

**DECISION OF THE REGIONAL TRANSPORT AUTHORITY, THRISSUR**  
**MEETING HELD ON 06.10.2021**

(Venue : Online Platform Google Meet)

**Present :**

**Chairman : Smt. Haritha V Kumar IAS**  
**District Collector, Thrissur &**  
**Chairman, RTA Thrissur**

**Member : Smt. G Poonguzhali IPS**  
**District Police Chief, Thrissur Rural**  
**(Member , RTA Thrissur)**

**Member : Sri. Sasikumar A K**  
**Deputy Transport Commissioner**  
**Central Zone – 1, Thrissur**  
**(Member , RTA Thrissur)**

## **Item No 1**

Perused the order of Hon'ble STAT in MVARP No. 71/2020 and the Judgments of the Hon'ble High Court of Kerala in WP(C) No. 20963/2020 & WP(C) No. 22469/2020. Heard the applicant, the learned counsel and all the concerned including the representative of KSRTC. Reconsidered the application for fresh regular stage carriage permit, to operate on the route Thrissur-Cherppu as Ordinary service.

As per the decision of this authority dated 21.01.2020 in item No. 03, a fresh regular stage carriage permit was granted on the above route to the applicant, subject to settlement of timings. The above decision was challenged before the Hon'ble STAT, Ernakulam vide MVARP No. 71/2020, alleging that the proposed route objectionably overlaps on the notified route. As per the interim order dated 01.07.2020 of Hon'ble STAT Ernakulam in MVARP No. 71/2020, it was directed to conduct specific enquiry and to submit a detailed report regarding length of the route and distance of objectionable overlapping with the notified route. Accordingly, a detailed joined enquiry report was submitted before the Hon'ble STAT in compliance with the directions contained in the above order. Hon'ble STAT allowed the Revision petition and set aside the impugned order and directed this authority to re-consider the application after taking into consideration of the materials before it, including the field officer's report and pass orders in accordance with law within two months, after hearing all the parties concerned. The applicant for this permit/grantee filed WP(C) No. 20963/2020 & 22469/2020 before the Hon'ble High Court of Kerala seeking writ mandamus to issue the sanctioned regular permit. By holding the above order passed by the Hon'ble STAT, both this writ petitions were disposed as per the judgments dated 01.03.2021 by Hon'ble High Court of Kerala.

The above application is reconsidered now. Heard, the counsels representing the applicant, objector, the KSRTC and all the concerned. In the detailed specific report submitted as directed by Hon'ble STAT, the total length of the route is 16.6 Km and the total distance of overlapping is 1.8 Km [(1) Manikandal Thrissur Round Junction to Round Shornur Road Junction - 0.550 Km . (2) Thrissur Round entry through Mahakavi Vailoppilly Sreedhara Menon Road to M O Road Junction - 0.750 Km.(3) Thiruvullakkavu Junction to Ground Road Junction - 0.200 Km.(4) Cherppu Police station Auto stand to Cherppu Thayankulangara - 0.300 Km].

The maximum permissible overlapping distance with notified route in a route having length of 16.6 Km is only 0.83 Km. Even if, the 300 meters

overlapping distance from Cherppu Police Station Auto Stand to Cherppu Thayakulangara ( the additional distance to be covered for safe parking of the stage carriage, which is not a part of the above proposed route) is avoided, the total overlapping distance is 1.5 Km, which is clearly in violation of clause 5(C) of Notification No. B1/13/2016/Tran dated 14.09.2020. Hence, the **application for fresh permit is rejected.**

### **Item No 2**

Heard, this is an application for fresh regular stage carriage permit on the intra district route Kalletumkara - Thelappilly as Ordinary Service. The field officer has reported that only 200 m of the proposed route is overlapping on the notified schemes, which is less than 5% of the total route length of 25 Km. The proposed route contains virgin portion of 6.6 Km [Kannikkara to Kampanipady (1.5 Km), Kaduppassery Colony to Mannarmoola (1.6 Km), both Panchayath roads with 3 m wide carriage way, and Christ College to Kanjirapady (3.5 Km) Municipality road with 3 m wide carriage way] and it is also understood that since the proposed route covers remote areas, a fresh stage carriage service through this area will be beneficial to travelling public.

