

## Decisions of the RTA meeting held on 29/11/2012

1] Heard. This is an application for the grant of regular permit in respect of stage carriage KL 15 6242 on the route Angamaly - Amrutha Hospital applied by the STU. Regular permit granted with the proposed time

2] Heard. This is an application for the grant of regular permit for a suitable vehicle owned by the applicant on the route Kalady - Kakkanad - csez. The total length of route is 36.5 km. The overlapping on notified route is 400 mtrs at Marampilly on the Aluva - Kattappana scheme. This is within the limit of 5% of the total route length. Hence regular permit granted subject to settlement of time

3] Heard. This is an application for the grant of regular permit for a suitable vehicle owned by the applicant on the route Kalady - Kakkanad - csez. The total length of route is 36.5 km. The overlapping on notified route is 400 mtrs at Marampilly on the Aluva - Kattappana scheme. This is within the limit of 5% of the total route length. Hence regular permit granted subject to settlement of time

4] Heard. This is an application for the grant of regular permit in respect of stage carriage KL 07 AU 5566 on the route Kalady - Arankadavu. The total length of route is 30.2 km. The route portion from Oliyan Kappela to Angamaly [0.6km] and from Angamaly Jn to Municipal Stand [1.5 km] overlaps on Kottayam - Kozhikode & Ernakulam - Palakkad schemes respectively. This exceeds the permissible limit and violated G O [P] No:42/Trans/2009 dated 14/07/2009. Hence permit application rejected

5] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:256/2012

[b] Heard & reconsidered. This is an application for the grant of regular permit on the route Munambam - N Parur - Cherai which is adjourned by the RTA held on 12/06/2012. Now as per the Judgement of the Hon'ble STAT in MVAA No:256/2012, Hon'ble STAT has observed that the Aluva - Cherai & Aluva - Chathanad schemes would be objectionable if it connects or passes through any of the two intermediate points. The route does not connect or passes through the two intermediate points. Hence in compliance to the Judgment of the Hon'ble STAT in MVAA No:256/2012, regular permit granted subject to settlement of time

6] [a] Perused the Judgment of the Hon'ble STAT in MVAA No:258/2012

[b] Heard & reconsidered. This is an application for the grant of regular permit in respect of KL 39 4558 on the route N Parur - Vyttila Hub which is adjourned by the RTA held on 12/06/2012. Now as per the Judgement of the Hon'ble STAT in MVAA No:258/2012, Hon'ble STAT has observed that the order of RTA is not legally sustainable as per Sec 72[1] of M V Act & Rules and directed to reconsider and there is no violation of G O [P] No:42/Trans/2009 dated 14/07/2009. Hence in compliance to the Judgement of the Hon'ble STAT in MVAA No:258/2012 regular permit granted subject to settlement of time

7] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:264/2012

[b] Heard & reconsidered. This is an application for the grant of regular permit on the route N Parur - Aroor which is adjourned by the RTA held on 12/06/2012. Now as per the Judgement of the Hon'ble STAT in MVAA No:264/2012, Hon'ble STAT has observed that the order of RTA is not legally sustainable as per Sec 72[1] of M V Act & Rules and directed to reconsider. There is no violation of G O [P] No:42/Trans/2009 dated 14/07/2009. Hence regular permit granted as per the direction in MVAA NO 264/2012 subject to settlement of time

8] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:264/2011

[b] Heard & reconsidered. This is an application for the grant of regular permit on the route Kaloor - Thathappally - Kadamakudy. Now as per the Judgement of the Hon'ble STAT in MVAA No:264/2011, Hon'ble STAT has directed RTA to grant the permit. Hence regular permit granted as per the direction in MVAA NO 264/2011 subject to settlement of time

[9] Heard. This is an application for the grant of regular permit in respect of stage carriage KL 04 R 1413 on the route Uliyanoor - Kalamassery - Aluva - Thadikakadavu. Report furnished is not specific. Secretary is directed to report the overlapping is objectionable or not. Adjourned

10] Heard. This is an application for the grant of regular permit in respect of stage carriage KL 17 c 9608 owned by the applicant on the route Munambam - High Court Jn in the vacant timings of S/C KL7/AK 8283. There is no overlapping on notified route reported. Hence regular permit granted subject to settlement of time

11] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:445/2009

[b] Heard & reconsidered. This is an application for the grant of regular permit suitable vehicle owned by the applicant on the route Pallithode - Mundamveli filed during 2008. Earlier RTA held on 29/07/2009 had rejected the permit application. Now as per the Judgement of the Hon'ble STAT in MVAA No:445/2009, Hon'ble STAT has directed RTA to reconsider the matter afresh. There is no overlapping on notified route reported. Hence regular permit granted subject to settlement of time

