

**Supplementary Agenda and Notes For the Meeting of RTA, Alappuzha to  
be held on 24.01.2024**

**Item No. : S-01**

**Ref. No. :04G/196/2023-KL04**

**Agenda :-** To consider the application for the grant of fresh regular permit in respect of stage carriage KL 15 8487 on the route **Kayamkulam – Muttam - Bhagavathipadi** for 5 years - reg.

**Applicant:-** District Officer, KSRTC, Alappuzha (Haripad) dtd.21.08.2023.

**Proposed Timings**

Departure Time	Departure Place	Arrival Place	Arrival Time
6.50	Kayamkulam	Muttam	7.15
7.25	Muttam	Kayamkulam	7.50
7.55	Kayamkulam	Muttam	8.20
8.25	Muttam	Kayamkulam	8.50
9.00	Kayamkulam	Bhagavathipadi	9.30
9.40	Bhagavathipadi	Kayamkulam	10.10
10.20	Kayamkulam	Muttam	10.45
10.55	Muttam	Kayamkulam	11.20
14.00	Kayamkulam	Muttam	14.25
14.40	Muttam	Kayamkulam	15.05
15.50	Kayamkulam	Muttam	16.15
16.25	Muttam	Kayamkulam	16.50
17.00	Kayamkulam	Muttam	17.25
17.30	Muttam	Kayamkulam	17.55

**Notes:-** District Officer, KSRTC, Alappuzha (Haripad) has applied for the grant of fresh regular permit in respect of stage carriage KL 15 8487 on the route Kayamkulam – Muttam - Bhagavathipadi for 5 years.

Detailed enquiry has been conducted through MVI, Kayamkulam and the details are furnished below.

1. Total distance of the route : 29.30 Kms.
2. Inter / Intra District : Intra District
3. Virgin portion : Yes. 1.30 Kms from Pullukulangara to Paravurmukku and 1.80 Kms from Manjadimukku to Puthanroadumukku on th route Kayamkulam – Bhagavathipadi via

- Manjadimukku. Fitness certificate received from Executive Engineer PWD Roads, Alappuzha
4. Total daily Running time and distance : 5hrs 48min & 139.30 Kms  
5. Details of the vehicle furnished : KL 15 8487  
6. Condition of the road : Good condition. Virgin portion is also included. Not suitable for introducing further stage carriages considering width of the road in some portion.

### **Remarks**

On enquiry it is revealed that the KSRTC is not proposed to conduct service in Kayamkulam – Muttam – Bhagavathipadi in all the trips. In the application they proposed to conduct 14 trips daily. One among in these 14 trips is from Kayamkulam to Bhagavathipadi via Manjadimukku, one other from Bhagavathipadi to Kayamkulam, six trips are from Kayamkulam to Muttam and the remaining six trips from Muttam to Kayamkulam.

KSRTC has also submitted a proposed time schedule in which every trip is covering 10 Kms. But in actual practice the trip from Kayamkulam – Bhagavathipadi via Manjadimukku covers 12 Kms and Bhagavathipadi – Kayamkulam trip covers only 7.30 kms. Hence time schedule may be fixed accordingly.

Since the proposed route covers the interior portion of Pathiyoor Panchayath, the commuters in that region will get the benefit of the proposed permit and also in some portion of the proposed route. Besides the “Gramavandi” is a policy of the Government for enhancing the travelling facility of the people in the interior regions of village with the assistance of the concerned LSGD, the proposal may be considered.

Hence RTA may hear the applicant, peruse the file and take a decision on this matter.

**Item No. : S-02**

**Ref. No. : 04G/279/2023-KL04**

**Agenda :-** To consider the application for the grant of fresh regular permit in respect of a suitable stage carriage on the route **Cherthala - Kalavur** Via Kuruppankulangara, Areeparambu, Kanichukulangara, Mararikulam, Perumana, Korthussery for 5 years - reg.