Hence, fresh regular **stage carriage permit is granted** subject to the settlement of timings and production of a suitable stage carriage within one month from the date of communication of the decision, failing which, the grant of permit will be treated as revoked.

### **Item No 3**

Heard the applicant and the objections. KSRTC objected this application for reserve bus permit, by pointing out that the applicant can only continue service on the permitted route, but not entitled to avail this permit to operate on the notified route/approved scheme. On perusal of records, it is revealed that this application is not for a fresh permit/variation of permit through a notified route, but for a reserve bus permit for conducting substitute service in place of regular stage carriages which were already covered by valid permits and owned by the applicant, that too as a temporary measure, when those vehicles were kept off road, but aimed to ensure the travelling facility of the public.

Hence, fresh reserve stage carriage permit as per Rule 182 of KMV Rules 1989 is **granted** to KL 08 AD 7500 to conduct substitute services in the following routes,

<b><u>Sl No</u></b>	<b><u>Permit No.</u></b>	<b><u>Reg. Mark</u></b>	<b><u>Route</u></b>
1)	08/60/1995	KL 08 AR 5656	Thrissur - Anchangadi – Chettuva
2)	08/23/1999	KL 08 BP 3303	Thrissur– Palazhy -Medical College
3)	08/34/1992	KL 08 AQ 7707	Thrissur - Koorikuzhi
4)	08/903/2003	KL 08 BJ 1221	Kothakulam – Thrissur
5)	08/4921/2007	KL 07 AN 2392	Guruvayur – Thrissur
6)	08/28/2001	KL 08 AK 8100	Thrissur – Guruvayur
7)	08/4593/1993	KL 08 AU 1101	Perinjanam – Thrissur

only when, the respective vehicles owned by the applicant, having valid regular permit/ temporary permit are kept off – road, subject to the below mentioned conditions in SRO No. 880/75.

1. The reserve bus shall be used solely for substitute service in place of the regular route stage carriages (route buses) for which the reserve bus is authorized to conduct substitute service and not for any other purpose during the entire quarter; and
2. Tax in respect of all route buses, in place of which the reserve bus is authorized to ply, shall be paid within the prescribed period of the quarter.
3. The reserve stage carriage (reserve bus) shall be used only for 20 days at a time; subject to maximum of 2 months only in any one quarter in place of any one regular route stage carriage (route bus).
4. The reserve bus shall be used only when the regular route stage carriage is kept off the road.

#### **Item No 4**

Heard, this is a request to allow extension of time to produce current records of a suitable stage carriage to avail the fresh regular stage carriage permit granted to operate on the route Kodali-Thrissur as ordinary service as per the decision of this authority dated 21.01.2020 in Item No. 04.

On perusal of records, it is realized that the above decision to grant permit was communicated to the applicant on 18.05.2020. Grantee failed to produce current records of a suitable stage carriage neither within one month from the date of communication of decision nor within the aggregate period of four months, which expired on 17.09.2020, though he filed the request for extension of time to produce the current records two times, that is on

15.06.2020 and 14.09.2020; no effort has been made by the grantee to produce the current records within the stipulated time.

Request of the grantee submitted on 22.04.2021 along with records of stage carriage KL 10 AH 531 is clearly in violation of time-limit, prescribed in Rule 159(2) of KMV Rule, 1989. Hence the request of the applicant is **rejected**. The decision of the RTA dated 21.01.2020 to grant the permit is **revoked**.

### **Item No 5**

Heard. This is an application for renewal of regular permit on the inter route Guruvayur – Ernakulam as LSOS, valid upto 07.08.2020, in respect of stage carriage KL 47 E 4041. The route enquiry report from RTO Ernakulam is not seen received. Secretary, RTA is therefore directed to obtain the report from the Secretary, RTA Ernakulam and place the application in the next meeting of the RTA . Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 6**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 13.10.2020, in respect of stage carriage KL 47 F 4140. Enquiry report from RTO Ernakulam is not seen received. Secretary, RTA is directed to obtain the report from the Secretary, RTA Ernakulam and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is adjourned.

