of fresh permit on the route Thengakkal- Thopramkudi. The applicant has offered stage carriage No. KL 05 AK 9600. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 5**J1/637133/2023/ID**

Heard. This is an application preferred by Sri. Shaji Mathew for grant of fresh permit on the route Kattappana-Kumily. The applicant has offered stage carriage No. KL 69 0442. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 6**J1/657066/2023/ID**

This is an application preferred by Sri Sony M Antony for the grant of a fresh stage carriage permit on the route Nedumkadom – Thodupuzha. The applicant has offered an old model bus bearing registration No KL 6 D 7024 which has been replaced and discarded being unfit for use. It is a 2006 model vehicle registered on 01.02.2007 having a life span of 3 years only which is insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards (SDX) bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage

carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 7

J1/685714/2024/ID

This is an application preferred by Sri Sreejith P S for the grant of a fresh stage carriage permit on the route Senapathy- Nedumkadom. The applicant has offered an old model bus bearing registration No KL 17 D 825 which has been replaced and discarded being unfit for use. It is a 2005 model vehicle registered on 27.01.2006 having a life span of 2 years only which is insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards (SDX) bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 8

J1/737568/2024/ID

Heard. This is an application preferred by Sri. AM Ashraf for grant of fresh permit on the route Pullikkanam - Peerumedu. The applicant has offered stage carriage No. KL 37 F 2108. The permit is **granted** subject to settlement of

timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 9

J1/761871/2024/ID

Heard the applicant Sri. Amal C V. He has applied for a sage carriage permit under section 66 of the Act offering a ‘suitable vehicle’ which does not have existence outside his own imagination. He has not acquired the ownership of the vehicle so offered even at the time of consideration of the application today. The phase in section 66 (1) of the revised MV Act, 1988 stands out prominently to convey the idea that no person other than the owner of the vehicle is competent to apply for or obtain a permit.

The definition of the term ‘permit’ under section 2 (31) of the Act signifies the necessity of a motor vehicle in existence, either duly registered or not, for being authorized to be used as a transport vehicle. The provisions of rule 159 (2) of the KMV rules do not enjoin the transport authority to grant a permit to a non-existent vehicle.

Having regard to the aforesaid statutory provisions the application is **rejected**.

Item No: 10

J1/780968/2024/ID

Heard. This is an application preferred by Sri. Jojimon Jose for grant of fresh permit on the route Upputhara-Kumily. The applicant has offered stage carriage No. KL 33 G 2511. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 11

J1/782599/2024/ID

Heard. This is an application preferred by Sri. Tojo Tomy for grant of fresh permit on the route Pasuppara-Chenkara. The applicant has offered stage carriage No. KL 34 9621. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Heard. This is an application preferred by Sri. Dileep Kumar A P for grant of fresh permit on the route Maniyaramkudy-Kattappana. The applicant has not offered any vehicle or the essential particulars of any vehicle for being granted with a permit. No purpose will be served by the grant of a stage carriage permit to a non-existent vehicle except being enabled to put the permit for sale in the market of trafficking-in-permit.

The Hon'ble Supreme Court has in Para.15 of the judgment in *Mitilesh Gargh v/s Union of India (1992 SC 443)* held as follows:-

“It is for the authority to take into consideration all the relevant factors at the time of judicial consideration of the application for grant of permit”.

A full Bench of Kerala High Court has in Para.6 in *Narayanan v RTA Trissur (1980 KLT 249 FB)* held as follows:-

“It is now well settled that the relevant point of time with reference to which the qualifications of the applicant for a permit should be evaluated is the date on which the RTA takes up the subject for final consideration and not any anterior or subsequent date”. The court has thus concluded that the date that is material is the date on which the RTA deals with the application. In this case the applicant has not furnished any of the essential particulars required by section 70 (1)(b)to (f) and Form P stSA.

The applicant is not entitled to the grant of a permit since he is in the habit of regularly indulging in the trade of buying and selling permits with the motive of making profit out of the trade which attracts the stigma of trafficking in permit. The said conduct of Sri. Dileepkumar A P is further supported by his application in the following items:-

- i. Item No. 58 (04.03.2025) Sri. Dileep Kumar A P proposes to transfer his permit in respect of bus KL 17 S 323 permitted to ply on the route Cheruthoni - Kumily to Sri. Saji P R.
- ii. Item No. 33(04.03.2025) Smt. Suni Dileep W/o Dileep Kumar seeks a fresh permit in respect of her vehicle KL 16 E 6665 on the route Kattappana- Cheruthoni.

A person indulging the habit of buying and selling permits is not entitled to the grant of a fresh permit as laid down Udayanathapani v/s STA Orissa (AIR 1993 Ori.4). Besides he has not furnished the essential particulars of any vehicle even at the time of consideration of the application today. Therefore the application is **rejected**.

Item No: 13

J1/808807/2024/ID

This is an application preferred by Sri. Joel K Joseph for the grant of a fresh stage carriage permit on the route Thopramkudi- Thodupuzha. The applicant has offered an old model bus bearing registration No KL 16 A 5002 which has been replaced and discarded being unfit for use. It is a 2004 model vehicle registered on 02.07.2004 having a life span of 3 years only which is insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Heard. This is an application preferred by Sri. Asheem Basheer Vazhayil for grant of fresh permit on the route Kumily - Thodupuzha. The applicant has offered vehicle KL 33 L 3821.

The applicant is not entitled to the grant of a permit since he is in the habit of regularly buying and selling permits with the sole motive of making profit out of the trade which attracts the stigma of trafficking in permit. The said conduct of Sri. Aheem Basheer is supported by his applications in the following items.

- i. Item No: 60 Sri. Asheem basheer proposes to transfer the permit in respect of bus KL 06 L 3299 permitted to run on the route Kombayar-Kottayam to Sri. Amal CV.
- ii. Item No: 64 (04.03.2025) Sri. Asheem Basheer proposes to transfer the permit in respect of bus KL 34 J 2058 permitted to run on the route Thopramkudi- Kottayam to Sri. Justin James Cheriyam.

A person indulging in the habit of buying and selling permits is not entitled to the grant of a new permit as held in the judgment in Udayanadha Pani v STA, Orissa (AIR 1993 (Ori.14). Hence **rejected**.

Heard. This is an application preferred by Sri. Albin John for grant of fresh permit on the route Kumily - Pala. The applicant has not offered any vehicle for being granted with a permit. The Hon'ble Supreme court has in paragraph 15 of the judgement in Methilesh Gargh v/s Union of India (AIR:1992 SC 443) held as follows:-

“It is for the authority to take into consideration all the relevant factors at the time of quasi-judicial consideration of the application for grant of permit”.

Placing reliance on the judgment in Maharashtra SRTC v/s Mangulur Pir (1971 (2) SCC 222) the applicant is requested to furnish the essential particulars of the vehicle if any offered by him for appropriate and full consideration of the application of permit within a period of one month. In the meantime call for concurrence of the RTA Kottayam **Adjourned**.

Item No: 16

J1/834157/2024/ID

Heard. This is an application preferred by Sri. Albin John for grant of fresh permit on the route Moongalar - Thookkupalam. The applicant has not offered any vehicle for being granted with a permit. No purpose will be served by granting the permit to a motor vehicle not in existence. The Hon'ble Supreme court has in paragraph 15 of the judgement in Methilesh Gargh v/s Union of India (AIR:1992 SC 443) held as follows:-

“It is for the authority to take into consideration all the relevant factors at the time of quasi-judicial consideration of the application for grant of permit”.

Placing reliance on the judgment in Maharashtra SRTC v/s Mangulur Pir (1971 (2) SCC 222) the applicant is requested to furnish the essential particulars of the vehicle if any offered by him for appropriate and full consideration of the application for permit within a period of one month or at the time of consideration of the application. The route applied for is not specific. The applicant shall revisit his application and modify the route. The road fitness certificate shall be obtained for the virgin portion of the route.

Adjourned.

Item No: 17

J1/637141/2023/ID

Heard. This is an application preferred by Sri. Mathew Scaria, Puthiya parambil for grant of fresh permit on the route Kattappana- Rajakumari. The applicant has offered stage carriage No. KL 69 1039. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 18

J1/848472/2024/ID

Heard. This is an application preferred by Sri. Jinson George for grant of fresh permit on the route Thodupuzha- Vannappuram. The applicant has not offered any vehicle for being granted with a permit. No purpose will be served by granting the permit to a motor vehicle not in existence. The Hon'ble Supreme Court has in Mithilesh Gargh v/s Union of India (AIR 1992 SC 443) held that the

transport authority shall take into consideration all the relevant factors at the time of quasi-Judicial consideration of the application for permit.

Placing reliance on the judgment in Maharashtra SRTC v/s Mangulur Pir (1971 (2) SCC 222) the applicant is requested to furnish the essential particulars of the vehicle if any offered by him for appropriate and full consideration of the application of permit within a period of one month or at the time of consideration of the application. The time schedule shall be modified and resubmitted which shall conform to the provisions of section 91 of the MV Act and 13 of Motor Transport Workers Act 1961. Consideration of the application is **Adjourned**.

Item No: 19

J1/875508/2024/ID

Heard. This is an application preferred by Sri. Rohit Eldo Cherian for grant of fresh permit on the route Elappara- Nedumkandom. The applicant has offered vehicle No. KL 33 B 4717 for being granted with a permit.

The time schedule shall be modified and resubmitted which shall conform to the provisions of sections 91 of the MV Act and 13 of Motor Transport Workers Act 1961. The No of trips between Kattappana and Elappara via Kalthotty shall be increased. Consideration of the application is **Adjourned**.

Item No: 20

J1/874775/2024/ID

Heard. This is an application preferred by Sri. Shyla Samuel for grant of fresh permit on the route Aluva- Suryanelli. The applicant has not offered any vehicle for being granted with a permit. No purpose will be served by granting the permit to a motor vehicle not in existence the Hon'ble Supreme Court has in Para.15 of the judgment in Mitilesh Gargh v/s Union of India (1992 SC 443) held as follows:-

“It is for the authority to take into consideration all the relevant factors at the time of judicial consideration of the application for grant of permit”.

A full Bench of Kerala High Court has in Para.6 in Narayanan v RTA Trissur (1980 KLT 249 FB) held as follows:-

“It is now well settled that the relevant point of time with reference to which the qualifications of the applicant for a permit should be evaluated is the date on which the RTA takes up the subject for final consideration and not any anterior or subsequent date”. The court has thus concluded that the date that is material is the date on which the RTA deals with the application. In this case the applicant has not furnished any of the essential particulars required by section 70 (1)(b)to (f) and Form P stSA.

This is an application for inter-district stage carriage permit. Hence secretary RTA is directed to seek concurrence from RTA Ernakulam and RTA Muvattupuzha. **Adjourned.**

Item No: 21

J1/898982/2024/ID

This is an application preferred by Sri. Anto Jose for the grant of a fresh stage carriage permit on the route Anakkayam- Thodupuzha. The applicant has offered an old model bus bearing registration No. KL 5 R 7340 which has been replaced and discarded being unfit for use. It is a 2004 model vehicle having a life span of 1 years only insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Heard. This is an application preferred by Sri. Shaji N H for grant of fresh permit on the route Thodupuzha Kumily. The applicant had in his application offered vehicle No. KL 37 B 5050 for being granted with a permit but at the time of hearing today he offered another vehicle KL38 C 7887 instead of KL 37 B 5050 but that vehicle was also not owned or possessed by the applicant. The said vehicle is owned by Sri. Anas CV. Therefore the applicant has no vehicle enabling him to prefer an application under section 66(1) of the Act. Therefore the application is incompetent.

The applicant Sri. Shaji NH is often indulged in trafficking in permit as disclosed by the following applications which have comeup today for consideration.

- i. Item No: 67 (04.03.2025) Sri. Shaji N H is the proposed purchaser of bus KL 33 B 7896 permitted to ply on the route Mundamudi- Thodupuzha from the permit holder Sri. Aneesh Peethambaran.
- ii. Item No: 74 (04.03.2025) Sri. Shaji N H proposes to purchase the permit in respect of bus KL 17 S 5167 plying on the route Odiyappara- Kanjirappally from the permit holder Sri. Basil Antony.

A person indulging in the habit of buying and selling of permits with the motive of unfair advantages and profits is not entitled to a new permits as held in the judgment in Udayanadha Pani v/s STA, Orissa (AIR 1993 (Ori.14).

In view of the involvement of the applicant in the trade of buying and selling of permits he is not entitled to the grant of a new permit. The application for the grant of new permit is **rejected**.

This is an application preferred by Sri. Thomas T T for the grant of a fresh stage carriage permit on the route Kumily - Nedumkandom The applicant has offered an old model bus bearing registration No. KL 5 X 9612 which has been replaced and discarded being unfit for use. It is a 2007 model vehicle registered

on 07.08.2007 having a life span of 3 years only which is sufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety, comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 24

J1/931249/2024/ID

This is an application preferred by Sri. Shyam Mohan for the grant of a fresh stage carriage permit on the route Rajakkad - Nedumkandom. The applicant has offered an old model bus bearing registration No. KL 5 U 2023 which has been replaced and discarded being unfit for use. It is a 2005 model vehicle registered on 14.07.2005 having a life span of 2 years only insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV

Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 25

J1/937383/2024/ID

Applicant Absent. **Adjourned.**

Item No: 26

J1/949817/2024/ID

This is an application preferred by Sri. Ali V S for the grant of a fresh stage carriage permit on the route Thekkemala- Azhangadu The applicant has offered an old model bus bearing registration No. KL 6 D 882 which has been replaced and discarded being unfit for use. It is a 2005 model vehicle registered on 03.03.2006 having a life span of 2 years only insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety, comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 27

J1/981200/2024/ID

Heard the applicant Sri. George Mathew. He has applied for a sage carriage permit on the route Thodupuzha – Cheppukulam CSI. under section 66 of the Act offering a ‘suitable vehicle’ which does not have existence outside his own

imagination. He has not acquired the ownership of the vehicle so offered even at the time of consideration of the application today. The phase in section 66 (1) of the revised MV Act, 1988 stands out prominently to convey the idea that no person other than the owner of the vehicle is competent to apply for or obtain a permit.