**Applicant:-** Sri. Ratheesh S., S/o. V.G. Sivarajan, Ratheesh Bhavan, Pattanakkad P.O., Cherthala-688531 dtd. 17.11.2023.

**Proposed Timings**

Cherthala		Kanichukulangara	Kalavur	
A	D	P	A	D
	6.20	6.40	7.05	
8.05		7.45		7.20
	8.40	9.00	9.25	
10.20		10.00		9.35
	10.30	10.50	11.25	
12.45		12.25		12.00
	1.00	1.20	1.45	
2.40		2.20		1.55
	2.55	3.15	3.40	
4.30		4.10		3.45
	4.35	4.55	5.25	
6.15 (Halt)		5.55		5.30

**Notes:-** Sri. Ratheesh S has applied for the grant of fresh regular permit in respect of a suitable stage carriage on the route **Cherthala - Kalavur** Via Kuruppankulangara, Areeparambu, Kanichukulangara, Mararikulam, Perumana, Korthussery for 5 years.

Detailed enquiry has been conducted through MVI, Cherthala and the details are furnished below.

1. Nature of service : Mofussil
2. Total distance of the route : 17 Kms.
3. Inter / Intra District : Intra District
4. Virgin portion : Nil
5. No. of trips and daily distance : 6 Full trips & 204 Kms
6. Running time required : 44.7 minutes
- Municipal Limit : 4.4 Km \* 3 m
- Single Line Road : 12.6 Km \* 2.5 m
7. Details of the vehicle furnished : Suitable vehicle
8. Concurrence obtained or not : NA
9. Condition of the road : Satisfactory

10. Overlapping on Nationalized/Notified routes if any: Nil

**Remarks**

There is no overlapping on the Nationalized/Notified route. There are few stage carriages are conducting service from Kanichukulangara to Kalavur. So this service is beneficial to passengers belongs to that area. However the new service will lead to unhealthy competition and clashes from Cherthala to Kanichukulangara.

Hence RTA may hear the applicant, peruse the file and take a decision on this matter.



	7.5 5	8.20		8.35	8.5 5			9.55		10.2 5	
		12.4 5		12.3 0				11.30			11.0 0
			1.3 0	1.45				2.45		3.15	
						5.20		4.10			3.40
							5.30	6.40		7.10	
		9.15	Hal t	9.00				8.00			7.30

Date of registration : 05.03.2011

Regular Permit validities: 14.05.2028

Date of application : 28.09.2023

Notes: The stage carriage KL-24 C 6465 is having a Regular Permit on the route Kayamkulam Changanassery, via Chettikulangara, Mavelikara, Mannar, Azhiyidathchira, idinjilam with regular permit valid upto 14.05.2028. The permit holder has submitted an application for variation so as to change the route as Mallapally-Kayamkulam-Changanassery, Kunnanthanam, Paippad, Paipad Kizhakken Muthoor, Marthoma College Jn, Thiruvalla and return(via) Marthoma College Jn, Muthoor Kavumbhagam, Mannar and Mavelikara one round trip, Paippad-Kayamkulam via Kizhakkan Muthoor, Marthoma College Jn, Thiruvalla and return(via) Marthoma College Jn, Muthoor Kavumbhagam Mannar and Mavelikara one cut trip and Changanassery Kayamkulam, (via) Idinjilam, Azhiyidathchira, Kavumbhagam Mannar and Mavelikara one round trip (existing trip).

- . Subsequently enquiry has been conducted in this regard through MVI, Thiruvalla and it reveals the following.
  1. The proposed route intersects MC Road at Muthoor Jn, but it is inevitable. There are no other objectionable portions in the proposed route.