### **Item No 7**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Thrissur - Kuttipuram as LSOS valid upto 29.11.2020, in respect of stage carriage KL 08 AW 4815. The route enquiry report from RTO Malappuram is not seen received. Secretary, RTA is directed to obtain the report from the Secretary, RTA Malappuram and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 8**

Heard. This is an application for renewal of regular permit on the inter district route Chowallurpady – Thrissur - Kulappilly as LSOS valid upto 01.01.2021, in respect of stage carriage KL 36 A 2522. But route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the

next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 9**

Heard. This is an application for renewal of regular permit on the route Chelakkara – Ottapalam – Potta as Ordinary Service valid upto 23.02.2021, in respect of stage carriage KL 17 G 4507. The permit is inter district one, issued after 14/07/2009 and of the total route length 44 Km, 2 Km lies in the Palakkad district. The enquiry officer reported that there is no overlapping on the notified route. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 10**

Heard. Perused the records and connected files. This is an application for renewal of regular permit on the inter district route Elanad – Palakkad as LSOS valid upto 12.11.2020, in respect of stage carriage KL 59 B 4779. Of the total route length 115 km, 72 km lies in Thrissur district and 43 km is in Palakkad district. The report of enquiry officer reveals that the overlapping with notified routes/approved scheme is not objectionable in the case of renewal of an existing saved permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 11**

Heard. This is an application for renewal of regular permit on the inter district route Malampuzha – Guruvayoor as LSOS valid upto 24.04.2021, in respect of stage carriage KL 08 AT 5099. The enquiry officer reported that the overlapping portions on the notified route are not objectionable as per Notification G O (P) No. 8/2017/Trans dated 23/03/2017 clause 4 and 5(b) in the case of renewal of an existing saved permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 12**

Heard. This is an application for renewal of regular permit on the inter district route Kodungallur – Kuttipuram as LSOS valid upto 11.09.2021, in respect of stage carriage KL 08 AR 2728. Of the total route length 93.16 km, 72 km lies in Thrissur district and 21.16 km is in Malapuram district. The enquiry

officer reported that the overlapping with notified routes/approved scheme is not objectionable in the case of renewal of an existing saved permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 13**

Heard. This is an application for renewal of regular permit on the inter district route Andathode –Ottapalam – Thrissur – Shornur - Vaniyamkulam as LSOS valid upto 17/09/2020, in respect of stage carriage KL 06 E 1245. The route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 14**

Applicant is absent. Hence decision on application for renewal of permit is **adjourned**. Secretary, RTA is directed to place the application in the next meeting of the RTA, after issuing due notice to the applicant without fail.

### **Item No 15**

Heard. This is an application for renewal of regular permit on the inter district route Parappur – Thrissur – Kuttipuram as LSOS valid upto 01.01.2021, in respect of stage carriage KL 08 AQ 8127. The enquiry officer reported that overlapping with notified routes is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 16**

Heard. This is an application for renewal of regular permit on the inter district route Kongad – Ollur as LSOS valid upto 14.12.2020, in respect of stage carriage KL 08 BD 4500. The enquiry officer recommended for the renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 17**

Heard. This is an application for renewal of regular permit on the inter district route Adat – Kodungallur - Kuttipuram as LSOS valid upto 23.06.2020, in respect of stage carriage KL 08 BD 7525. The enquiry officer reported that overlapping with notified routes is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 18**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Thrissur - Kuttipuram as LSOS valid upto 04.01.2021, in respect of stage carriage KL 08 BH 252. The route enquiry report from RTO Malappuram is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Malappuram and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 19**

Heard. This is an application for renewal of regular permit on the route Thrissur - Mulayamkavu as ordinary service valid upto 31.03.2020, in respect of stage carriage KL 48 D 345. The route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 20**

Applicant is absent. Hence decision on application for renewal of permit is **adjourned**. Secretary, RTA is directed to place the application in the next meeting of the RTA, after issuing due notice to the applicant without fail.