The definition of the term 'permit' under section 2 (31) of the Act signifies the necessity of a motor vehicle in existence, either duly registered or not, for being authorized to be used as a transport vehicle. The provisions of rule 159 (2) of the KMV rules do not enjoin the transport authority to grant a permit to a non-existent vehicle.

Having regard to the aforesaid statutory provisions the application is **rejected**.

Item No: 28

J1/981192/2024/ID

This is an application preferred by Sri. Nisar V E for the grant of a fresh stage carriage permit on the route Thodupuzha - Cheenikuzhi. The applicant has offered an old model bus bearing registration No. KL 5 X7551 which has been replaced and discarded being unfit for use. It is a 2007 model vehicle having a life span of 3 years only insufficient to avail of the entire tenure of five years of permit, in case the permit is granted.

Grant of permit to the said out modelled vehicle will not advance safety and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a goby making cosmetic changes to the body of such vehicles. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. A stage carriage which is not covered by a certificate of fitness issued by an automated testing station cannot be deemed to be fit and suitable for stage carriage operation. In view of the above facts and circumstances the application is **rejected**.

Item No: 29**J1/981254/2024/ID**

Heard. This is an application preferred by Sri. Muhammed Faizal for grant of fresh permit on the route Irumpupalam-Adimaly. The applicant has offered stage carriage No. KL 50 F 848. The permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 30**J1/1003984/2025/ID**

This is an application for the grant of a fresh stage carriage permit preferred by Sri. George Mathew on the route Kattappana- Nedumkandom. The applicant has offered a vehicle bearing registration No. KL 35 B 5962. The time schedule furnish by the applicant requires modification so as to facilitate the plying of service between Kozhimala and Kattappana for all trips. Representations have been received to this effect. In view of such representations the applicant is requested to modify the time schedule and resubmit for consideration along with the registration particulars of the vehicle before the next meeting.

Adjourned.**Item No: 31****J1/1003964/2025/ID**

Heard. This is an application preferred by Smt. Jaya Sojan for grant of fresh permit on the route Cheruthoni-Vannappuram. The applicant has not offered any stage carriage for being granted with a stage carriage permit. As per the judgement the Hon'ble Supreme Court of in Mithilesh Gargh v/s Union of India (AIR 1992SC443) the transport authority is bound to take into consideration all the relevant factors including the particulars of the vehicle at the time of quasi-judicial consideration of the application for grant of permit. So it is decided to call upon the applicant to furnish all the particulars specified in section 70 (1) of the Act which is permissible under the judgement in Maharashtra SRTC v/s Manglur Pir transport company (1971 (2) SCC222). The route applied for comprises of more than three different routes falling apart from the main route which is impermissible. Therefore the applicant shall be required to specify one route of his choice and propose the time schedule in accordance with such route or routes falling within the main route. The matter is **adjourned**.

Item No: 32**J1/1013958/2025/ID**

Heard. This is an application preferred by Smt. Sobhiyamma Varghese for grant of fresh permit on the route Vandiperiyar- Thopramkudi. The applicant has offered stage carriage bearing No: KL 33C 5112 for being granted with a stage carriage permit. Permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Item No: 33**J1/1013844/2025/ID**

Heard. This is an application preferred by Sri. Suni Dileep, Aikkarathekkelthil, Erattayar for grant of fresh permit on the route Kattappana-Cheruthoni. The applicant has offered stage carriage bearing No: KL 16 E 6665 for being granted with a stage carriage permit. The said route is covered by virgin portions from Thankamani- Chelakkakavala for a distance 13 km and from Idijamala- Ambalamedu tea factory for a distance of 3.5 kms. Road fitness certificate shall be obtained. Call for the certificate from the concerned.

Adjourned.**Item No: 34****J1/1016508/2025/ID**

Heard. This is an application preferred by Sri. Jinumon Vakkachan for grant of fresh permit on the route Rajakkad- Cheruthoni. The applicant has not offered any stage carriage for being issued with a permit. Furnishing the details of a ready vehicle or the particulars thereof in the application is not mandatory. Having regard to various judgements of the High Court of Kerala permit is **granted** subject to the condition that the vehicle offered for service shall conform to AIS: 052 standards of bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. This authority is bound to give effect to the specification of the description of vehicles offered for stage carriage service under the provision of section 72 (2) of the Act and clause (x) thereof. The vehicle shall be of Type II category for inter-urban or inter-city operation so as to ensure minimum standards of safety and comforts of passengers.

Item No: 35

J1/1055746/2025/ID

Heard. This is an application preferred by Sri. Sunny Augustin for grant of fresh permit on the route Chelachuvadu-Thodupuzha. The applicant has not offered any stage carriage for being issued with a permit. Furnishing the details of a ready vehicle or the particulars thereof in the application is not mandatory. Having regard to various judgements of the High Court of Kerala permit is **granted** subject to the condition that the vehicle offered for service shall satisfy. AIS: 052 standards of bus body code prescribed under Rule 125(C) of CMV Rules, 1989 which has come into force from 01.10.2017. This authority is bound to give effect to the specification of the description of vehicles offered for stage carriage service. Under the provision of section 72 (2) of the Act and clause (x) thereof.

Item No: 36

J1/1018533/2024/ID

Applicant absent. **Adjourned.**

Item No: 37

J1/1031357/2025/ID

Heard. This is an application preferred by Sri. N M George for grant of fresh permit on the route Mankulam-Vytila Hub. He has offered KL 17 Y 5035 for being granted with a permit. Since the route falls within jurisdiction of RTA Muvattupuzha and Ernakulam. Concurrence shall be called for. **Adjourned.**

Item No: 38

J2/652161/2023/ID

Heard the applicant. This is an application preferred by Smt. Celina Scaria, Kozhuvakandathil for the renewal of permit in respect of bus KL38 G 4840 plying on the route Odiyapara-Kanjirappilly. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Item No: 39

J2/951094/2024/ID

Heard the applicant. This is an application preferred by **Sri. Rahul Tom** for the renewal of permit in respect of bus **KL34H3600** plying on the route **Kottayam-**

Nedumkandom. Operation of a stage carriage service with vehicle KL34 H 3600 the possession of which has been obtained under an agreement of lease with the registered owner the vehicle Sri. Siby Chandy is an eloquent proof the financial instability of the permit holder. However the actual possession and control of the vehicle has to be enquired into. The number of buses and the number of permits held by Siby Chandy need to be ascertained by the secretary. A portion of the route exceeding 20 km falls within the jurisdiction of RTA Kottayam. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

Adjourned.

Item No: 40

J2/854059/2024/ID

Heard the applicant. This is an application preferred by Managing Director, Kondody Motors Pvt. Ltd. for the renewal of permit in respect of bus KL05 BB 3176 plying on the route Kanakkari- Kattappana. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Item No: 41

J2/380/2024/ID

- i. Heard the applicant. This is an application preferred by Smt. Divya for the renewal of permit in respect of bus KL 44 F 1789 plying on the route Vytila Hub- Munnar. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. Since the joint application for transfer of permit preferred by Smt. Divya and Sri. Samuel CP is withdrawn, no further action is deemed necessary.

Item No: 42

J2/947424/2024/ID

- i. Heard the applicant. This is an application preferred by Sri. Abin George for the renewal of permit in respect of bus KL 06 L 3268 plying on the

route Thopramkudi-Changanassery. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

- ii. Heard Sri. Abin George applicant No 1, who is the holder the permit and Sri. Amal CV applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL06 L 3268 and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, payment or other considerations and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and statements the made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality shall be essentially enquired into in detail.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein duly accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application with in a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned.**

Item No: 43

J2/814905/2024/ID

- i. Heard. This is an application preferred by Sri. Habeeb P A for grant of renewal of permit on the route Kottayam-Nedumkadom. In respect of bus No. KL 06 L 4005. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

ii. Transfer of permit. Heard. Sri. Habeeb P A applicant No 1, who is the holder the permit and Sri. Justin Jolly applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL06 L 4005 and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). However we do not entertain any doubt about the trafficking in permit involved in this case. Therefore a detailed enquiry contemplated under Rule 178 (7) shall be carried out to ensure the bonafides of the application.

Simultaneously the applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/promissory note or any other document to prove the bonafides of the application with in a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 44

J2/775949/2024/ID

- i. Heard the applicant. This is an application preferred by Sri. Thomas George for the renewal of permit in respect of bus KL 37 E 1284 plying on the route Nedumkandom - Kottayam. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned**.
- ii. Transfer of permit. Heard. Sri. Thomas George applicant No 1, who is the holder the permit and Sri. Sebastain Joseph applicant No.2, who is the

proposed transferee in connection with the transfer of permit in respect of bus KL 37 E 1284 permitted to ply on the route Nedukandom - Kottayam.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality to the essentially enquired into in detail. However we do not entertain any doubt about the trafficking in permit involved in this case. The secretary shall cause a detailed enquiry as to the bonafides of the application and the propriety and legality of the application with particular reference to the matters laid down in Rule 172 (2) of KMV Rules.

Simultaneously the applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/promissory note or any other document to prove the bonafides of the application within a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 45

J2/966589/2024/ID

- i. Heard the applicant. This is an application preferred by Sri. Sony Kurian for the variation of permit in respect of bus KL 33 K 4520 plying on the route Cumbumettu- Changanassery. The existing route is sought to be varied as Puttady- Changanassery. Curtailment of route is involved in this case. Since no substantial changes in the existing time schedule is proposed the variation is **allowed**.
- ii. Heard the applicant for renewal of permit. The permit holder has applied for the renewal of the permit from 10.01.2025. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of

STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Item No: 46

J2/660369/2024/ID

- i. Heard the applicant. This is an application preferred by Sri. Benny Cherian for the renewal of permit in respect of bus KL 05 W 1308 plying on the route West Kodikulam- Thodupuzha. Renewal is **granted**.
- ii. The permit holder has applied for variation of the route as Koduvely Sangathimukku- Thodupuzha. The original route was granted by this authority taking into consideration the convenience of the travelling public. Though the field officer has reported that the proposed variation would benefit the public of the new-found route he has not adverted to the inconveniences that may be caused to the commuters of the original route owing to the variation proposed. There is no impediment for the permit holder to seek a fresh permit on the proposed varied route. This application for variation is a fit case to be treated as an application for a fresh permit. The matter is **adjourned** for consideration after the request as suggested is submitted by the applicant.

Item No: 47

J2/5059/2023/ID

The permit in respect of the bus no. KL 33 M 3310 had expired on 27.08.2012. The permit was renewed by the RTA on 17.12.2015. Current records and NOC from the financier were not produced within the statutory period of one month or the extended period of four months in the aggregate. Yet the authority condoned the delay and endorsed the renewal in the permit on 06.04.2018. The said action of the RTA was set-aside by the Revisional Authority vide order dtd. 29.04.2023 in MVARP no.171/2017 the necessary consequences of which are;

- i. The application for renewal of permit for the period 27.08.2017 to 27.08.2022 was incompetent and the grant thereof made by the RTA on

26.12.2018 is rendered void and hence is liable to be revoked. Accordingly the said grant of renewal is hereby **revoked**.

- ii. Stage carriage KL 33 M 3310 did not have any valid permit after 27.08.2012. In view of the setting aside of grant of renewal by the revisional authority.
- iii. Application dated 21.07.2022 for further renewal is also incompetent and hence **declined** the consideration.
- iv. There is no provision in the Act or Rules to issue permitless certificate keeping the permit under suspension or keeping the right of the permit holder to prosecute his application for renewal of permit. There is no need of issuing any permitless certificate since the permit itself will eloquently speak of the validity of the permit. Therefore the application for permitless certificate is incompetent and hence **rejected**.

Item No: 48

J3/1016997/2024/ID

Heard the applicant Sri. Saji Jacob in connection with his application for the renewal of permit in respect of bus KL 38 F 8871 plying on the route Santhanpara- Thodupuzha. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned**.

Item No: 49

J3/4201/2023/ID

Heard the applicant Sri. Binoj KK in connection with his application for the renewal of permit in respect of bus KL 38 F 6167 plying on the route Devikulam- Alwaye. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned**.

Item No: 50**J3/4201/2023/ID**

- i. Heard the applicant Sri. Raju Thomas, Kondodikkal in connection with his application for the renewal of permit in respect of bus KL 33K 6964 plying on the route Changanassery - Cumbummettu. NOC from HP company not produced call the same. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. Existing route is sought to be varied as Changanassery- Anakkara with a view to reduce the route length so as to conform to the provisions of Rule 2 (oa) of KMV Rules. But there is an embargo in the approved scheme GO(P)No.08/2017/Trans.dtd.23.03.2017 on any sort of variation of route in the case of a permit saved by the said scheme. Hence variation is **rejected.**
- iii. Transfer of permit: Considered the joint application submitted by the permit holder Sri. Raju Thomas Kondodikkal and Sri. Roshan Raju who is the son of the former. The applicants set out the reason of inconvenience and improper management of service in the hands of the permit holder and hence the proposed transfer of permit into the name of his son. This authority is satisfied that the application is bonafide as the permit holder proposes to transfer the permit to his son, probably out of love and affection. Hence **granted.**

Item No: 51**J3/310/2024/ID**

- i. Heard the applicant Sri. Subash Jobin connection with his application for the renewal of permit in respect of bus KL 33 K 8257 plying on the route Cumbummettu- Changanassery. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. The permit holder has applied for the variation of the said route Cumbummettu- Changanassery as Mandippara Changanassery. This is a saved permit by virtue of notification No.GO (P) No. 08/2017/Trans.

dtd.23.03.2017. There is an embargo on the variation of the route as per the provisions of the said scheme. Hence the variation is **rejected**.