2. In the proposed route, the route portion from Kavumbhagam to Paippad market Jn and from Keezhadi Bridge to Mallapappy is 18.8 Km lies in Pathanamthitta District and the route portion from Paippadu Market Jn to Keezhadi Bridge is 2 Km lies in Kottayam District.
  3. After variation, the proportionate router distance changes as Kayamkulam to Mannar Parumala Jn to Mallapally is 32,8 Km lies in Pathanamthitta district and the remaining 4 Km lies in Kottayam District.
  4. The route portion prposed by the permit holder from Mallapappy to Kayamkulam in the morning session is highly beneficial to the travelling public especially students from Mallapally region.
  5. The last trip resumes from Kayamkulam at 7.30 PM to Paippadu connecting major route points like Mavelikara, Mannar and Thiruvalla. The service in the late night will highly beneficial to the workers working in companies and shop.
  6. The timing can be settled after convening a timing conference after giving notices to al affected operators in Pathanamthitta and Kottayam districts.
- Hence RTA may hear the applicant and take a decision in this matter.

**Item No. S-04****Ref. No. C2/581007/2023/A**

Agenda: To consider the variation of Regular Permit in respect of stage carriage KL 29 K 5573 on the route Parakkode-K V Jetty, Ezhamkulam, Anandapaly,Thumpamon, Pandalam, Edappon, Mankamkuzhy, Mavelikara, Muttam, Nangiarkulangara, Harippad. The permit holder has submitted an application for variation so as to extend the route from Pannivizha to Adoor

Applicant:- 1. Sri. Sarath S, Sarath Bhavanam, Bhagavathikulam West, Keerukuzhi P O, Pandalam

**Existing Timings.**

Parakkode		Pandalam		Mavelikara		Harippad		K V Jetty	
A	D	A	D	A	D	A	D	A	D
6.50			6.05						
	7.26	8.11		8.56		9.26		9.46	
		11.52		11.07		10.37			10.17
12.40			11.55						
	1.20	2.05		2.50		3.20		3.40	
		5.40		4.55		4.25			4.05
6.35				5.50					
	6.40	7.25	Stay						

**Proposed Timings**

Parakkode		Adoor		Pandalam		Mavelikara		Harippad		K v jetty	
A	D	A	D	A	D	A	D	A	D	A	D
<u>A</u>	D	A	D	A	D	A	D	A	D	A	D



		7.25			6.50					
			7.36	8.11		8.56		9.26	9.46	
				11.52		11.07		10.37		10.17
		12.30			11.55					
12.55			12.40							
	1.10	1.25	1.30	2.05		2.50		3.20	3.40	
				5.40		4.55		4.25		4.05
		6.25			5.50					
6.45			6.30							
	6.50	7.05	7.10	7.40	Stay					

Date of registration : 25.01.2016

Regular Permit validities: 25.04.2027

Date of application : 25.09.2023

Notes: The stage carriage KL-29 K 5573 is having a Regular Permit on the route Parakkode-K V Jetty, Ezhamkulam, Anandapaly,Thumpamon, Pandalam, Edappon, Mankamkuzhy, Mavelikara, Muttam, Nangiarkulangara, Harippad with regular permit valid upto 25.04.2027. The permit holder has submitted an application for variation so as to extend the route from Pannivizha to Adoor.

Subsequently enquiry has been conducted in this regard through MVI, Kayamkulam and it reveals the following.

1. Overlapping details after Variation
  - a. Adoor to Parakkode 2.3 Km objectionably overlapping in Kayamkulam-Punalur and kayamkulam-Kulathupuzha scheme.6200/TA4/61 pw dtd 29.08.1961.
  - b. Adoor to Anandapally 3.4 Km objectionably overlapping in Kollam-Pamba scheme G.O(MS) 144/67/PW dtd 20.01.1967
2. Comments on proposed variation

The deviation through Adoor instead of Pannivizha and Ezhamkulam will adversely affect the general public in the portion as 3 schools and Ezhamkulam Temple are located in Pannivizha to Ezhamkulam portion.

Hence RTA may hear the applicant and take a decision in this matter.