### **Item No 21**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Thrissur - Kuttipuram as LSOS valid upto 01.09.2020, in respect of stage carriage KL 48 H 9900. The enquiry officer reported that overlapping on notified routes is not objectionable in the case of renewal of an existing permit. Hence renewal of permit is **granted**, subject to



production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 22**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 04.05.2021, in respect of stage carriage KL 75 A 1525. The enquiry officer reported that overlapping on notified routes is not objectionable and renewal application may be considered favourably according to the rules and regulations. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 23**

Heard the applicant and the objectors. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 31.12.2021, in respect of stage carriage KL 46 F 6660. Application for renewal of permit is filed in time. This permit was issued prior to 14/07/2009. Hence as per Notification no B1/13/2016 Tran dated 14.09.2020, this is a saved permit. Respective route enquiry report is received from sister RTA. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of tax arrears and other Govt. dues if any.

### **Item No 24**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 13.10.2020, in respect of stage carriage KL 46 E 9990. The route enquiry report from RTO Ernakulam is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Ernakulam and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 25**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 22.01.2021, in respect of stage carriage KL 46 L 770. The route enquiry report from RTO Ernakulam is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Ernakulam and place the application in the next

meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 26**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Ernakulam as LSOS valid upto 13.11.2021, in respect of stage carriage KL 46 M 9119. The enquiry officer reported that overlapping on the notified routes are not objectionable and renewal application may be considered favourably according to the rules and regulations. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 27**

Heard the counsel appearing for the applicant and the objectors including the representative of KSRTC. This is an application for renewal of regular permit on the inter district route Paravur - Guruvayur as ordinary service valid upto 23.09.2016, in respect of stage carriage KL 42 H 7848. Application for renewal of permit is filed in time.

Objections were raised by the KSRTC that the route overlaps 4.5 km from Paravoor to Vadakkumburam, vide notification No 27106-TA2/65/PW, dated 17.06.1965, which is a complete exclusion scheme and hence renewal of permit cannot be granted. But this permit was issued prior to 14/07/2009 and is a saved permit. Hence as per Notification no B1/13/2016 Tran dated 14.09.2020, an existing saved permit is renewable. A respective route enquiry report is received from the sister RTA. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of tax arrears and other Govt. dues if any.

### **Item No 28**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayoor – Palakkad as LSOS valid upto 19.11.2020, in respect of stage carriage KL 05 Z 3949. The route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 29**

Heard. This is an application for renewal of regular permit on the inter district route Vazhani Dam – Palakkad as LSOS valid upto 28/04/2021, in respect of stage carriage KL 08 BD 234. The route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 30**

Heard. This is an application for renewal of regular permit on the inter district route Ernakulam - Guruvayur as LSOS valid upto 22.11.2021, in respect of stage carriage KL 45 J 1414. The enquiry officer reported that overlapping on the notified routes are not objectionable and renewal application may be considered favourably according to the rules and regulations. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 31**

Heard. This is an application for renewal of regular permit on the inter district route Ernakulam - Guruvayur as LSOS valid upto 11.09.2017, in respect of stage carriage KL 47 C 9990. The route enquiry report from RTO Ernakulam is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Ernakulam and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 32**

Heard. This is an application for renewal of regular permit on the inter district route Guruvayur – Palakkad as LSOS valid upto 02.05.2020, in respect of stage carriage KL 08 BT 7120. The route enquiry report from RTO Palakkad is not seen received. Secretary, RTA is directed to obtain the report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 33**

Heard. This is an application for renewal of regular permit on the route Vypin – Palakkad as LSOS valid upto 14/10/2021, in respect of stage carriage KL 11 AJ 5871. This is an inter district permit with a total route length of 130 Km. Route enquiry report from RTO Ernakulam is not seen received. The Secretary, RTA is directed to obtain report from the Secretary RTA Ernakulam and place the application in the next meeting of the RTA. Hence decision on the application for renewal is **adjourned**.

### **Item No 34**

Heard. Perused the records and connected files. This is an application for renewal of regular permit on the inter district route Thrissur – Palakkad as LSOS valid upto 29/06/2021, in respect of stage carriage KL 48 C 199. The enquiry officer reported that there is no objectionable overlapping in the notified route and recommended for renewal as the permit is issued before the year 2005. Hence renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 35**

Heard. This is an application for renewal of regular permit on the inter district route Thrissur – Kozhikkode as LSOS valid upto 17.05.2021, in respect of stage carriage KL 08 BC 6606. The enquiry officer reported that overlapping on notified routes is not objectionable in the case of renewal of an existing saved permit. Hence the renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of Govt. dues if any.