Item No: 52**J4/547/2024/ID**

Heard the applicant **Sri. Harikrishnan V S** in connection with his application for the renewal of permit in respect of bus **KL 35 J 9156** plying on the route Balanpillacity- Kottayam. The application is in time. The route length is within the specified limit. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

Adjourned.**Item No: 53****J4/96/2024/ID**

Heard the applicant Sri. Biju Kurian in connection with his application for the renewal of permit in respect of bus KL 39G5895 plying on the route Irumbupalam-Adimaly. The delay in making the application for renewal is **condoned**. Renewal is **granted**.

Item No: 54**J3/1449/2022/ID**

- i. Heard the applicant Sri. Ajesh Thomas in connection with his application for the renewal of permit in respect of bus KL 69 D 9295 plying on the route Poopara- Vytila Hub. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. Transfer of permit. Heard Sri. Ajesh Thomas, the permit holder and Sri. Eldo Kuriakose the proposed transferee in connection with the joint application submitted by them seeking transfer of permit in respect of bus KL 69 D 9395 permitted to ply on the route Poopara- Vytila Hub. No tangible reasons have been set forth in the joint application. Without which transfer of permit cannot be permitted.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality shall be essentially enquired into in detail.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/promissory note or any other document to prove the bonafides of the application within a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 55

J3/1421/2022/ID

- i. Heard the applicant Sri. Maheshkumar in connection with his application for the renewal of permit in respect of bus KL 40 Q 5756 plying on the route Ernakulam-Koviloor. The application is in time. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned**.
- ii. The permit holder has applied for the variation of the said route Ernakulam-Koviloor as Vytila Hub-Munnar. The route length is not in contravention of the prescribed maximum route length. This application is also **adjourned** for reconsideration after carrying out a detailed enquiry in the matter by the secretary and in view of the litigations pending consideration before the appropriate forums.

Item No: 56

J2/803627/2024/ID

Heard Sri. Bijoy John applicant No 1, who is the holder the permit and Sri. Rasheed K I applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the

desire respectively of the permit holder to sell the vehicle KL 40 M 1015 plying on the route Thattakuzha- Thodupuzha and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour. The said vehicle is not owned by the permit holder. It is owned by Sri. Rasheed K. I.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promoting monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in Mithilesh

Gargh v/s Union of India (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No.105 Sri. Rasheed K I is the owner of the bus KL 33 C 9769 who leased out it to Sri Sony George for operation on the route Nedumkandom-Changanassery.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and section 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 57

J2/782396/2024/ID

Heard Smt. Philomina Sebastain applicant No 1, who is the holder the permit and Sri. Sony Joy applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL38 L 0673Plying on the route Kolani mosque- Erattupetta and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promote monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India (AIR 1992 SC 443)* The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No:72 : The permit held by Smt. Philomina Sebastain in respect of bus KL 38 K 9242 plying on the route Vannappuram- Erattupetta is sought to be transferred into the name of Mr. Sony Joy
- ii. Item No:44 (27.06.2025) Smt. Philomina Sebastian has sought for transfer of her permit in respect KL 44 B 99 on the route Vannappuram- Erattupetta in favour of Mrs. Celina Scaria.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and section 178 of the KMV Rules. Hence the application is **rejected**.

Heard Sri Dileepkumar AP applicant No 1, who is the holder the permit and Sri. Saji PR applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 17 S 0323. Plying on the route Cheruthoni - Kumily and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The

accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promote monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in Mithilesh Gargh v/s Union of India (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder Sri. Dileep Kumar and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No:33 the permit held by Smt. Suni Dileep w/o Dileep Kumar AP has applied for a fresh permit in respect of bus KL 16 E 6665 plying on the route Kattappana- Cheruthoni.
- ii. Item No: 12Dileepkumar AP has applied for a fresh permit without offering any vehicle for route Maniyaramkudi- Kattappana obviously to put such permit for sale in the trafficking in permit market.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 59

J2/881449/2024/ID

Heard Sri. A Thambiraju applicant No 1, who is the holder the permit and Sri. Navas CA applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 68 A 0942 permitted to ply on the route Adimaly- Munnar and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. 'Financial difficulty' or 'certainother inconvenience' is not sufficient reasons for entertaining the application for transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material

particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality need to be essentially enquired into in detail. Nothing of this sort was furnished before the secretary at the time of preliminary hearing.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application within a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 60

J2/798427/2024/ID

Heard Sri.Ashim K Basheer applicant No 1, who is the holder the permit and Sri. Amal C V applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 06 L 3299 plying on the routeKombayar- Kottayam and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies akin to death of permit holder or permanent disabilities of the permit holder, have not emerged warranting the transfer of permits. The proposed transferee is abroad who has already parted with the operation of the said permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling

permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits under the relevant provisions of the Act. The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promote monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India* (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today besides such occurrences on previous occasions.

- i. Item No: 64: The permit held by Ashim K Basheer in respect of bus KL 34 J 2057 plying on the route Thopramkudi- Kottayam is sought to be transferred into the name of Jestin James Cheriyam. Ashim K Basheer is seen to have filed a complaint against Justin James Cheriyam about certain financial transactions between them in connection with this transfer of permit. The said vehicle is possessed by Ashim K Basheer under lease agreement only.
- ii. Item No: 14 Mr. Ashim K Basheer has applied for a fresh permit on the route Kumily- Thodupuzha offering vehicle No: KL 33 L 3821.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 61**J2/647610/2023/ID**

Heard Sri.Asharaf Abubacker applicant No.1, who is the holder the permit and Sri. Biju Kurian applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 48 F 4950 plying on the route Adimaly- Pazhapillichal and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. Vehicle no KL 48 F 4950 is owned by one Mr. T A Haridasan and the same has been taken on lease by Mr. Asharaf Aboobacker.

Though the permit holder Sri. Asharaf Aboobacker has taken on lease vehicle no.KL 48 F 4950. No such agreement has been entered in the certificate of registration of the said vehicle under the provisions of section 51 (1) of the MV Act. The permit holder has no right to transfer the permit with the said vehicle to any other person without due agreement with the registered owner of the vehicle and third party mainly Biju Kurian. Moreover there is no proof on record that Sri. Biju Kurian has purchased the said vehicle. The whole transaction including the operation of vehicle under an unsubstantiated lease agreement, proposal to transfer of permit to a third party without the consent of the registered owner of the vehicle etc are all matters leading to our satisfaction that the case is one of trafficking in permit as held in the judgement in Udayanadhapani v/s STA Orissa (AIR 1993 Ori) Hence the application for transfer of permit is **rejected**.

Item No: 62**J2/739031/2024/ID**

Heard Smt. Rajani M R applicant No 1, who is the holder the permit and Sri Nizzar Basheer applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 38 A 3755 plying the route Thodupuzha - Odiyapara and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. 'Financial difficulty' or 'certain other inconvenience' is not sufficient reasons for entertaining the application for transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality need to be essentially enquired into in detail. Nothing of this sort was furnished before the secretary at the time initial hearing.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application within a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 63 J2/1001222/2025/ID

Heard Sri.Joseph Mundattil House applicant No 1, who is the holder the permit and Sri. Prasad Parameswaran applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 02 AE 0333 plying on the route Maniyanthram- Amayappara and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.
- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest.

The matter is adjourned.

Item No: 64

J2/934787/2024/ID

Heard Sri. Ashim K Basheer applicant No 1, who is the holder the permit and Sri. Jestin James Cheriyam applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 34 J

2058plying on the route Thopramkudi- Kottayam and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The transferee is also a necessary party to the trafficking in permit. The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No:60 The permit held by Ashim K Basheer in respect of bus KL 06 L 3299 plying on the route Kombayar- Kottayam is sought to be transferred into the name of Sri. Amal CV who is also active in buying permits.

- ii. Item No: 14 (04.03.2025) (04.03.2025) Mr. Ashim K Basheer has applied for a fresh permit on the route Kumily- Thodupuzha offering vehicle No: KL 33 L 3821
- iii. Item No: 42 the transferee Sri. Amal CV proposes to buy a permit in respect of KL 06 L 3268 running on the route Thopramkudi-Changanassery from Sri Abin George.
- iv. A complaint preferred by Sri. Ashim K Basheer against Jestin James Cheriyam alleging financial liabilities is another proof of illegal transactions in connection with the sale and purchase of permit.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 65

J2/887838/2024/ID

Heard the applicant Sri/Aby Paul in connection with the transfer of permit in respect of bus No KL 40 H 2677 permitted to ply on the route Aluva - Kattappanaconsequent to the death of the permit holder. The applicant Sri. Aby Paul is the legal successor of the deceased permit holder Smt. Leela Paulose. Therefore the application for transfer of permit is **permitted**.

Item No: 66

J2/913653/2024/ID

Heard the applicant Smt. Jameela Azis in connection with the transfer of permit in respect of bus No KL34 C 3820 permitted to ply on the route Thodupuzha- Peringassery consequent to the death of the permit holder. Azis Sahib The applicant is the legal successor of the deceased permit holder. Therefore the application for transfer of permit is **permitted**.

Item No: 67

J3/913595/2024/ID

Heard Sri. Aneesh Peethabaran applicant No 1, who is the holder the permit and Sri. Shaji N H applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 33 B 7896

plying on the route Mundanmudi- Thodupuzha and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations.

The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promoting monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India* (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No:74 The permit held by Basil Antony in respect of vehicle No. KL 17 S 5167 plying on the route Odiyapara- Kanjirappally is sought to be transferred into the name of Shaji NH

ii. Item No:22 Mr. Shaji NH applies for a fresh permit without offering any vehicle owned by him on the route Thodupuzha - Kumily with a view to accumulating more and more permits in his favour.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 68

J3/9135605/2024/ID

Heard. The permit holder Sri. Eldhose C Thomas and proposed transferee Sibi George, Nelikkattil in connection with the transfer of permit in respect of bus KL33 E 5519 permitted to plying on the route Vytila Hub- Munnar. The applicants have not set forth any reasons for the proposed transfer of permit

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promoting monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in Mithilesh Gargh v/s Union of India (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Additional item No: 61 Sri Sibi George has sought for transfer of permit in respect of bus KL 07 B X 9686 on the route Munnar- Alwaye in favour of Saji Jacob.
- ii. The permit holder has executed a deed of the power of attorney in favour of Sri. Suresh Narayanan, inter alia, authorising the power of attorney holder to conduct stage carriage services for and on behalf of the permit holder. The permit holder has entered into another agreement with Sibi George for the transfer of permit in favour of Sibi George.

The permit holder cannot in law allow his power of attorney holder to exploit the permit by running the bus service. There is no statutory provision in the Act to confer the right of the permit holder on any other person to operate bus service without the permission of the transport authority. The agreement if any in the power of attorney deed is clearly contrary to the Act and therefore cannot be enforced as held in Brige Mohan Parihar v MP SRTC (1987 (1) SCC 13

This authority is satisfied that the proposed transfer is with an intention to earn undue profits an advantages arising out of the said transfer and that it is not in accordance with the provisions of section 82 of the MV Act and therefore **rejected**.

Item No: 69

J3/984508/2024/ID

Heard Sri. Fasal Rasheed applicant No 1, who is the holder of the permit in respect of stage carriage KL 33 B 6772 operating on the route Matamba-Mundakkayam and Sri. Sasikumar applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

It is open to the permit holder to resort to the provisions of Rules 183 and 217 of KMV Rules in case of default of service or his inability to discharge his obligations as a holder of a stage carriage permit. On hearing the applicants it is felt that this is a fit case for treating the application as if it were an application for a new permit under section 70 of the MV Act as laid down in rule 178 (4) of KMV rules. Decision is **deferred** until the request of the applicants is received.

Item No: 70

J4/37789/2023/ID

Heard Sri. Rajagopal K applicant No 1, who is the holder the permit and Sri. Dileep Alavudeen applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 38 G 8750 plying on the route Muvattupuzha-Thopramkudi and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a

mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The indulgence of the permit holder in particular and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No: 71 Wherein the permit holder Sri. Rajagopal K has entered into an agreement to transfer the permit in respect of bus KL 33 G 7789 plying on the route Muvattupuzha- Thopramkudi to Dileep Alavudeen
- ii. Item No: 79 The permit holder Sri. Dileep Alavudeen has proposed to transfer the permit to Jyothis Babu in respect of bus KL 38 F 9095 permitted to run on the route Thodupuzha- Kumily.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 71

J4/6488/2025/ID

Heard Sri. Rajagopal K applicant No 1, who is the holder the permit and Sri. Dileep Alavudeen applicant No.2, who is the proposed transferee in relation the vehicle KL 38G7789 plying on the route Muvattupuzha-Thopramkudi. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 38 G 7789 and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No: 70 The permit held by K Rajagopal in respect of bus KL 38 G 8750 plying on the route Muvattupuzha – Thopramkudi is sought to be transferred into the name of Dileep Alavudeen.
- ii. Item No: 79 The permit holder Sri. Dileep Alavudeen has proposed to transfer the permit in respect of Bus KL 38 F 9095 permitted to run on the route Thodupuzha- Kumily to Jyothis Babu

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Item No: 72

J4/782406/2024/ID

Heard Smt. Philomina Sebastain applicant No 1, who is the holder the permit and Sri. Sony Joy applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except

the desire respectively of the permit holder to sell the vehicle KL 38 K 9242 plying on the route Vannappuram-Erattupetta and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour. No tangible reasons have been set forth in the joint application.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.

- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest.

The matter is adjourned.

Item No: 73

J4/6456/2024/ID

Heard Sri. Smt. Prasannakumari B C applicant No 1, is the holder the permit and Sri. Sibin George, Pottipalam applicant No.2, is the proposed transferee. No reasons for the proposed transfer of permit in respect of KL 40 D 9192 permitted to ply on the route Pala- Moolamattom has been set out in the joint application.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

It is open to the permit holder to resort to the provisions of Rules 183 and 217 of KMV Rules in case of default of service or inability to discharge his obligations as a holder of a stage carriage permit. On hearing the applicants it is felt that this is a fit case for treating the application as if it were an application for a new permit as laid down in Rule 178 (4) of KMV Rules. Decision is **deferred** until the request of the applicants for the purpose is received.