**Item No. : S-05**

**Ref. No. C2/97257/2015/A**

Agenda :-I)To reconsider the applications for renewal of regular permit in respect of stage carriage KL-6-6548 on the route Karunagappally – Thatta via Pulliman Jn,Aramath madam, Manappally, Pavumba, Thamarakkulam, Charumoodu, Para, Edappon, Padanilam, Kurambala for the period from 25/1/2001 to 24/1/2006,25/1/2006 to 24/1/2011,25/1/2011 to 24/1/2016 and from 25/1/2016 to 24/1/2021 and from 25.01.2021 to 24.01.2026 for a further period of 5 years (This is an adjourned item of the RTA,Alappuzha held on 13/7/2016 and 11/7/2018 and rejected by RTA which held on 13.10.2021 vide item no. 81 and RTA which held on 08.03.2023 vide item No. 18.

II) To consider the application for replacement

Applicant : Sri.Madhu,Nadayil (h),Meenathu ward,Vallikunnam,  
Mavelikkara

Regular permit	-	24/1/2001
Date of Registration	-	02/01/1995(completed 15 years on 1/1/2010 and is an outdated vehicle)
Date of filing application-		24/10/2000, 27/12/2005,27/12/2010, 26/12/2015
Date of 1 <sup>st</sup> issue of permit	-	25/1/1996
Hypothecation	-	Yes, Shriram Transport Finance Co. Ltd Kayamkulam. NOC not produced

Notes:-**I)** The stage carriage KL 6 6548 was covered by regular permit on the route Karunagappally –Thatta via Pulliman Jn, Aramath madam, Manappally, Pavumba, Thamarakkulam, Charumoodu, Para, Edappon, Padanilam, Kurambala. The regular permit thus issued was expired on 24/1/2001.This is a saved permit. The route bus KL 6 6548 is an outdated vehicle and is under continuous Form G from 1/2/2005 to 31/3/2020. The stage carriage KL 4 R 9539 has been conducting service in place of KL 6 6548 on the above route on the strength of temporary permit for 20 days issued from time to time since 2011 as per the judgment of Hon'ble Highcourt of Kerala in WP(c) No.30442/2011 dtd 18/11/2011.The last temporary permit thus issued was expired on 30/12/2019. On 27/12/2019, application for reissuing the temporary permit was received. But the temporary permit has not been issued for production of valid records of vehicle.

All the renewal applications were received in time. The application for renewal for the first time was received on 24/10/2000 which was in time. The same was considered by the RTA,Alppuazha held on 24/2/2001 with the following decision. *“Heard.No objection.Concurrence of RTA,Pathanamthitta and Kollam to be obtained’*

On 3/5/2005,the permit holder applied for replacement of KL 6 6548 with his own later model vehicle KL 4 R 9539.But the application for replacement was not considered due to the reason that the route bus was not covered by regular permit and also records of the vehicle are not current.

The RTA,Pathanamthitta held on 21/8/2006 granted renewal concurrence ,but RTA,Kollam held on 5/11/2007 adjourned the application for renewal concurrence with a decision that *“the matter is adjourned till the disposal of the petition for Special Leave Petition No.9466/2007 filed by KSRTC before the Hon’ble Supreme Court of India.*

On 27/12/2005,the permit holder filed second term second renewal application which was in time ,ie from 25/1/2006 to 24/1/2011.The RTA,Alappuzha held on 26/8/2008 again adjourned the application for want of concurrence from the RTA,Kollam and Pathanamthitta. The RTA,Pathanamthitta held on 20/2/2009 rejected the application for renewal with the following decision. *“The route portion from Pandalam to Kurambala for a distance of 3.5 Km overlaps in Trivandrum – Thekkedy supplementary scheme vide Notification No.6122/B1/Trans/2008 dtd 15/9/2008,hence rejected.’*

On 27/12/2010,the permit holder filed third term renewal of permit application ,ie from 25/1/2011 to 24/1/2016.The RTA,Alappuzha held on 12/6/2014 adjourned the application for want of concurrence from the RTA,Kollam and Pathanamthitta.

On 26/12/2015 another application submitted by the permit holder for the renewal of permit from 25/1/2016 to 24/1/2021.The enquiry report received from MVI, Mavelikkara reveals the following.