### **Item No 36**

This is an application for renewal of regular permit on the inter district route Kodungallur- Palakkad as LSOS valid upto 27.06.2020, in respect of stage carriage KL 47 B 2710. The route enquiry report from RTO Palakkad is not seen received and the applicant was absent. The secretary, RTA is directed to place the application in the next meeting of the RTA, after obtaining report from Secretary RTA Palakkad and issuing due notice to the applicant without fail. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 37**

Heard the applicant and the objectors. This is an application for renewal of regular permit on the inter district route Palakkad - Thriprayar as LSOS valid upto 27.11.2016, in respect of stage carriage KL 08 AQ 6951. The concurrence for renewal of permit was granted from RTA Palakkad on 03.07.2017 and the matter was considered in the RTA meeting held on 21.01.2020 as item No. 09. Since the applicant was absent, decision on the application was adjourned.

Objection was raised by the en route operator alleging that the permit holder failed to operate the transport vehicle for service as per Rule 152 of KMVR,1989 and requested this authority to suspend or cancel the permit as per Rule 145 of KMV Rules 1989. On perusal of records, it is revealed that the permit holder submitted a request on 05/08/2021 to reconsider the permit renewal application and also it was found that the permit holder has put the vehicle on Form G seeking exemption of tax.

Hence reconsidered the application and renewal of permit is **granted**, subject to production of NOC from the financier if applicable and clearance of road tax and Govt. dues if any, with direction to Secretary RTA to enquire the intention of permit holder to continue the stage carriage service and follow procedures if necessary, as per Rule 145.

### **Item No 38**

Heard. This is an application for renewal of regular permit on the inter district route Ayyanthole – Palakkad as LSOS valid upto 09.01.2021, in respect of stage carriage KL 49 G 7300. The route enquiry report from RTO Palakkad is not seen received. The secretary, RTA is directed to obtain report from the Secretary RTA Palakkad and place the application in the next meeting of the RTA. Hence decision on the application for renewal of permit is **adjourned**.

### **Item No 39**

This is an application for ratification of the renewal of regular permit on the intra district route Thriprayar – Chavakkad – Thrissur as ordinary service valid upto 02.12.2025, in respect of stage carriage KL 10 X 7723. The permit is issued after 14/07/2009 since the overlapping on notified route is within the permissible limits and not objectionable for the renewal of the permit. On 22/10/2020, the permit holder applied for renewal of permit which was valid

up to 02.12.2020. The applicant was heard on 03.11.2020 and the permit renewal has been granted by the Secretary, RTA, using the power of RTA delegated to Secretary as per Rule 133 of KMVR, 1989. In the above circumstances, the renewal of regular permit granted by the Secretary RTA is **ratified**.

### **Item No 40**

This is an application for ratification of the renewal of regular permit on the inter district route Elanad – Ottapalam (less than 2 km in Palakkad district) as ordinary service valid upto 19.08.2025, in respect of the stage carriage KL 48 M 6030. The permit is issued after 14/07/2009. The total route length is 52 km. There is no overlapping on the notified routes. On 19/07/2020, the permit holder applied for renewal of permit which was valid upto 19.08.2020. The applicant was heard on 27.07.2020 and the permit renewal has been granted by the Secretary, RTA using the power of RTA delegated to Secretary as per Rule 133 of KMVR, 1989. In the above circumstances, the renewal of regular permit granted by the Secretary RTA is **ratified**.

### **Item No 41**

Heard. This is an application for renewal of regular permit and to reconsider the joint application for transfer of regular permit on the inter district route Govindapuram – Guruvayur as ordinary service valid upto 22.04.2021, in respect of the stage carriage KL 45 M 7173. The route enquiry report from RTO Palakkad is not seen received.

Hence decision on the application for **renewal of permit** is **adjourned**, for want of report from Secretary, RTA Palakkad. In view of the decision, on the application for renewal of permit as above, decision on the application for **transfer of permit** is **adjourned**. The secretary, RTA shall place both these applications in the next meeting of the RTA after obtaining necessary report and issuing due notices to the applicants without fail.