Item No: 74

J4/668849/2024/ID

Heard Sri. Basil Antony applicant No 1, who is the holder the permit and Sri. Shaji NH applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 17 S 5167 plying on the route Odiyappa- Kanjirappilly and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No. 67: The proposed transferee Shaji NH has entered into an agreement with Aneesh Peethambaran who is the permit holder of bus KL 33 B 7896 plying on the route Mundanmudi- Thodupuzha for transferring permit in the name of Shaji NH.
- ii. Item No.22: Shaji N H seeks for a new permit on the route Thodupuzha- Kumily. The vehicle offered by him KL 38 C 3887 is owned by Anas CV. The bus which was offered by him in the application viz KL 37 B 5050 was also not owned by him but by another person Sruthy Subash.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. It is a clear case of trafficking in permit. Hence the application is **rejected**.

Heard Sri. Jijo Augusty, Thevarkunnel applicant No 1, who is the holder the permit and Sri. Josy John, Padinjarekkannett applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application. The permit holder is abroad. He has executed a power of attorney in favour of Josy John and handedover the possession of the vehicle to the power of attorney holder for operating stage carriage service. The right to operate stage carriage service cannot be conformed on a power of attorney holder under the provisions of sections 66 (1) or 82 of the Act as held in Brij Mohan Parhar v MP SRTC (1987 (1) SCC13.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and section 178 of the KMV Rules. It is a clear case of trafficking in permit. Hence the application is **rejected**. The secretary will initiate action under section 86 (1) (c) of the Motor Vehicles Act against the permit holder.

Heard Smt. Fathimuthu Beevi applicant No 1, who is the holder the permit and Smt. Rosemary applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 33 Q 9774 plying on the route Thankamani-Kottayam and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.
- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest.

The matter is adjourned.

Item N : 77

J3/1029590/2025/ID

Heard the applicants Sri. Priyadarshan A J Arackal House and Smt. Rekha A S in connection with the transfer of permit in respect of bus No. KL 44E5679 permitted to ply on the route Pooppara Vytila Hub on account of the necessity to transfer the permit to the near-relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his wife

with a view to maintaining the service more efficiently and in accordance with law. The said application appears to be bonafide and hence transfer of permit is **allowed**.

Item No: 78

J3/4447/2022/ID

Heard Smt. Rani George applicant No 1, who is the holder the permit and Sri Leena Binoy applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL37 D5072 plying on the route Kuzhitholu- Changanassery and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. No reasons for the proposed transfer of the permit have been set out in the application.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality have to be essentially enquired into in detail. Nothing of this sort was furnished before the secretary at the time of hearing.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application with in a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Item No: 79

J3/1033596/2025/ID

Heard Sri. Dileep Alavudeen applicant No 1, who is the holder the permit and Sri. Jyothis Babu applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except

the desire respectively of the permit holder to sell the vehicle KL 38 F 9095 plying on the route Thodupuzha - Kumily and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promoting monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India* (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The conduct of the permit holder and the transferee often engaging in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No. 70: The permit held by Rajagopal K in respect of bus KL 38 8780 plying on the route Muvattupuzha - Thopramkudi is sought to be transferred into the name of Dileep Alavudeen.
- ii. Item No. 71: The permit holder Rajagopal K entered into an agreement with Dileep Alavudeen for transfer of permit in respect of Bus KL 37 G 7789.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. This is a clear case of trafficking in permit. Hence the application is **rejected**.

Item No: 80**J3/968944/2025/ID**

Heard the applicants Sri. Jijo Vackkachan and Smt. Anumol Joseph in connection with the transfer of permit in respect of bus No KL 17 P 8133 permitted to ply on the route Adimaly – Cheruthoni on account of the necessity to transfer the permit to the near-relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his wife with a view to maintaining the service more efficiently and in accordance with law. The said application appears to be bonafide and hence transfer of permit is **allowed**.

Item No: 81**J3/913616/2024/ID**

Heard the applicant Smt.Jameela Aziz in connection with the transfer of permit in respect of bus No KL 38 E 5849 permitted to ply on the route Peringassery Thodupuzha on account of the death of the permit holder Aziz Sahib. The applicant is the legal successor of the deceased permit holder. Therefore the application for transfer of permit is **permitted**.

Heard the applicant Sri/Smt Jameela Aziz in connection with the transfer of permit in respect of bus No KL 38 E 9425 permitted to ply on the route CSI Church - Thodupuzha consequent to the death of the permit holder. Aziz Sahib, The applicant is the legal successor of the deceased permit holder. Therefore the application for transfer of permit is **permitted**.

Heard Sri. Sibi K George applicant No 1, who is the holder the permit and Sri. Sabu Philip applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 34 D 7906 plying on the route Nedumkadom – Kottaym and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. ‘certaininconvenience’ is not a sufficient reason for entertaining the application for transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality need to be essentially enquired into in detail. Nothing of this sort has been disclosed before the Secretary RTA at the time of hearing.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application with in a period of two weeks for being considered in the next

meeting of this authority. In the alternative the permit holder can embark on the provisions of rules 152 and 183 of KMV Rules. The matter is **adjourned**.

Item No: 84

J4/851159/2024/ID

Heard Sri. Subin Jose applicant No 1, who is the holder the permit and Sri. Shinto K C applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 38 H 9375 plying on the route Nedumkandom- Munnar and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority 'certain inconvenience' is no sufficient ground for granting the transfer of permit under section 82 of the Act

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). Nothing of this sort was furnished before the secretary at the time of preliminary hearing.

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.

- c) Whether the disclosures made if any under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their previous involvements in such matters.
- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest or with the motive of unlawful gains out of the proposed transfer.

The matter is adjourned.

Item No: 85

J4/37789/2023/ID

Heard Sri. Thomas George Kondodickal applicant No 1, who is the holder the permit and Sri. Shince Sebastian Joseph applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL37 D 7052 plying on the route Nedumkandom- Kottatamand the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. Even at the time of hearing today the applicants have not disclosed any reasons for the proposed transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down

in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.
- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest or with the sole motive of unlawful gains arising out of the proposed transfer.

The matter is adjourned.

Item No: 86

J4/787069/2024/ID

Heard Sri.Tomy Jose applicant No 1, who is the holder the permit and Sri. Alex M Thomas applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 33 E 6595 on the route Changanassery-Thankachankada and the proposed transferee to purchase the same provided the transfer of permit is allowed by

the authority. The reasons furnished the permit holder is that he desires to part with the vehicle with permit because he is unable to maintain the service and that he has some other business is not sufficient reasons for entertaining the application for transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

It appears that no earnest efforts have been made under Rule 178 (7) to ensure the bonafides of the application and its propriety and legality. Rule 178 provides for a clear cut formula and procedure in the matter of transfer of permit. Therefore a detailed enquiry by the secretary is deemed necessary on the following:-

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.

- f) The bonafides of the application with reference to all matters dealt with in Rule 178.
- g) Whether the proposed transfer is in public interest.

The matter is adjourned.

Item No: 87

J2/838194/2024/ID

Variation of regular stage carriage permit in respect of bus KL 44 F 1445 on the existing route Peringassery- Adimaly is sought to be varied as Muthalakodam- Adimaly. Variation is **allowed**.

Item No: 88

J2/845261/2024/ID

Variation applied for is **allowed**.

Item No: 89

J4/3645/2023/ID

The permit in respect of stage carriage KL 38 C 6069 on the route Thopramkudi- Thodupuzha was granted by the RTA taking into consideration the convenience and advantages to the travelling public in and around the said route. Any change in the route by variation is likely to affect the convenience of the commuters. It seems that the field officer has lost sight of this fact. The proposed variation may be beneficial to the passengers of the new-found-route but it shall not be at the cost of inconvenience of the commuters of the original route. There is no case that any new circumstances specified in subsections (6) or (7) of Rule 145 has ever arisen warranting the variation applied for. The attempt of the permit holder is a part of his experiments as to how to enrich his own commercial interests. It does not appear to be in public interest. Therefore the application is **rejected**.

Item No: 90

J4/1023902/2025/ID

The permit in respect of stage carriage KL 34 A 6022 operatingon the route Vannappuram- Thodupuzha was granted by the RTA taking into consideration the convenience and advantages to the travelling public in and around the said route. Any change in the route by variation is likely to affect the convenience of the commuters. It seems that the field officer has lost sight of this fact. The

proposed variation may be beneficial to the passengers of the new-found-route but it shall not be at the cost of inconvenience of the commuters of the original route. There is no case that any new circumstances specified in subsections (6) or (7) of Rule 145 have ever arisen warranting the variation applied for. The attempt of the permit holder is a part of his experiments as to how to enrich his own commercial interests. It does not appear to be in public interest. Therefore the application is **rejected**.

Item No: 91

J4/947121/2024/ID

The permit in respect of stage carriage KL 36 B 6696 operating on the route Malayinchi- Thodupuzha was granted by the RTA taking into consideration the convenience and advantages to the travelling public in and around the said route. Any change in the route by variation is likely to affect the convenience of the commuters. It seems that the field officer has lost sight of this fact. The proposed variation may be beneficial to the passengers of the new-found-route but it shall not be at the cost of inconvenience of the commuters of the original route. There is no case that any new circumstances specified in subsections (6) or (7) of Rule 145 have ever arisen warranting the variation applied for. The request of the permit holder is a part of his ingenious attempt to enrich his own commercial interests. It does not appear to be in public interest. Therefore the application is **rejected**.

Item No: 92

J3/795763/2024/ID

The permit in respect of stage carriage KL 44 D 6606 operating on the route Nedumkandom-Muvattupuzha was granted by the RTA taking into consideration the convenience and advantages of the travelling public in and around the said route. Any change in the route by variation is likely to affect the convenience of the commuters. It seems that the field officer has lost sight of this fact. The proposed variation may be beneficial to the passengers of the new-found-route but it shall not be at the cost of inconvenience of the commuters of the original route. There is no case that any new circumstances specified in subsections (6) or (7) of Rule 145 have ever arisen warranting the variation applied for. The attempt of the permit holder is borne out of his

ingenious attempts to enrich his own commercial interests. It does not appear to be in public interest. Moreover the variation sought for involves change in the termini and increase in the number of trips. Therefore it is proposed to treat this application as an application for a new permit. Necessary enquiry will be made and the matter taken up for appropriate consideration in the next meeting under intimation to the applicant. The matter is **adjourned**.

Item No: 93

J3/780673/2024/ID

The permit in respect of stage carriage KL 34 B 5004 operating on the route Nellippara- Kothappara was granted by the RTA taking into consideration the convenience and advantages of the travelling public in and around the said route. Any change in the route by variation is likely to affect the convenience of the commuters. It seems that the field officer has lost sight of this fact. The proposed variation may be beneficial to the passengers of the new-found-route but it shall not be at the cost of inconvenience of the commuters of the original route. There is no case that any circumstances specified in subsections (6) or (7) of Rule 145 have ever arisen warranting the variation applied for. The attempt of the permit holder is a part of his experiments as to how to enrich his own commercial interests. It does not appear to be in public interest. Moreover the variation sought for involves change in the termini and increase in the number of trips. Therefore it is proposed to treat this application as an application for a new permit. Necessary enquiry will be made and the matter taken up for appropriate consideration in the next meeting under intimation to the applicant. The matter is **adjourned**.

Item No: 94

J1/950292/2024/ID

Concurrence **granted**

Item No: 95

J3/950252/2025/ID

Concurrence **granted**

Item No: 96

J1/1013284/2025/ID

Concurrence **granted**

Item No: 97

J1/950269/2024/ID

Concurrence **granted**

Item No: 98**J2/775/2024/ID**

The grant of renewal and variation of permit in respect of bus KL 17 S2903 on the route Ernakulam – Kanthalloor by the RTA on 15.07.2024 is **revoked**.

Item No: 99**J1/5862/2022/ID**

Grant of regular permit by the RTA on 17.08.2023 is **revoked**.

Item No: 100**J1/2978/2023/ID**

Grant of regular permit by the RTA on 17.08.2023 is **revoked**.

Item No: 101**J1/3576/2023/ID**

Grant of regular permit by the RTA on 17.08.2023 is **revoked**.

Item No: 102**J1/3597/2023/ID**

Grant of regular permit by the RTA on 17.08.2023 is **revoked**.

Item No: 103**J1/2999/2023/ID**

Grant of regular permit by the RTA on 17.08.2023 is **revoked**.

Item No: 104**J2/4231/2024/ID**

The permit holder in respect of bus KL 05 AJ 4231 has withdrawn the application filed for variation of the permit. The request is **allowed**.

Item No: 105**J4/4345/2022/ID**

Heard the counsel. Perused the judgement and order in MP No. 3233/2024 in MVAA 286/2024. This is a case where the transfer of permit granted by the RTA on 11.01.2023 in respect of bus KL 33 C 9769 permitted to operate on the route Nedumkandom-Changanassery from Sony George to Mr. Ajumon was revoked on 17.08.2023. The permit holder expired on 30.09.2023. Neither the deceased permit holder nor his legal successors have made any application on

10.10.2024 for the renewal of permit or temporary permit. Smt. Leelamma Sony who is the wife of the permit holder also died long before. The said vehicle is owned by Sri Rasheed K I.