- |                               |   |                      |
|-------------------------------|---|----------------------|
| 1.Total distance of the route | : | 49.7 Km              |
| 2.Inter/Intra district route  | : | Inter district route |
| i) Distance in Alappuzha:     | : | 18 Km                |
| ii) Distance in Kollam        | : | 15.6 Km              |

iii) Distance in  
Pathanamthitta : 16.1 Km

3. Overlapping on Nationalised or Notified route :-

a) A distance of 3.9 Km from Pandalam to Kurambala objectionably overlaps in Trivandrum – Thekkady via Changanassery vide Notification GO(P) No.42/2009/Trans dtd 14/7/2009.

b) A distance of 2.3 Km from Puthiyakavu to Karunagappally HS Jn objectionably overlaps in Trivandrum-Palakkad vide Notification GO(P) No.42/2009/Trans dtd 14/7/2009.

c) A distance of 4 Km from Para Jn to Charummoodu in Kayamkulam – Punalur and Kayamkulam – Kulathuppuza partial exclusion scheme vide Notification GO MS156/67/PW dtd 27/7/1967.

The RTA, Alappuzha held on 13/7/2016 adjourned the application for renewal of permit and replacement with the following decision. *“Heard Adv. Prasad Chandran the learned counsel represented the applicant. 1) This is an application for renewal of permit in respect of stage carriage KL 6 6548 on the route Karunagappally – Thatta via Pulliman Jn, Aramath madam, Manappally, Pavumba, Thamarakkulam, Charummoodu, Para, Edappon, Padanilam, Kurambala for 4 stages wef 25/1/2001, 25/1/2006, 25/1/2011, 25/1/2016.*

*2) Considered the application for replacement*

*The learned counsel for KSRTC while on hearing strongly objected the renewal of permit since the vehicle KL 6 6548 had completed 15 years as on 1/1/2010 and is an outdated. Also pointed out that the petition for special leave appeal (civil) No. 9466/2007 filed by KSRTC before the Hon’ble Supreme Court of India.*

*RTA, Kollam held on 5/11/2007 adjourned the application for renewal concurrence with the following decision;*

*‘The matter is adjourned till the disposal of the petition for special leave appeal (Civil) No. 9466/2007 filed by KSRTC before the Hon’ble Supreme Court of India.’*

*Meanwhile the stage carriage KL 6 6548 was under non-use intimation wef 1/2/2005 and the registered owner offered his own later model vehicle KL 4 R 9539 for replacement. Since the original route bus not covered by valid regular permit and non-currency of records, application for replacement was not*

*considered and this matter in detail intimated the permit holder.Hence Secretary,RTA is directed to enquire about the above matter in detail about the present position of the special leave petition filed by KSRTC and regarding the replacement application and place the matter before next RTA.Hence adjourned.*

Incompliance to the decision of the RTA,Alappuzha held on 13/7/2016 the present position of the special leave petition was enquired through AG,Highcourt of Kerala. It was replied that the SLP was disposed as infructuous. Hence this authority had decided to place the file before the RTA held on 30/3/2017.But on the request of the permit holder the matter was not included in the agenda.

**II)** On 3/5/2005 the permit holder applied for replacing KL 6 6548 by his own stage carriage KL 4 R 9539.But the application was not considered due to the records of the both outgoing and incoming were not available. The route bus KL 6 6548 is under continuous Form G wef 1/2/2005 and the Form G continuous till 31/3/2020 except for the QE 30/6/2017.The tax for the QE 30/6/2017 is under RR.

As the application for renewal and replacement are pending disposal,the permit holder was heard on 15/3/2018 and he stated that a case with finance company is pending which will be settled on or before 30/4/2018.Hence granted a time extension till 30/4/2018.But the permit holder didn't produce the records within the stipulated time. Hence this authority placed the matter before the RTA, Alappuzha held on 11/7/2018 and the RTA considered the same and adjourned for want of concurrence report from RTA, Kollam and RTA, Pathanamthitta. Now the said report has been received from the above two offices. Details of the said report are shown below.