### **Item No 42**

Heard. This is an application for renewal of regular permit on the intra district route Chakyarkadavu – Ayyanthole as ordinary service valid upto 21.03.2021 in respect of the stage carriage KL 13 M 5908 and also for the replacement of the vehicle by another one bearing register no. KL 08 BT 8528.

As per dictum laid down by the Hon'ble High Court of Kerala in Usman vs RTA Malappuram, applications for renewal of permit and replacement cannot be considered simultaneously. Hence the application for **renewal of permit is granted**, subject to the production of NOC from financier if applicable and clearance of Govt. dues if any. The decision on the application for **replacement of vehicle is adjourned** without looking into its merits for considering later by the RTA, after revalidation of the regular permit.

### **Item No 43**

Heard, considered the application for renewal of permit in respect of stage carriage KL 08 K 2277 on the intra district route Kunnankulam to Thrissur as Ordinary Service valid upto 08.10.2011 and also considered the application for replacement of vehicle in respect of stage carriage KL 08 K 2277 by stage carriage KL 07 AM 2815 on the route Kunnankulam-Thrissur. Counsel appearing on behalf of the applicant requested to adjourn the decision on the above application in view of the appeal in MVAA No. 82 of 2020 pending before the Hon'ble STAT, Ernakulam. Hence, decisions on the above applications are **adjourned**.

### **Item No 44**

1) Perused the judgment of Hon'ble High Court of Kerala dated 13.04.2021 in WP(C) No. 8169/2021 and judgment of Hon'ble STAT, Ernakulam in MVAA No. 248/2019 dated 25.09.2020

2) Heard the applicant and the objectors. This is to reconsider the application for variation of regular stage carriage permit in respect of KL 05 U 8487. The proposed variation sought for is an extension of 1.6 km from Velappaya Church to Medical College for 4 trips in the existing time schedule. The application was last rejected by this authority in the meeting held on 05.09.2019 as per decision in item no. 22 since the proposed route in the variation lies in an area well served by stage carriages, including KSRTC and allotment of timings is not feasible, since there is no sufficient time gap to conduct a clash free service. It was also observed that there is no specific necessity for variation of service under Rule 145 (6) of Kerala Motor Vehicles Rules.

The above decision impugned before Hon'ble STAT Ernakulam in MVAA No. 248/2019. As per the judgment dated 25.09.2020, Hon'ble STAT directed to grant the variation by finding that the change of timing after variation is not a ground to reject the variation and the route enquiry officer has reported that

the variation sought for is beneficial to the travelling public and there is no scheme violation. Hon'ble High Court of Kerala as per the judgment dated 13.04.2021 in WP(C) No. 8169/2021 has also directed to consider the application of the petitioner, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Though some operators arose objections stating that this variation is unnecessary aimed in re routing to avoid concession availed student travelers of several educational institutions and to cause time clash with other existing operators by acquiring extension of service in a very well served route, obliged by the directions in the above judgments, variation of permit is **granted**, subject to settlement of timings. While secretary RTA is settling timings, for endorsing variation of permit, maximum possible care has to be taken not to disproportionately alter the time slots convenient to the student travelers.

### **Item No 45**

Perused the judgment of the Hon'ble High Court of Kerala dated 22.03.2021 in WP(C) No. 6300 of 2021. Heard, the applicant and objectors (including the representative of KSRTC). This is an application for variation of permit in respect of stage carriage KL 45 L 9423 operating on the route Chathakkudam - Thrissur as Ordinary Service. This is a saved permit issued prior to 14/07/2009. The proposed variation contains deviation of trips between Chathakkudam and Thrissur via Palissery, Anchangadi, Thiruvullakkavu (6.3 KM) instead of via Chovvur and also extension of 7.3 Km from Chathamkudam to Pudukkad via Pullanipadam, Kadalassery, Pazhayi, Railway gate. The enquiry report reveals that the deviation sought portion from Perumbillissery to Thiruvullakkavu (0.15 Km) overlaps with notified route. As per clause 19 of Notification No. B1/13/2016/Tran dated 14.09.2020, Regional Transport Authority shall not grant any temporary/regular permits or vary the conditions of existing permits on the notified routes or portions. Hence, the application for variation of permit is **rejected**.