Sri. Leo Sony son of the deceased permit holder stated to the enquiry officer and also put in writing that none of his family members has had such a stage carriage vehicle in operation and that he has not made any application for renewal of permit or temporary permit. The medical certificate in respect of the deceased permit holder seems to be a false and fabricated document. The enquiry officer has reported that the said vehicle is in possession of Mr. Rasheed K I who is the registered owner of above said vehicle. RTA on 17.08.2024 rejected the request for maximum time for production of current records for availing the transfer of permit. But Ajumon has now made an application for renewal of the permit for a period of 5 years from 11.10.2024. The RTA has refused the renewal and application for temporary permits since Mr. Ajumon was not the 'holder of a permit' and the vehicle no. KL33 C 9769 was detached from the permit. There is no provision in the Motor vehicles Act and Rules to extend the time for production of records in the case of endorsement of transfer in the permit. The joint application submitted for transfer of permit, application for renewal of permit and for grant of temporary permit, the medical certificate produced and the possession of the vehicle and its operation are all fraught with false hood which amounts to fraud and misrepresentation of facts. The matter attracts a detailed enquiry and action under BNS and other criminal laws. The secretary shall file a complaint before the appropriate police authority requesting further action. The registered owner of vehicle KL 33 C 9769 Sri. K I Rasheed is not entitled to seek renewal of permit or service on the route as if he were the holder of the permit. He is in the habit of leasing of vehicles as is evident in item no. 56 he has leased out another vehicle KL 40 M 1015 to Sri. Binoy John to ply on the route Thattakkuzha- Thodupuzha.

Item No: 106

J4/KL24080251478592/2024/ID

Ratified.

Item No: 107**J4/861832/2024/ID**

Proper course of action is to await the completion of the ongoing work.

Item No: 108**J4/854069/2024/ID**

For the time being the existing bus stop will continue without any change

Item No: 109

All action taken by secretary, RTA Idukki under delegated powers are **ratified**.

Item No: 110

No other item allowed by Chairperson

Item No: 111

Next meeting on: Not decided

Additional Item No: 1**J1/5327/2022/ID**

Applicant Absent. **Adjourned.**

Additional Item No: 2**J1/819029/2024/ID**

a. Heard the applicant for fresh stage carriage permit on the route Kanthalloor-Koviloor. The applicant Sri. Sujith KB has offered vehicle KL 37 2688. The vehicle is said to have been taken on lease agreement. But no such agreement has been recorded in the registration certificate of vehicle no. KL 37 2688 as laid down in section 51 (1) of MV Act. The same is owned by Linson Antony.

A vehicle the subject matter of a lease agreement is not entitled to be granted with a permit as held in Bhaskaran v RTA Aleppy (2003 (1) KLT 106).

b. The facts in this case are significantly different from those dealt with in Jaffer v/s Usman, relied on by the applicant and referred to in WP(C) No.44381/2024. In that case the court was dealing with renewal of permit and replacement of vehicle and not consideration of application for fresh permit and the grant of permit.

c. The vehicle offered by the applicant KL 37 2688 is a 2007 model vehicle. This out-modelled vehicle will not advance safety, and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been at the most given a go-by making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125 (C) of CMV Rules, 1989 which has come into effect from 01.10.2017. The stage carriage offered by the applicant is not covered by a certificate of fitness issued by an automated testing station and it cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by the automated testing station. In view of the above facts and circumstances the application is **rejected**.

Under the circumstance application for temporary permit is also **rejected**.

Under the circumstance the application for TP is also **rejected**.

Additional Item No: 3

J1/1028371/2025/ID

Heard the applicant for fresh stage carriage permit on the route Edatharamukku- Nedumkandom. The applicant Sri. Harilal G has offered vehicle No. KL 40 4242 for the grant of permit. The said vehicle is 2006 model. This out-modelled vehicle will not advance safety, and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a go-by making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052

standards bus body code prescribed under Rule 125 (C) of CMV Rules, 1989 which has come into effect from 01.10.2017. The stage carriage offered by the applicant is not covered by a certificate of fitness issued by an automated testing station and it cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by such authority. Therefore the application is **rejected**.

Additional Item No: 4

J1/1028259/2025/ID

Heard the applicant. Sri Abeesh T S who has applied for a fresh stage carriage permit on the route Phennathoor- Thodupuzha for a period of five years. He has not offered any vehicle or the particulars of any vehicle in his application under section 70 of the MV Act. Admittedly it is not mandatory on the part of the applicant to furnish the above particulars at the time of making the application. But it is necessary for the RTA to consider all relevant matters before granting the permit as held by the Hon'ble Supreme Court in Mithlesh Gargh v/s union of India (1992 SC 443). A Full Bench of the High Court of Kerala has in Narayanan v/s RTA Thrissur (1980 KLT 249 (FB) reiterated that the relevant date that is material for consideration of the application is not the anterior date or the subsequent date, but the date on which the matter is taken up for consideration thereby meaning that on the date of consideration of the application all the necessary particulars required by section 70 (1) and Forum Pst SA shall be made available before the RTA for an appropriate and full consideration of the application. Moreover the applicant Sri. Abeesh T S is not the owner the vehicle offered by him and hence in competent to obtain a permit as per the provisions of section 66 (10 of the Act. Rule 159 (2) does not have any application in the consideration of the application for permit or grant of fresh permit.

In spite of the above said legal position this authority considered the application following the common decision in WP(C) No. 43281/2024 dtd.28.01.2025 of the High Court of Kerala and it is decided to **grant** the permit subject to the production of a stage carriage conforming to AIS:052 standards in terms of Rule 125 (C) of CMV rules 1989 which deals with code of practise for Bus body design and approval so as to ensure the minimum

standards of safety and comfort of passengers and subject to settlement of timings which shall be in accordance with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Additional Item No: 5

J1/1028235/2025/ID

Heard the applicant. Sri Anil Mathew who has applied for a fresh stage carriage permit on the route Cheppukulam- Thodupuzha for a period of five years. He had not offered any vehicle or the particulars of any vehicle in his application under section 70 of the MV Act. But at the time of consideration he offered a vehicle bearing registration number KL 38 D 8925. Permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Additional Item No: 6

J1/1029719/2025/ID

Heard the applicant. Sri Priyadarshan A J who has applied for a fresh stage carriage permit on the route Pooppara- Aluva as LSOS for a period of five years. He had not offered any vehicle or the particulars of any vehicle in his application under section 70 of the MV Act. But at the time of consideration he offered a vehicle bearing registration number KL 44 A 3949.

This applicant is often indulged in trafficking in permits according to various objections raised before us.

In view of the allegations particularly with reference to the transfer of permits by the RTA Muvattupuzha and various applications brought up before this authority vide Item No. 77 etc a detailed enquiry on the following is deemed necessary.

- a. The number and details of the stage carriage permits held by this applicant during the period of last three years.
- b. The source of grant or acquisition of permit by transfer.
- c. The number of permits transferred to other persons by this applicant during the said period of 3 years.

- d. Whether the applicant has ever indulged himself in trafficking in permit with the sole motive of profit or undue gains out of the transfer of permit made if any.
- e. The contraventions of the provisions of the MV Act and rules if any committed by this applicant during the above period of 3 years.

The matter is **adjourned**.

Additional Item No: 7

J1/1042576/2025/ID

Heard the applicant. Smt. Aiswarya T R who has applied for a fresh stage carriage permit on the route Thekkemmala- Mundakkayam for a period of five years. She has offered the vehicle KL 03 L 3876 which is a 2004 model vehicle. This out-modelled vehicle will not advance safety, and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a go-by making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125 (C) of CMV Rules, 1989 which has come into effect from 01.10.2017. The stage carriage offered by the applicant is not covered by a certificate of fitness issued by an automated testing station and it cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by such authority. Therefore the application is **rejected**.

Additional Item No: 8

J1/1042859/2025/ID

Heard the applicant. Sri. AM Ashraf who has applied for a fresh stage carriage permit on the route Elappara-Dharmavali for a period of five years. He has offered the vehicle KL 07 BL 1747. This is an intra district route. Permit is **granted** subject to settlement of timings which shall be in conformity with the

provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Additional Item No: 9

J1/1044659/2025/ID

Heard the applicant. Sri. Shijo Kuriakose who has applied for a fresh stage carriage permit on the route Vazhithala- Thodupuzha for a period of five years. He has offered the vehicle KL 05 V 9777.

It has a life span of only 3 years insufficient to avail of the entire tenure of the permit. The said vehicle is 2006 model. This out-modelled vehicle will not advance safety, and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a go-by making cosmetic changes to the body of such vehicles. The use of such vehicles would pose a great threat to public safety and convenience and environmental protection. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125 (C) of CMV Rules, 1989 which has come into effect from 01.10.2017. The stage carriage offered by the applicant is not covered by a certificate of fitness issued by an automated testing station and it cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by automated testing stations. Therefore the application is **rejected**.

Additional Item No: 10

J1/1053090/2025/ID

Heard the applicant. Sri. Johny Scaria. It appears that he has applied for a fresh permit in respect of the route Kuttikkanam- Nedumkandom in respect of a 'suitable vehicle' under section 66 of the Act. He has not offered any vehicle even at the time of hearing today. No person other than the owner the vehicle is competent to make an application for a permit or obtain a permit under section 66 (1). The applicant does not own the vehicle and therefore the application is **rejected**.

Additional Item No: 11**J1/1061755/2025/ID**

Heard the applicant. Sri. K C Jose who has applied for a fresh stage carriage permit on the route Thopramkudi- Ettumanoor via Cheruthoni, Kulamavu, Moolamattom, Muttom Thodupuzha, Kolani, Karimkunnam, Kurinji, Pala and Kidangoor. He has offered a vehicle bearing registration No KL 13 T 9369 which is an old model vehicle.

The route applied for is hit by an approved scheme of nationalisation published in notification GO(P) 8/2017/Tran.dtd 23.03.2017 in as much as the said route overlaps the notified route Kottayam - Kattappana from Cheruthoni to Ettumanoor. Therefore application is **rejected**.

Additional Item No: 12**J1/1062533/2025/ID**

Heard the applicant. Sri. Jojimon Jose who has applied for a fresh stage carriage permit on the route Upputhara- Nedumkadom. The applicant has at the time of hearing today offered a vehicle bearing registration No. KL06 D 7744 which is a 2007 model vehicle. It has a life span of only 3 years only which is insufficient to avail of the entire tenure of the permit of five years. This out-modelled vehicle will not advance safety, and comforts of travelling public especially on the ghat roads or hilly terrains of Idukki district. Use of buses with noisy engines, old upholstery, uncomfortable seats and continuous emission of black smoke from the exhaust pipe was the order of the olden days only. The use of such a vehicle would pose a great threat to public safety and convenience and environmental protection. It is not in public interest to grant permits to such vehicles the statutory requirements of which have been given a go-by making cosmetic changes to the body of such vehicles. We are not inclined to grant new permits to vehicles which do not satisfy AIS: 052 standards bus body code prescribed under Rule 125 (C) of CMV Rules, 1989 which has come into effect from 01.10.2017. The stage carriage offered by the applicant is not covered by a certificate of fitness issued by an automated testing station and it cannot be deemed to be fit and suitable for stage carriage operation unless and until it is tested and certified by such authority. Therefore the application is **rejected**.

Additional Item No: 13**J1/1064371/2025/ID**

Heard the applicant. Sri. KN Manoj who has applied for a fresh stage carriage permit on the route Anakkulam- Poopara via Mankulam, Kallar, Adimaly, Anachal, Kunjithanny and Rajakkad as ordinary service. He has not offered any vehicle for being granted with a permit. In view of the common judgement in WP(C) No. 43281/2024 dtd. 28.01.2025 prospects of providing an efficient stage carriage service between the tourist centre Anakkulam and Poopara permit is **granted** subject to the following conditions.

- i. The vehicle offered by the applicant shall type II conform to AIS:052 standards relating to bus body code specified under Rule 125- C of the Central Motor Vehicles Rules.
- ii. The time Schedule shall be settled in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules after hearing the interested persons.
- iii. The vehicle shall be of Type II category for inter- urban or inter- city operation so as to achieve the minimum standards of safety and comforts of passengers.

Additional Item No: 14**J1/1071982/2025/ID**

Heard the applicant. Sri. Alan Das who has applied for a fresh stage carriage permit on the route Adimaly - Poopara touching Chemmannar via Iruttukanam, Anachal, Kunjithanny, Rajakkad, Mangathotty, Senapathy, Santhapara, Baisonmaly, Rajakumari and Kuthungal as ordinary service. The applicant has offered a vehicle for bearing registration No. KL 08 BF 3040. Permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Additional Item No: 15**J1/1080426/2025/ID**

Heard the applicant. Sri. Mathew Scaria, Puthiyaparambil who has applied for a fresh stage carriage permit on the route Anakkallu- Rajakkad . The route is not specific and it seems that there are more than three routes falling out of the main route with six termini. The proposed route covers virgin portion from

Senapathi- Rajakumari. The applicant is given an opportunity to specify the route of his choice and furnish a set of timings for notification in the office of the secretary within a period of one month after which the matter will be taken up for consideration. In the meantime road fitness certificate also be called for.

Adjourned.

Additional Item No: 16

J1/1087053/2025/ID

Applicant absent. **Adjourned.**

Additional Item No: 17

J1/1113941/2025/ID

Heard the applicant. Sri. Amal Manglam, who has applied for a fresh stage carriage permit on the route Vannapuram- Pothanicad. Since a portion of the route falls within the jurisdiction of RTA Muvattupuzha concurrence shall be sought for from RTA Muvattupuzha. **Adjourned.**

Additional Item No: 18

J1/1129614/2025/ID

Heard the applicant. Sri. Joy AP who has applied for a fresh stage carriage permit on the route Munnar-Kumily. The applicant expressed his willingness to withdraw this application in view of the consideration of another application in item No. 19 of this agenda wherein he has offered a ready vehicle. Under the circumstances no further action is deemed necessary.

Additional Item No: 19

J1/2998/2023/ID

Heard the applicant. Sri. Joy AP who has applied for a fresh stage carriage permit on the route Adimaly-Kumily. He has offered a vehicle bearing registration No. KL 36 B 7400. Permit is **granted** subject to settlement of timings in conformity with the provisions of sections 91 of MV Act and 13 of The Motor Transport Workers Act and rule 188 of KMV rules.