- i) A distance of 15.5 km from Karungappally HS Jn to Malayudekutti lies in Kollam district. Out of this, 1 Km from Karunagappally HS Jn to Pulliman Jn objectionably overlaps in Thiruvananthapuram – Cannore and Thiruvananthapuram – Palakkad complete exclusion scheme vide notification No.GO(p) No.42/2009/Trans dtd 14/7/2009.
- ii) A distance of 3.9 Km from Pandalam to Kurampala overlaps in Thiruvananthapuram – Thekkady via Changanassery and Thiruvananthapuram – Cannore schemes vide notification No.GO(p) No.8/2017/Trans dtd 23/3/2017 and notification No.18118/TB3/66/PW dtd 11/8/1966 respectively.

Moreover, the financier, Shriram Transport Finance Co. Ltd , Kayamkulam has filed an objection against the renewal of permit in respect of above mentioned stage carriage.

The above matter was placed before the RTA which held on 13.10.2021 vide item No 81 and taken the decision as “.....No attempt was made to operate the vehicle KL 06 6548 on the permit granted to him. Application for renewal refer to the registration mark of the vehicle covered by permit. Permit is issued in the context of a vehicle and renewal of permit is sought in the context of the vehicle. It is true that holder of the permit can get his vehicle replaced during the currency of permit. The permit holder failed to replace the vehicle. An application for renewal of permit without there being a ‘ready vehicle’ with the application is not contemplated by Rule 172 of KMV Rules 1989. For the above reasons, application for renewal is **rejected**.

1. The regular permit has no validity and the renewal of permit is rejected. Replacement can be considered on a valid permit. Hence **rejected**.

On 24.01.2023 permit holder submitted a Judgment from the Hon'ble High Court of Kerala in WP© No.38135 of 2022 dtd 06.01.202. and which reads that “...there can be a direction to the 1<sup>st</sup> respondent to reconsider the applications in accordance with law after giving an opportunity of hearing to the petitioner. Therefore this writ petition is allowed in the following manner. (i) Ext P4 is set aside. There will be a direction to 1<sup>st</sup> respondent to reconsider renewal application and replacement application submitted by the petitioner in accordance with law. Untrammelled by any observation in this Judgement.....” The matter was placed before the RTA which held on 08.03.2023 vide item No. No. 18 and taken the decision as “....Heard the learned counsel represented the applicant. Perused the judgment of Hon'ble High Court of Kerala in WP(C) No. 38135 of 2022 dated 06.01.2023. This application have a checkered history. The stage carriage KL 06/6548 had a regular permit to operate on the inter district route Karunagappally – Thatta, which was granted and then issued by this authority on 25.01.1996 and the validity expired on 24.01.2001.

The applicant who is the permit holder on 24.10.2000 submitted an application for the renewal of this regular permit for a further period of 5 years from 25.01.2001 to 24.01.2006. This authority on 24.02.2001 considered this

application and adjourned for the prior concurrence from the sister RTAs of Kollam and Pathanamthitta. RTA Pathanamthitta in the meeting held on 21.08.2006 granted prior concurrence for the renewal of this regular permit and RTA Kollam in its sitting held on 05.11.2007 adjourned the request till the disposal of SLP 9466 of 2007 filed by KSRTC.

In the meantime from 01.12.2005 the route bus KL 06/6548 is under Non-use intimation. On 03.05.2005 the permit holder submitted an application for replacement of this vehicle by a later model vehicle KL 04 R 9539 owned by him. But this application for replacement was kept in abeyance due to the reason that there is no valid regular permit for replacement.

On 27.12.2005 the permit holder submitted second renewal application for the period from 25.01.2006 to 24.01.2011. It was considered by this authority in its meeting held on 26.08.2008 and adjourned for the prior concurrence of sister RTAs of Kollam and Pathanamthitta. RTA Pathanamthitta in its meeting held on 20.02.2009 rejected the request for the renewal concurrence since the route overlaps on the notified route Thiruvananthapuram – Thekkadi.