### **Item No 46**

Perused the decision of RTA dated 21.01.2020 in item No.82 of the agenda. The application for variation of permit in respect of stage carriage KL 47 B 3213 operating on the route Irinjalakkuda - Thriprayar has already been considered by this authority and rejected in the meeting held on 21.01.2020. Hence, decision on this request has become in-fructuous. Applicant is free to approach Appellate Authority for further remedy. Hence, **disposed** the request as **in-fructuous**.



## **Item No 47**

Heard, the applicant and objectors. This is an application for variation of permit on the route Enammavu - Irinjalakkuda as Ordinary Service , in respect of stage carriage KL 08 AB 9824 with extension from Kattur to Thanissery of 4 Kms for a single trip. There is no virgin portion or no overlapping with notified route/approved schemes.

En route operators raised objections that it is not a bonafide variation, with intention to avoid schools and colleges in the route and will seriously affect the travelling students. But the enquiry officer reported that the proposed variation will not affect the passengers of the existing route, as the existing route is well served one. It will be beneficial to the public on the new route as only two stage carriages conducts service through the proposed variation portion. Hence, variation of permit **granted**, subject to settlement of timings.

## **Item No 48**

1. Perused the judgment of Hon'ble STAT in MVAA No. 22/2020 dated 16.07.2020
2. Reconsidered the application for variation of permit in respect of stage carriage KL 58 B 9471 operating of the route Ayyanthole – Chirakkakode (town service). This application was last considered by this authority in the meeting held on 03.05.2019 as item no 24 and rejected with the finding that the travelling public is not benefitted and more over there is no specific necessity for any variation as contemplated under Rule 145(6) of KMVR, 1989. The decision was impugned before the Hon'ble STAT in MVAA No. 22/2020 and as per judgment dated 16.07.2020 in the above appeal, the Hon'ble Tribunal set aside the above decision of RTA by finding that the decision was not relied on any data, while rejecting the application and also not taking into consideration of the direction given by Hon'ble Tribunal in the order dated 06.04.2019 in MVARP No. 37/2019.

Hence, for a detailed report in compliance with the directions of Hon'ble STAT in the order dated 16.07.2020 in MVAA No. 22/2020, the decision on this application for variation of permit is **adjourned**. Secretary, RTA shall re-submit the application along with the above report in the ensuing meeting of this authority without fail.

### **Item No 49**

Heard. This is an application for variation of permit on the intra district route Annamanada - Mala -Kundur – Kodungallur, in respect of stage carriage KL 33 700 as Ordinary Service. The applied variation is sought for one trip from Kodungallur to Mala at 3.30 pm to deviate via Karuppadanna, Kadalai, Karumathara, Nedunganam, Kolothkunnu, Mankidi, Kundayi, Ashtamichira. The enquiry officer reported that the proposed variation will be comparatively beneficial for the travelling public of the new route since frequency of stage carriages are very less in the proposed route comparing to existing route. Hence, variation of permit **granted**, subject to settlement of timings.

### **Item No 50**

Heard. This is an application for renewal of permit in respect of stage carriage KL 47 B 1818 operating on the inter-district route Ernakulam - Kozhikkode as LSOS valid up to 29.08.2020 by curtailing the portion of the route from Kozhikkode Medical College to Kuttippuram so as to limit the route length below 140 Km. Decision on these applications is **adjourned** for want of report on route length/details of notified route from Secertary, RTA, Ernakulam. The Secretary, RTA shall obtain the same and place this application before this authority in the next meeting.

### **Items No 51 to 126**

The decision on the items No. 51 to 126 in this agenda are **adjourned** to consider later.

(Sd/-)

**Sri. Sasikumar A K**  
Deputy Transport Commissioner  
Central Zone – 1, Thrissur  
(Member , RTA Thrissur)

(Sd/-)

**Smt. G Poonguzhali IPS**  
District Police Chief, Thrissur Rural  
(Member , RTA Thrissur)

(Sd/-)

**Smt. Haritha V Kumar IAS**  
District Collector, Thrissur &  
Chairman, RTA Thrissur