Additional Item No: 20

J2/1090550/2025/ID

Heard the applicant. Sri. Santhosh T, Pattappathy in connection with the renewal of permit in respect of bus KL 12 G 1009 permitted to operate on the route Vazhakulam- Muthalakodam. The permit expired on 20.02.2025. The application for renewal of permit was made only on 14.03.2025. The permit

holder has requested to condone the delay and consider the application. Delay is **condoned**. Renewal is **granted**.

Additional Item No: 21

J2/1161094/2025/ID

Heard the applicant. Sri. Dishil Joy in connection with the renewal of permit in respect of bus KL 63 D 4276 permitted to operate on the route Thodupuzha - Panikkankudi. The permit expired on 11.05.2025. The application for renewal of permit was made only on 09.05.2025. The permit holder has requested to condone the delay and consider the application. Delay is **condoned**. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

Adjourned.

Additional Item No: 22

J2/647603/2023/ID

Heard the applicant. Sri. Shaji MK, Makkollil house in connection with the renewal of permit in respect of bus KL 38 F 3177 permitted to operate on the route Thodupuzha- Nedumkandom. The permit expired in 14.01.2024. Application for renewal was made in time. No application has been received for the variation of the route by deviation through Kaltharkuzhy. Renewal of permit is **granted**.

Additional Item No: 23

J2/1123833/2025/ID

Heard the applicant. Smt. Jameela Aziz, Kanjirathingal house in connection with the renewal of permit in respect of bus KL 34 C 3820 permitted to operate on the route Thodupuzha – Peringassery. Permit was valid up to 15.05.2025. The application for renewal was in time. Renewal is **granted**. Since the application was made by legal successor of the deceased permit holder Sri. Aziz Saheeb (Transfer of permit allowed vide item No. 66 of this agenda).

Additional Item No: 24

J2/1024669/2025/ID

Heard the applicant. Sri. Sanoj Sukumaran in connection with the renewal of permit in respect of bus KL 42 0387 permitted to operate on the route Thennathoor- Vazhakulam. Permit was valid up to 09.02.2025. The application

was in time. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 25

J2/1161073/2025/ID

Heard the applicant. Sri. Jabin Mathew in connection with the renewal of permit in respect of bus KL 06 H 3325 permitted to operate on the route Chemmannar- Thodupuzha. Permit was valid up to 06.06.2025. The application was made in time. Renewal **granted.**

Additional Item No: 26

J2/1057417/2025/ID

- i. Heard the applicant. Sri. Sony Jose in connection with the renewal of permit in respect of bus KL 34 D 2941 permitted to operate on the route Kothamangalam- Adimaly as LSOS. Permit was valid up to 06.06.2025. The application was made in time. Renewal **granted.**
- ii. Heard both the applicants for the transfer of permit. Sri. Shebeer M P is the proposed transferee. They have not set out any reasons for the proposed transfer of permit. They have also not submitted the statements contemplated under Rule 178 (2) of the KMV Rules. In the absence of such particulars no enquiry is seen to have taken place. The bonfides of the proposed transfer has not been enquired into. Therefore the applicants are called upon to submit the statements disclosing the matters specified in Rule 178 (2) accompanied by the agreement/promissory note or any other documents to prove the bonafides of the application within a period of two weeks for being considered in the next meeting of this authority. Matter is **adjourned.**

Additional Item No: 27

J2/947405/2024/ID

Heard the applicant. Sri. P A Habeeb in connection with the renewal of permit in respect of bus KL 33 E 1720 permitted to operate on the route Changanassery- Kattappana. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No.

D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

i. The permit holder P A Habeeb and proposed transferee Smt. Beena Saji have submitted a joint application for the transfer of the permit in respect of bus KL 33 E 1720 permitted to ply on the route Changassery – Kattappana. The vehicle No. KL 33 E 1720 covered by the permit is not owned by the permit holder. It has been possessed by the permit holder under an agreement of lease with the registered owner of the said vehicle. The consent of the owner the vehicle or any fresh lease agreement with the proposed transferee has not been made available for consideration. However a detailed enquiry on the following is necessary

- a) The whereabouts of the permit holder and whether the permit holder himself is conducting the permitted service.
- b) Whether the reasons set out in the application are true or not.
- c) Whether the disclosures under Rule 178 (2) if any are true or not and whether it is supported by any anterior or bilateral agreement or promissory note.
- d) Whether the proposed transferee is qualified enough to be conferred on the right to operate stage carriage service with reference to the matters dealt with in sections 70 and 71 of the Act.
- e) The conduct of both the transferor and transferee often indulging themselves in the business of buying and selling of permits as disclosed by their involvement in such matters.
- f) Whether the proposed transfer is in public interest.
- g) The bonafides of the application with reference to all matters dealt with in Rule 178.

The matter is **adjourned**.

Additional Item No: 28

J2/994454/2024/ID

Heard the applicant. Sri. Eldhose Yacob in connection with the renewal of permit in respect of bus KL 68 A 3770 permitted to operate on the route Kanthalloor- Alwaye. Permit was valid up to 18.01.2020. The application was

made in time. The permit was renewed by the RTA on 18.01.2021 along with a variation of a the route by curtailing the portion from Kanthalloor- Munnar. The applicants have not availed of either the renewal of permit or variation of condition of permit by submitting current records. The applicant has now requested for revoking the variation granted by this authority. Accordingly there will not be a variation of the existing route. The renewal applications for the period from 19.01.2025 to 18.01.2030 cannot be considered at this point of time. Since the renewal from 18.01.2020 to 18.01.2025 has not been availed of by submitting current records with in the specified period. However the secretary shall make an enquiry as to the operation of the vehicle and the possession and control of. Vehicle and the reasons for not producing the current records. **Adjourned.**

Additional Item No: 29

J2/1192011/2025/ID

- i. Heard the applicant. Sri. Subin Jacob, Kuzhikkatt in connection with the renewal of permit in respect of bus KL 63 D 3911 permitted to operate on the route Kombayar- Ernakulam. The permit was valid up to 11.09.2023. Application was made in time. Call for specific report of enquiry and feasibility report by the secretary RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. Replacement of vehicle is **granted**. Since the incoming vehicle is 2024 model owned by the permit holder himself.

Additional Item No: 30

J2/842691/2024/ID

- i& ii Heard the applicant. Sri. Subin Jacob, Kuzhikkatt in connection with the renewal of permit in respect of bus KL 63 D 3541 permitted to operate on the route Ernakulam South – Kumily as LSOS with route length of 186 km. The permit was valid up to 14.02.2013 application was made on 17.05.2024. The route bus is owned by Sri. Johny Edassery who might have entered into an agreement of lease with Subin Jacob. The applicant has applied for renewal of permit for the subsequent periods also for five years each.

The impact of setting aside notification GO(P)13/23/Trans.dtd 03.05.2023 has not been explicitly clarified as to the maintainability of the application for renewal till this date. What is material is the limitation on route line beyond 140 km. Matter **adjourned** awaiting judicial interference if any. In the meantime call for specific report of enquiry and feasibility report by the secretary RTA Erankulam and RTA Muvattupuzha in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

- ii. The application for replacement of vehicle was rejected by secretary RTA. The decision rejecting the request by the secretary is a concluded decision and it cannot be reopened for reconsideration. Hence **rejected**.

Additional Item No: 31

J3/9874/2025/ID

Heard the applicant. Sri. Binu John, Thekkanathu in connection with the renewal of permit in respect of bus KL 05 AR 5061 permitted to operate on the route Thankamani- Kottayam. The permit was valid up to 09.02.2025. Application was made in time.

The Hon'ble High Court has vide WP(C) No. 7317/2025 dtd 24.12.2025 directed to this authority to consider the renewal application within a period of two months. Though the writ petitioner is the holder of permit the vehicle is not in his possession and he is not operating service at all. The said vehicle is owned by Mr. Sabu Jacob. The permit holder Binu Jacob has indulged himself trafficking permit as evidenced by a joint application for the transfer of permit and the subsequent proceedings. Binu John himself on a later date denied that he was a party to the said joint application. RTA on 22.08.2024 rejected the application for transfer of permit. It is seen that the permit holder executed a tripartite agreement for the conduct of this bus service for a period the 36 months by Binoy Michael and another.

The replacement application was also not genuine. The same was rejected by the authority. Provisional replacement of the route bus by another vehicle KL 05 BB 9872 for a period of one month was allowed by the STAT in MVAA No. 231/24 which is extended from time to time. It is still not known whether the permit holder himself is operating the service.

In view of the direction in the above writ petition the matter is taken up for consideration today. The conduct of Sri. Binu George indulging himself in trafficking permit is further established by his letter dated 22.08.2024 (Ext.P5 in the writ petition) wherein he has stated that he had given possession of the vehicle to Sabu Jacob and that Mr. Sabu Jacob has sold the vehicle with the permit to Smt. Leena Binoy, Vazhayil etc. The judgement in WP(C) 33170/2024 dtd. 28.10.2024 says "The counsel for both sides submit that the matter is settled and the petition may be closed. Accordingly the petition is closed". The various transaction disclose that the permit holder has been abusing the permit granted to him. This permit was not granted by the RTA for sale or purchase and trafficking in permit. A permit holder who indulges himself in trafficking in permit is not entitled to the renewal of the permit as held in Udayanatha Pani v/s STA Orissa (AIR 1993 Ori.4) Hence applications for renewal of permit is **rejected**.

Additional Item No: 32

J4/96/2024/ID

- i. Heard the applicant. Smt. Divya R, house in connection with the renewal of permit in respect of bus KL 69 B 8493 permitted to operate on the route Bisonvalley – Kothamangalam. Permit was valid up to 19.12.2023. The application for renewal was filed on 19.12.2023 only. Delay is condoned. Renewal is **granted**.
- ii. Smt. Divya R and Sri. Eldhose Baby, Manachery puthen house made a joint application for transferring permit in respect of the above bus and route. No reasons have been set forth in the application. No statements required by Rule 178(2) have been submitted disclosing the matters specified therein. In the absence of such particulars and other material particulars in terms of Rule 178 (3) this authority is not in a position to explore the bonafides of the application. Therefore the applicants are given an opportunity to prove the bonafides of the application and to furnish the above details duly accompanied by the anterior bi-lateral agreement or promissory note executed by them within a period of 2 weeks for a detailed examination of the matter. **Adjourned**.

Additional Item No: 33**J3/1083844/2025/ID**

Heard Smt. Fathimuthu Beevi the holder of permit in respect of bus KL 33 Q 9774 plying on the route Thankamani – Kottayam the permit is valid up to 10.06.2025.

Application for renewal made in time. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 34**J4/842719/2025/ID**

Heard the applicant. Sri. Shihabudeen Siddique in connection with the renewal of permit in respect of bus KL 35 G 7896 permitted to operate on the route Thodupuzha- Kumily. Permit was valid up to 22.10.2024. The application for renewal was filed on 17.10.2025 only. Delay is condoned. Renewal is **granted**.

Additional Item No: 35**J4/1060357/2025/ID**

Heard the applicant. Sri. Dileep Alavudeen in connection with the renewal of permit in respect of bus KL 38 F 9095 permitted to operate on the route Thodupuzha- Kumily as LSOS. Permit was valid up to 03.04.2025. The application for renewal was filed on 18.02.2025. Renewal is **granted**.

Additional Item No: 36**J4/8852/2025/ID**

Heard the applicant. Sri. Siby Joseph in connection with the renewal of permit in respect of bus KL 38 F 8852 permitted to operate on the route Vagamon- Thopramkudi. Permit was valid up to 16.04.2025. The application for renewal was filed on 03.05.2025 only. Delay is **condoned**. Renewal is **granted**.

Additional Item No: 37**J3/6374/2023/ID**

Heard the applicant. Sri. Ajithkumar K K, Kaittiyanikkal in connection with the renewal of permit in respect of bus KL 38 K 9599 permitted to operate on the route Pala- Senapathi as LSOS. Permit was valid up to 14.01.2024. Call for

specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decisionNo. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 38

J3/4193/2023/ID

- i. Heard the applicant. Sri. Sony Kurian in connection with the renewal of permit in respect of bus KL 33 K 6700 permitted to operate on the route Changanassery- Nedumkandom as LSOS. Permit was valid up to 22.09.2023. The application for renewal was filed on 03.08.2023 call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**
- ii. The application for replacement of vehicle was considered and **granted** by the secretary pursuant to the direction in WP(C) No. 23745 of 2025.

Additional Item No: 39

J3/5286/2022/ID

- iii. Heard the applicant. Sri. Subin Jacob in connection with the renewal of permit in respect of bus KL 07 CG 6282 permitted to operate on the route Ernakulam - Kumily as LSOS. Permit was valid up to 10.12.2022. The application for renewal was filed on 22.11.2022.

The application for renewal of permit will lie until the ongoing litigation is disposed of in relation to the cases of routes exceeding 140 km. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023.

Adjourned.

- iv. The application for replacement of vehicle was rejected by secretary RTA. The decision rejecting the request by the secretary is a concluded decision and it cannot be reopened for reconsideration. Hence **rejected**.

Additional Item No: 40**J3/11963569/2025/ID**

- i. Heard the applicant. Smt. Rinu Rajan w/o late Sri. Boban George in connection with the renewal of permit in respect of bus KL 44 D 5535 permitted to operate on the route Ernakulam-Kumily as LSOS. Permit was valid up to 06.06.2015. The applications for renewal were filed on 17.03.2015, 16.01.2015 and 05.06.2015.