On 27.12.2010 the permit holder submitted the third application for the renewal of this regular permit for the period from 25.01.2011 to 24.01.2016 and it was considered by this authority on 12.06.2014 and adjourned for the prior concurrence from sister RTAs for the renewal of this regular permit.

On 26.12.2015 the permit holder submitted the fourth application for the renewal of this regular permit for the period from 25.01.2016 to 24.01.2021 and this authority considered the application in its meeting held on 13.07.2016 and adjourned the matter directing Secretary RTA to enquire about the said SLP 9466 of 2007. Secretary after contacting Advocate General reported that this SLP was dismissed as it was infructuous. So this authority on 11.07.2018 reconsidered the matter by this time State Transport Authority on 14.06.2017 decided to grant renewal of permit without insisting concurrence from sister RTAs. The secretary RTA shall obtain a detailed route enquiry report and ascertain that there is no variation in the existing route along with the feasibility of the renewal application. Based on this STA decision it was adjourned on 11.07.2018 by this authority for detailed report from sister RTAs and as per the report of RTO Kollam a distance of 15.5 Kms from Karunagappally HS Jn. to Malayudekutti lies in Kollam district. Out of this 1 km from Karunagappally HS Jn. to Puliman Jn. overlaps Thiruvananthapuram – Kannur and Thiruvananthapuram – Palakkad scheme and from Pandalam to



Kurampala a distance of 3.9 Kms overlaps Thiruvananthapuram – Thekkadi and Thiruvananthapuram – Kannur schemes.

All these matters were placed before this authority on 13.10.2021 and it was decided as follows;

“No attempt was made to operate the vehicle KL 06 6548 on the permit granted to him. Application for renewal refers to the registration mark of the vehicle covered by permit. Permit is issued in the context of a vehicle and renewal of permit is sought in the context of the vehicle. It is true that the holder of the permit can get his vehicle replaced during the currency of permit. The permit holder failed to replace the vehicle. An application for renewal of permit without there being a ‘ready vehicle’ with the application is not contemplated by Rule 172 of KMV Rules 1989. For the above reasons, application for renewal is **rejected**. The regular permit has no validity and the renewal of permit is rejected. Replacement can be considered on a valid permit. Hence **rejected**”.

On 18.01.2021 the permit holder submitted the fifth application for the renewal of this regular permit for the period from 25.01.2021 to 24.01.2026 and now Hon’ble High Court of Kerala in its judgment in WP(C) No. 38135 of 2022 dated 06.01.2023 set aside the decision of this authority dated 13.10.2021 and directed to reconsider the application for renewal and replacement in accordance with law untrammelled by any observation in this judgment and after hearing the petitioner.

Based on the above direction the counsel of the applicant was heard on 08.03.2023. The matter is the consideration of renewal of an inter district regular permit from 25.01.2001. There are five renewal applications are pending and an application for replacement of the vehicle is also pending. State Transport Authority only on 14.06.2017 dispensed the practice of obtaining prior concurrence for the renewal of inter district regular permits. So for all the five renewal applications the prior concurrence from sister RTAs Kollam and Pathanamthitta are necessary; since the STA decision has no retrospective effect. RTA Pathanamthitta on one occasion rejected the request for prior concurrence also.

As per Kerala Motor Vehicles Rules 172(2) an application for renewal of permit shall be accompanied by No Objection Certificate from the Finance Company. In this case instead of No Objection Certificate, what was available in the file is the objection of the finance company. It is true that

the applicant produced hypothecation termination letter as per Central Motor Vehicles Rules 61 on 15.02.2023 only.

The tax in respect of the vehicle KL 06/6548 is in arrears for the quarter ending 30.06.2017 and it is under Revenue Recovery. As per Section 81(4) of Motor Vehicles ACT RTA may reject an application for the renewal of a permit on one or more of the following grounds namely;

- a. The financial condition of the applicant as evidenced by insolvency or decrees of payment of debts remaining unsatisfied for a period of 30 days, prior to the date of consideration of the application. Here in this case the tax of the route bus is in arrears and under Revenue Recovery for realizing the amount. So in a nutshell there is no prior concurrence for the renewal of this permit from 2011 and the applicant is a defaulter of tax. Hence he is not entitled to get renewal of this permit.

Due to the long history of this application spanning over two decades this authority considered the matter sympathetically. So it explored the provision for the grant of a fresh regular permit. But it was also in vain. This is an inter district route having a route length of 49.7 Kms. Out of this 18 Kms comes under the jurisdiction of this authority, 15.6 Kms is in the jurisdiction of RTA Kollam and remaining 16.1 Kms is in the jurisdiction of RTA Pathanamthitta. The following overlapping on the Notified routes also noticed;

- a) From Pandalam to Kurambala a distance of 3.9 Km objectionably overlaps Trivandrum – Thekkady notified route.
- b) From Puthiyakavu to Karunagappally HS Jn. a distance of 2.3 Km objectionably overlaps Trivandrum-Palakkad notified route.

So these overlapping is 6.2 Kms, which is not permissible as per GO(P) No. 08/2017/Trans dated 23.03.2017. Moreover a distance of 4 Kms from Para Jn. to Charummoodu overlaps partial exclusion scheme of Kayamkulam – Punalur and Kayamkulam – Kulathupuzha vide Notification GO MS156/67/PW dtd 27/7/1967. From this it is very clear that the grant of this regular permit during 1995 – 1996 was not legal and proper.

Taking into consideration of all these factors and legal provisions, this authority **rejects** the applications for renewal of regular permit in respect of stage carriage KL 06/6548 on the route Karunagappally – Thatta.

II. Since no permit is in existence for vehicle replacement, the application for replacement of stage carriage KL 06/6548 by KL 04 R 9539 is also **rejected.**”

Now the permit holder submitted a request before the Chairman RTA Alappuzha for reconsidering the application for renewal of permit in respect of the Stage Carriage KL 06 6548 and vehilce replacment between the Stage Carriage KL 04 R 9539.The Chairman RTA fdirected the Secretary RTA to consider the matter for further action.

Hence the RTA may peruse the file, hear the applicant and take a decision.

**Item No. : S-06**

**Ref. No. :C2/616293/2023/A**

Agenda :- To consider the application for transfer of permit in respect of stage carriage KL 35 B 6957(hire agreement replacement from KL 37 7808) on the route Thiruvalla Manivelikadav, Kavumbhagam, Podiyadi, Parumala, Mavelikara, Thattarambalam, Chetikulangara KSRTC, from the name of 1st applicant to the name of 2<sup>nd</sup> applicant.

Applicants:1. Sri. Shibi Charley, Chalil House, Venkurinji P. O,Manipuzha, Kottayam .  
2. Sri. Siva Ajoy, Thiruvonam House, keezhcherimel, Chengannur P O

Application date : 07.11.2023  
Permit validity : 25.07.2025  
Hypothecation : Nil

Notes: The stage carriage KL-35 B 6957 is having a regular permit on the route Thiruvalla Manivelikadav, Kavumbhagam, Podiyadi, Parumala, Mavelikara, Thattarambalam, Chetikulangara KSRTC valid upto 25.07.2025. An application was received for transferring the permit from the name of first applicant to the name of second applicant. Both the applicants have jointly submitted the application for transferring the permit. Necessary enquiry has been conducted through JRTO Chengannur which reveals the following.

Both the applicants satisfy the provision of Rule 178(2) of KMV Rules and the vehicle is now under the control and possession of former applicant and ready to dispose it to the latter applicant. The proposed purchaser is in good financial position for the maintenance of the stage carriage services. It is also found that no financial transaction has been made so far between them and the application is found genuine.

Hence the RTA may peruse the file, hear the applicants and take a decision.

Sd/-  
Secretary  
Regional Transport Authority  
Alappuzha