The applications so made were hanging fire since the route length exceeded 140 kms. So far no decision on the contra has been arrived at. Therefore consideration of the said applications will lie until the impact of setting aside notification GO(P) 13/2023 Trans dtd. 03.05.2023 is evaluated by appropriate forums. Call for specific report of enquiry and feasibility report by the secretary of RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd. 14.06.2017 and the decision of RTA Idukki in item No. 93 dtd. 11.01.2023. **Adjourned.**

- ii. The transfer of permit to the legal successor Smt. Rinu Rajan consequent to the death of the permit holder can be considered only after the permit is renewed. Hence **adjourned**.
- iii. The decision of the secretary RTA rejecting the application for replacement of vehicle is a concluded decision and it cannot be reopened or reconsidered. Hence the request is **rejected**.

Additional Item No: 41**J3/11233553/2025/ID**

Heard the applicant. Sri. Shaji Mathew, Cheetappanattu in connection with the renewal of permit in respect of bus KL 39 L 8282 permitted to operate on the route Konnakkad- Poopara as LSOS. This applicant was operating another vehicle KL 39 L 8263 on the route Poopara – Konnakkad in the opposite direction with a permit which was valid up to 14.02.2020. The applications for renewal of the said permits were filed in time for the period from the respective dates of expiry. The total route length is 332 km for a day. The applications for renewal were hanging fire on account of the provisions of the said approved scheme. Today it has come up for consideration in view of the setting aside of

the approved scheme GO(P) No: 13/2023/ Tran dtd 03.05.2023 the impact of which has not yet been analysed and given effect to. Therefore the applications will lie until the position of the law is clarified. Call for specific report of enquiry and feasibility report by the secretaries of RTA Kottayam, RTA Ernakulam, RTA Thrissur, RTA Malappuram, RTA Kozhikode, RTA Kannur, RTA Kasaragod in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 42

J4/1016989/2025/ID

Heard the applicant. Sri. Basil Antony in connection with the renewal of permit in respect of bus KL 17 S 5167 permitted to operate on the route Odiyappa- Kanjirappally as ordinary service. Permit was valid up to 06.02.2025. Call for specific report of enquiry and feasibility report by the secretary RTA Kottayam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 43

J3/1084205/2025/ID

Heard the applicant. Smt. Divya R in connection with the renewal of permit in respect of bus KL 69 B 5373 permitted to ply on the route Thopramkudy - Vytila as LSOS. Permit was valid up to 26.08.2025. The applications for renewal was filed on 07.03.2025. Call for specific report of enquiry and feasibility report by the secretary RTA Muvattupuzha and RTA Ernakulam in terms of STA decision No. D2/10389/STA/2014 dtd.14.06.2017 and the decision of RTA Idukki in item No. 93 dtd.11.01.2023. **Adjourned.**

Additional Item No: 44

J2/1086120/2025/ID

Heard Smt. Philomina Sebastain, applicant No 1, who is the holder the permit and Smt. Celina Scaria applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 44 D 0099 permitted to ply on the route Vannappuram – Erattupetta.

The applicants have not submitted statements required by Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any

anterior bilateral agreement or promissory note setting fourth therein the premium, consideration and other conditions necessary for such an agreement for contract for transfer of the right to property which itself is an essential material particular referred to the Rule 178 (3)

It is obvious that the permit holder is taking an undue advantage of her position as the holder of the permit to make profits on sale of her permit and such act would attract the stigma of trafficking in permit. Transfer of permit is resorted to repeatedly when the normal course of her business does not demand it and the sales are effected with the clear motive of making profits by such transfers.

The involvement of Smt. Philomina Sebastain in such trafficking in permit is further established by the following matters dealt with in this agenda.

- i. Item No: 57 Philomina Sebastain has sought for the transfer of her permit in respect of bus KL 38 L 0673 on the route Kolani Mosque- Erattupetta in favour of Sony Joy.
- ii. Item No : 72 Philomina Sebastain has sought for the transfer of her permit in respect of bus KL 38 K 9245 operating on the route Vannappuram- Erattupetta in favour of Sony Joy.
- iii. Additional Item No : 60 Celin Saria proposes to transfer permit in respect of KL 33 E 6554 on the repute 4th block- Thodupuzha in favour of Thomas P.O

Transfer of permit is resorted to repeatedly when the normal course of her business does not demand it and the sales are effected with the clear motive of making profits by such transfers.

Placing reliance on the judgment in Udayanathpani v/s STA Orrissa (AIR1993 Ori.14) this authority is persuaded to conclude that the transfer of permit applied for is not a bonafide transfer made in accordance with law. Hence **rejected**.

Additional Item No: 45

J2/1051012/2025/ID

Heard Smt. Rini Rajan, applicant No 1, the holder the permit and Sri. Riyaz Muhammed applicant No.2, is the proposed transferee. No reasons for the

proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL06 H 3339 and the willingness of the proposed transferee to purchase the said bus provided the transfer of permit is allowed by the authority.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act save under the exigency provided for in sub section (2) or other similar exigencies emerging during the course of normal business such as permanent disability of the permit holder, transfer to the inheritants or near-relations out of love and affection etc. No such circumstances have been put forth by the applicants.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The applicants are directed to prove the bonafides of their application and furnish their statements in writing disclosing the premium, payment or other considerations if any and the amount and nature of payment of such the premium and considerations within two weeks. The matter is **adjourned**.

Additional Item No: 46

J2/1057409/2025/ID

Heard Sri. Subaik V A, applicant No 1, who is the holder the permit and Smt. Viji Abraham applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle **KL 13 AG 4599** and the proposed transferee to purchase the said bus provided the transfer of permit is allowed by the authority.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act save under the exigency provided for in sub section (2) or other similar exigencies emerging during the course of normal business such as permanent disability of the permit holder, transfer to the inheritants or near-

relations out of love and affection etc. No such circumstances have been put forth by the applicants.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The applicants are directed to furnish their statement s in writing disclosing the premium, payment or other considerations any and the nature of the premium and considerations so as to prove the bonafides of the application within two weeks. The matter is **adjourned**.

Additional Item No: 47

J2/1089084/2025/ID

Heard Smt. Shiya Noushad, applicant No 1, who is the holder of the permit and Smt.Jameela applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to part with the vehicle KL 40 M1542 and the proposed transferee to repossess the said bus after the termination of the lease agreement between them.

The permit holder has agreed to return the vehicle with permit to its registered owner without any sort of payment. It does not stand to reason that the permit holder offered the transfer of permit free of cost. There is reason to believe that the intention behind the proposed transfer of permit is to obtain unfair advantage out of her position as the holder of a permit which was granted in her favour in public interest. There is nothing on record to show that the proposed transfer is bonafide. Under the circumstance the application for transfer of permit is **rejected**.

Additional Item No: 48

J2/1088715/2025/ID

Heard the applicants Sri. P V Emmanuel and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 05 Z 1802 permitted on the route Kalthotty- Moongalar on account of the necessity to transfer the permit

to his near- relation out of love and affection. It is stated in the application that the permit holder desires to transfer the permit to his relative Smt. Jaggi Rani with a view to maintaining the service in accordance with law. NOC from M/s Sundaram Finance Ltd. has not been produced. Hence the matter is **adjourned**.

Additional Item No: 49

J2/1089122/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 E 0134 permitted on the route Chenkara- Mavady on account of the necessity to transfer the permit to his near- relation out of love and affection. It is stated in the application that the permit holder desires to transfer the permit to his relative Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 50

J2/1089104/2025/ID

Heard the applicants Sri. Joseph Varkey Smt. Jaggy Rani Joseph in connection with the transfer of permit in respect of bus No. KL 06 H 3762 permitted on the route Kumily- Nedumkandom on account of the necessity to transfer the permit from the name of the permit holder to the name of his near- relation out of love and affection. It is stated in the application that the permit holder desires to transfer the permit to his relative daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 51

J2/1113243/2025/ID

Heard Sri. Georgekutty Thomas, applicants No 1, who is the holder the permit and Sri. Bibin Kuriakose Kalayil applicant No.2, who is the proposed transferee. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 37 C 3303 operating on the route Vellaramkunnu- Kattappana and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. 'Financial difficulty' or 'certain

other inconvenience' is not sufficient reasons for entertaining the application for transfer pf permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality need to be essentially enquired into in detail.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/ promissory note or any other document to prove the bonafides of the application with in a period of two weeks for being considered in the next meeting of this authority. The matter is **adjourned**.

Additional Item No: 52

J2/1113234/2025/ID

Heard Sri. KM Thomas, applicant No 1, who is the holder the permit and Sri. Arjun P. S applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 06 F 4788 operating on the route Kumily – Valakkode and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

It is stated in the joint application the permit holder has agreed to transfer the permit without any sort of payment. It does not appeal to reason that the permit holder offered the transfer of permit free of cost. There is reason to believe that the intension behind the proposed transfer of permit is to obtain unfair advantage out of his position as the holder of a permit which was granted in his favour in public interest. There is nothing on record to show that the proposed transfer is bonafide. Under the circumstance the application for transfer of permit is **rejected**.

Additional Item No: 53

J2/1089097/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 J 1525 permitted on the route Nedumkadom - Kottayam on account of the necessity to transfer the permit to his near- relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The permit is valid up to 21/07/2019 only. The vehicle is operating on the strength of temporary permit. The transfer of permit cannot be permitted until after the permit is renewed. Therefore the consideration the application is **adjourned**. In the meantime endorsement of the RTA Kottaym required by Rule 178 (5) (c) shall be called for.

Additional Item No: 54

J3/1078433/2025/ID

Heard Sri. Sooraj V Tom, applicant No 1, who is the holder the permit and Sri. Binoy Sivadasan applicant No.2, who is the proposed transferee. In connection with the transfer of permit in respect of vehicle No. KL 35 G 7689 permitted to ply on the route Muvattupuzha – Thekkady No reasons for the

proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 34 G 7689 and the proposed transferee to purchase the said bus provided the transfer of permit is allowed by the authority. The applicants are given an opportunity to submit the statement under Rule 178 (2) of KMV Rules accompanied by the anterior bilateral agreement/ promissory note disclosing the matters specified therein within a period of two weeks., so as to prove the bonafides of their application for transfer of permit. In the meantime endorsement of the RTA Muvattupuzha required by Rule 178 (5) (c) shall be called for. **Adjourned.**

Additional Item No: 55

J3/1098526/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 H 8820 permitted on the route Kalthotty- Kumily on account of the necessity to transfer the permit to his near- relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 56

J3/1264629/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 G 8759 permitted on the route Cumbamettu-Munnar on account of the necessity to transfer the permit to his near- relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed** subject to the renewal of permit and its due endorsement in the permit.

Additional Item No: 57

J3/1097749/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 G 8364 permitted on the route Kumily-Munnar It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to

maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 58

J3/1089047/2025/ID

Heard the applicants Sri Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 06 E 6762 permitted on the route Swarnavilasam - Kumily on account of the necessity to transfer the permit to his near- relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 59

J3/1089041/2025/ID

Heard the applicants Sri. Joseph Varkey and Smt. Jaggi Rani in connection with the transfer of permit in respect of bus No. KL 38 C 7272 permitted on the route Moongalar – Munnar on account of the necessity to transfer the permit to his near- relations out of love and affection. It is stated in the application that the permit holder desires to transfer of permit to his daughter Smt. Jaggi Rani with a view to maintaining the service in accordance with law. The said application is bonafide and hence transfer of permit is **allowed**.

Additional Item No: 60

J3/999308/2025/ID

Heard Smt. Celina Scaria applicant No 1, who is the holder the permit and Sri. Thomas P P applicant No.2, who is the proposed transferee. The permit is valid up to 29.03.2027. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 38 E 6456 permitted to ply on the route Fourth block – Thodupuzha and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a

mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The intension behind the proposed transfer seems to take undue advantage of her position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The intension behind the proposed transfer of permit is to obtain unfair advantage out of her position as the holder of a permit which was granted in her favour in public interest.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Additional Item No:44 where in Smt. Celina Scaria is the proposed transferee of the permit in respect of bus KL 44 D 0099 on the route Vannappuram - Erattupetta. Smt. Philomina Sebastain proposes to sell the permit to Celina Scaria
- ii. Item No: 38 Smt. Celina Scaria makes an application for renewal of permit.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Additional Item No: 61

J3/999308/2025/ID

Heard Sri. Sibi George applicant No 1, who is the holder the permit and Sri. Saji Jacob applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 07 B X 9686 plying on the route Munnar- Aluva and the proposed transferee to purchase

the same provided the transfer of permit is allowed in his favour. Bus KL 07 B X 9686 is not owned by the permit holder but buy one Mr. Binoy K K.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The intention behind the proposed transfer seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified and unscrupulous persons will have its own contributions to the lawlessness and anarchy on our roads.

The indulgence of the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No: 68 (04/03.2025) were in Sibi George seeks to purchase the permit in respect of bus KL 33 E 5519 permitted to ply on the route Vytila Hub – Munnar from Sri. Eldhose C Thomas. Sri. Siby George has no right to transfer the vehicle KL 07 B9686 to any other person without the permission of its registered owner K K Binu.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the KMV Rules. Hence the application is **rejected**.

Additional Item No: 62

J3/1055631/2025/ID

Heard Sri. Sunilkumar C P applicant No 1, who is the holder the permit and Smt. Shijamol Subaik applicant No.2, who is the proposed transferee. The permit is valid upto 26.11.2027. No tangible reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 33 G 9176 and the proposed transferee to purchase the same provided the transfer of permit is allowed by the authority. Bus KL 33 G 9176 is not owned by Sri. Sunilkumar C but by Mr. TK Aravindakshan. Sunilkumar has obtained the possession of the said vehicle under an agreement of lease.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The proposed transferee does not appear to be qualified enough to hold a stage carriage permit in as much as he does not satisfy the requirements laid down in clauses (d) to (f) of section 70(1), and sub clause (ii) of clause (d) of section 71(3) of the Act which are material particulars falling in rule 178 (3) of KMV rules.

The permit holder has no right to transfer the permit with vehicle KL 33 G 9976 which is owned by T K Aravindakshan.

We are persuaded to conclude that the proposed transfer of permit is not bonafide and not in public interest hence **rejected**.

Additional Item No: 63**J3/1127296/2025/ID**

Heard Sri Lalu s/o Mathew applicant No 1, who is the holder the permit in respect of stage carriage KL 59 G 9638 permitted to operate on route Vellakkayam- Thodupuzha and Sri. Nisar V A applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the consideration and other conditions necessary for an agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3). The enquiry contemplated under Rule 178 (7) shall be based on the reasons furnished in the joint application and the statements made under Rule 178 (2). The bonafides of the proposed transfer and its propriety and legality need to be essentially enquired into in detail.

The applicants are given an opportunity to submit the statements required by rule 178 (2) disclosing the matters specified therein accompanied by the agreement/promissory note or any other document to prove the bonafides of the application within a period of two weeks enabling this authority to make necessary enquiry. The matter is **adjourned**.

Additional Item No: 64**J3/7880/2025/ID**

Heard Sri. Ajithkumar K K applicant No 1, who is the holder the permit and Sri. Muhammed Kasim applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 68 B 7880 on the route Thodupuzha- Muttukada and the proposed transferee to purchase the same provided the transfer of permit is allowed in his favour.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a

mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations. Trafficking in permits and holding of stage carriage permits by unqualified persons will have its own contributions to the lawlessness and anarchy on our roads.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promoting monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India* (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit.

The indulgence of both the permit holder and the transferee in often trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No 65 : the permit holder Sri. Muhammed Kasim proposes to sell his permit in respect of vehicle KL 06 L 5046 permitted to ply on the route Thopramkudi - Ettumanoor to Amal CV who is often engaged in buying large number of buses and strengthening his fleet with a view to monopolize the stage carriage services which is opposed to the objects of the MV Act.

We are satisfied that the proposed transfer is not in public interest and is not bonafide in terms of the provisions of section 82 of the Act and Rule 178 of the

KMV Rules. It is a clear case of trafficking in permit. Hence the application is **rejected.**

Additional Item No: 65

J3/1179143/2025/ID

Heard Sri. Muhammed Kasim applicant No 1, who is the holder the permit and Sri. Amal C V applicant No.2, who is the proposed transferee. No reasons for the proposed transfer of permit have been set out in the application except the desire respectively of the permit holder to sell the vehicle KL 06 L 5046 permitted to ply on the route Thopramkudi- Ettumanoor and the proposed transferee to purchase the same.

A stage carriage permit is not transferable under section 82(1) of the Motor Vehicles Act except under the emergence of death of permit holder. Exigencies like permanent disabilities of the permit holder, transfer to the inheritants or near relations out of love and affection which may emerge during the normal circumstances of business can also be treated as sufficient grounds for the transfer of permit. But the applicants have not put forth any such reasons for the proposed transfer of permit.

The applicants have not submitted separate statements required by the Rule 178 (2) of KMV Rules disclosing the matters specified therein. Nor have they produced any anterior bilateral agreement or promissory note setting forth therein the premium, consideration and other conditions necessary for a mutual agreement of contract for transfer of the right to property which itself is an essential material particular referred to in Rule 178 (3).

The omission to make such disclosures is fraud exercised with a view to covering up to the applicants' indulgence in trade of buying and selling permits, with the sole motive of making unlawful gains arising out of the illegal transfer of permit which attracts the stigma of trafficking in permit. The permit holder seems to take undue advantage out of his position as the holder of a permit and abuse the permit by selling it for premium or other considerations.

The financial stability of the proposed transferee alone would not qualify him to hold stage carriage permits. The enquiry officer seems to have lost site of the other requirements for qualifying the transferee to hold permits. The

accumulation of permits in the hands of a few who are 'financially sound' and affluent would only help promote monopoly in service which is opposed to the objects of the MV Act as held by the Hon'ble Supreme Court in *Mithilesh Gargh v/s Union of India* (AIR 1992 SC 443) The transferee is also a necessary party to the trafficking in permit. The indulgence of both the permit holder and the transferee in trafficking in permit is further established by the following matters taken up for consideration today.

- i. Item No: 64 Sri. Muhammed Kasim proposes to purchase the permit in respect of bus KL 68 B 7880 plying on the route Thodupuzha - Muttukada from Sri Ajithkumar who is also often indulged in trafficking in permit.
- ii. Item No: 60 The proposed purchaser Sri. Amal CV is actively engaged in purchasing permits and obtaining fresh permits. He offers to purchase the permit in respect of bus KL 06 3299 plying on the route Kombayar-Kottayam from Asheem K Basheer, who is also actively engaged in the trade of trafficking in permit.
- iii. Item No: 42 Sri. Amal CV has proposed to buy a permit in respect of Bus KL06 L 326 plying on the route Thopramkudi- Changanassery LSOS from Abin George.

Trafficking in permits and holding of permits by unqualified persons will have its own contributions to lawlessness and anarchy on our roads. This authority is persuaded to conclude that the transfer of permit applied for is not a bonafide transfer made in accordance with law. It is opposed to the provisions of Section 82 of the Act. Hence **rejected**.

Additional Item No: 66

J2/858021/2024/ID

Heard Sri. Salim P H, applicant for variation of the permit in respect of bus KL 38 C 4848 on the route Peringassery - Thodupuzha by curtailing the last set of trips . Field officer is directed to submit detailed report on impact of curtailment. Hence **adjourned**.

Additional Item No: 67**J2/1161109/2025/ID**

Heard the applicant Sri. Thomas Joseph in connection with the application for variation of the permit in respect of bus KL 69 4757 on the route Cumbumettu-Kumily. The variation applied for is **granted**.

Additional Item No: 68**J4/1024700/2025/ID**

Heard Mrs. Smitha Mathew, the applicant for variation of the permit in respect of bus KL 38 B 8080 on the route Uppukunnu-Thodupuzha. The variation by extension of trip from peringassery to Uppukunnu is **granted** and deviation of trip via Manchikallu is **rejected**.

Additional Item No: 69**J3/1101784/2025/ID**

Heard the applicant Sri. Shuby Bhaskaran in connection with the application for variation of the permit in respect of bus KL 44 C 5499 on the route Vannappuram-Thodupuzha. Via Thommakuthu, Karimannoor and Santhampara. The variation of the route as Vannappuram – Thodupuzha touching Tabor Church is applied for. This is a fit case for consideration of the application as an application for grant of a new permit. The matter is **adjourned** for consideration as suggested above under intimation to the applicant.

Additional Item No: 70**J4/3645/2023/ID**

Heard the applicant Sri. Joshy P John in connection with the application for variation of the permit in respect of bus KL 68 A 5696 on the route Adimaly-Munnar. Variation is **granted**.

Additional Item No: 71**J3/1207231/2025/ID**

Heard the applicant Sri. Jibin Baby in connection with the application for variation of the permit in respect of bus KL 07 C 5450 on the route Vannappuram-Kattappana. Considered the application on the basis of the judgement dated 06.05.2025 in MVAA 278/2025. Variation is **granted**.

Additional Item No: 72**J3/1149881/2025/ID**

Heard the applicant Sri. P G Mathew in connection with his application for replacement of the route bus no. KL 33 B 7290 plying on the route Changanassery-Nedumkandom by a later model vehicle KL 33 M 3110. At present the incoming vehicle has no valid permit. Replacement application is **granted**.

Additional Item No: 73**J3/1155022/2025/ID**

Heard the applicant Sri. Amal J Mannoor in connection his application for replacement of the route bus No KL 38 C 6069 permitted to ply on the route Thopramkudi - Thodupuzha. Via Murikkassery, Chelachuvadu etc... as LSOS. The said vehicle is owned by Sri. Boby Xaviour Manatt. And the permit holder was operating this vehicle under an agreement of lease with Boby Xaviour Manatt. The said agreement has expired on 04.05.2025 and it was not renewed for reasons of financial disputes with the permit holder it is in this context that the replacement is applied for. There is no material difference beyond the specified limit between the two vehicles. Replacement is **allowed**. The complaint filed by Sri. Boby Xaviour does not deserve conservation by this authority because of its civil nature.

Additional Item No: 74**J1/996302/2024/ID**

Concurrence **Granted**.

Additional Item No: 75**J1/1010941/2025/ID**

Concurrence **Granted**.

Additional Item No: 76**J1/1010934/2025/ID**

Concurrence **Granted**.

Additional Item No: 77**J1/1040905/2025/ID**

Heard. Sri. AM Ashraf. He has applied for 4 months temporary permit in respect of bus KL 37 F 2405 on the route Moolamattom- Kumily via Vagamon, Elappara, Chenkara considered the application on the basis of the enquiry report. There is no urgent need enumerated under clauses (a) to (c) of section 87 (1) of the MV Act. Enquiry officer has stated that a portion of the said route for a distance of 5.23 km is not fit for stage carriage services. Under the circumstance the application for the temporary permit is **rejected**.

Additional Item No: 78**J3/1133453/2025/ID**

Heard. Sri. Jayesh M P He has applied for conversion of his bus from ordinary service to LSOS in respect of bus KL 44 D 6606 operating on the route Nedumkandom- Muvattupuzha. Previously the permit was for operating as limited stop service but it was converted into ordinary service with a view to get over the then existed limitations in the grant of renewal of permit and got the permit renewed. Now he seeks to revive his original right to operate the service as LSOS. More and more LSOS services is not conducive to the convenience of the general public. But in view of the judgement in WP(C) No.11787/2025 dtd.01.04.2025 the nature of service is **allowed** as applied for.

Additional Item No: 79**J3/1207065/2025/ID**

This authority on 22/08/2024 had granted Stage Carriage permit to the Applicant on the route Koothattukulam - Adimlay , as ordinary service ,instead of LSOS as applied for .Time was settled and permit was issued as Ordinary service .The petitioner challenged the grant of permit as Ordinary Service vide WPC 10081/25 .The Court has by judgement dated 14/03/2025 directed this authority to allow the permit holder to operate his service as LSOS. Accordingly the class of service is **permitted** to be altered as LSOS subject to settlement of timings.

The existing route in respect of KL 38 L 0109 was Koovakandm Moovattupuzha. The route was varied as Kozhippally - Moovattupuzha as per the application for variation of the route by extending the route Koovakandam to Kozhippalli. Accordingly time schedule was resettled after hearing the interested operators. But the permit holder is not prepared to avail of the said variation with the time schedule so settled. So he has put in a request to revoke the variation granted on 17/08/2023. The grant of variation is a concluded decision of the RTA. It cannot be reopened and subjected to re consideration unless and until he makes an application for variation in the prescribed manner.

Stage Carriage KL17 T 2484 was covered by a permit on the route Puttadi - Ernakulam as LSOS with route length 169 KM. The permit holder applied for renewal of permit on 13/07/2021 for a period of 5 years without reducing the route length below 140 km. The RTA on 23/09/2021 adjourned with a direction to the applicant to vary the route so as to reduce the route length. The matter has been challenged in WPC 30065/2021. The Hon'ble court has by judgement dated 22/12/2021 directed this authority to consider the renewal application without insisting on the reduction of route length. Accordingly RTA granted renewal of permit on 04/06/2022. But the applicant has not availed of the said grant of renewal of permit submitting the current records of the vehicle and NOC from the financier .Therefore even today the vehicle has no valid permit.

The applicant has requested to issue a Clearance Certificate to Stage Carriage for some other purpose without insisting on the surrender of the permit or cancellation of the permit. The same was granted after due consideration pursuant to a direction by the High Court in WPC 17168/2022, detaching the said vehicle from the permit. The applicant has not made any substitute arrangement for uninterrupted stage carriage service on the concerned route.

The secretary RTA had issued a notice but without any response from the applicant. Sri. Thomas Lal is not a ‘holder of a permit’ since the permit had expired way back on 03/08/2021. The route bus attached to the permits has been detached by the issuance of a clearance certificate. The permit holder has ceased to own the vehicle consequent to such issuance of clearance certificate. Therefore in exercise of the powers under section 86 (1) (C) of MV Act the grant of renewal of permit dtd. 04.06.2022 is here by **revoked**.

Additional Item No: 82

J2/4653/2022/ID

The applicant on 21/10/2022 requested for the grant of a clearance certificate to vehicle KL 17 J 2005 under suspended animation of the permit for the purpose of sale of the vehicle. The Clearance Certificate was granted by this authority, pursuant to the direction in WP(C) 33588/2022 thereby detaching the vehicle from the permit, though there does not exist any provision for keeping the permit under suspension. Therefore from the date of such issue of clearance certificate no stage carriage service was in operation .The notice issued under Rule 152 of KMV Rule was returned undelivered with the remarks that “The addressee left the place”. Therefore there does not exist any necessity for renewing the permit from 07.03.2015 onwards.

Sri Joji Edattel is not the holder of permit within the meaning of section 81 of the MVAct1988.

The surrender of permit on 02.12.2022 by the permit holder is **accepted** under the provisions of Rule 183 of KMV rules.

Additional Item No: 83

J2/4473/2021/ID

The application dated 09/02/2024 for renewal of the said permit in respect of bus KL 24 D 3033 was not maintainable since the vehicle was seized by the financier and the permit holder Sri Shaji A R ceased to be the owner of the vehicle. Therefore Sri Shaji A R was not a holder of the permit enabling him to make the application for renewal. The possession of the said vehicle was originally obtained by Sri Shaji A R under the agreement of lease with its registered owner Binu K P. This fact is irrelevant in this case.

The notice issued under the provisions of MV Act on 19/04/2024 was not responded by Sri. Shaji A R. Therefore the application for renewal dated 09/02/2024 is **rejected**.

Additional Item No: 84

J1/RTA/2025/ID

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.

Additional Item No: 85

J1/1121949/2025/ID

In view of the decision in Item 84 no other decision is deemed necessary.

Smt . V. Vighneswary. IAS,

District Collector and Chairperson RTA, Idukki

s/d

Sri. Anoop Varkey,

Deputy Transport Commissioner (Law) CZ –II,

Ernakulam and member RTA, Ernakulam

s/d