12] [a] Heard. Considered the application for Counter signature on the modified route. T.P issued by the primary authority in order to operate in continuation of the existing permit from Neerpara to Vyttila. The Secretary RTA Kottayam has pursuant to an order in WP[C] 3217/2012 of the Hon'ble Highcourt of Kerala issued a temporary permit for 4 months on the route Kumily - Vyttila Bus Terminal subject to Counter Signature of RTA Ernakulam. The applicant has sought for Counter Signature of a permit in respect of route through which RTA Kottayam has granted a permit. That is to say that a permit has been granted on a particular route and Counter Signature has been sought for a different route. The T P was granted on the route Kumily - Ernakulam Vyttila Bus

Terminal via Thalayolaparambu, Arayankavu, Puthenkavu, Thrippunithura & Vyttila. The applicant has sought for Counter Signature on a different route Kumily - Ernakulam Vyttila Bus Terminal via ARAYANKAVU, Mulamthuruthy, Vattukunnu, Kandanad, Kureekad, Puthiyakavu Ayurveda Hospital, Mekkara, Thrippunithura Bypass, Maradu & Kundannoor. There is no primary permit granted on the route applied. Hence the application for Counter Signature is rejected.

[b] The T P applied for is for the portion from Neerpara to Ernakulam Vyttila Bus Terminal for the operation as Superfast service. The route length for the said T.P in this Jurisdiction is having length of 31.5 km. The route length for service for Superfast Service has been specified in Rule 2[uc]. According to which, there shall be a minimum length of 150kms for the operation as Superfast Service. The application for the T.P cannot be in continuation of the route Kumily to Neerpara lying within the Jurisdiction of RTA Kottayam because the route applied for the grant of T P lies in a different route. The field officer has reported that there does not exist any urgent temporary need specified U/ S 87[1] [C] of MV Act. Also the draft Notification No:5651/B2/2009/Tran dated 02/08/2012 is in existence and as per the clause 18 of the said Notification, the right to operate any class of service other than ordinary service shall be reserved exclusively with STU in the state of Kerala.

Hence application for T P is rejected

13] Heard. The current records submitted within the period of 4 months and complies the Rule 159[2]. Hence delay condoned. Secretary RTA is directed to take steps for the issue of permit

14] Heard. The current records submitted within the period of 4 months and complies the Rule 159[2]. Hence delay condoned. Secretary RTA is directed to take steps for the issue of permit

15] Heard. The counsel appeared for the applicant has informed that the matter of concurrence is pending before the court and requested to adjourn the matter. Hence the matter is adjourned

16] This is the request of permit renewal concurrence in respect of stage carriage KL 06 E 203 on the route Ernakulam South – Kuzhitholu as Fast Passenger. RTA held on 27/09/2012 vide item No:9 considered the matter and granted concurrence on the assumption that that the vehicle is an LSOS Service. This is a clerical mistake occurred when issued the decision

Hence the matter is reconsidered. The draft Notification No:5651/B2/2009/Tran dated 02/08/2012 is in existence and as per the clause 18 of the said Notification, the right to operate any class of service other than ordinary service is reserved exclusively with STU. Hence the concurrence for renewal of permit as Super fast is rejected

17] Heard. The route applied is not a Notified route and not comes under the Sec 104 of MV Act. Regular permit is granted on this route to another S/C in this vacant timings already by the RTA held on 27/09/2012. Hence application for temporary permit in respect of stage carriage KL 16 1839 is rejected

18] Heard. The T P is issued continuously by RTA U/S 104 of MV Act for stage carriage KL 06 A 9244 from long back years. Eventhough KSRTC has filed objection, they have not applied or obtained permit on this route. Considering the convenience and facility of travelling public, re issue of T P granted on the route Kottapuram - Kaloor in the vacant timings of S/C KL5/A 8275

19] Heard. The application is for the re issues of 4 months T P in respect of stage carriage KL 07 AN 5503 on the route Kizhakke Appangadu - Vypin. There is no overlapping on the notified route. Hence re issue of T.P for 4 months in the vacant timings of KL 07 AB 8572 U/S 87 [1] [C] granted

20] Heard. The route portion from Kottappuram to Kodungalloor [4km] objectionably overlaps on Thrissur - Thriprayar scheme. This violates G O [P] No:42/Trans/2009 dated 14/07/2009. Hence application for T P is rejected

21] [a] Perused the order of the Hon'ble STAT in MP No:421/2012 in MVAA No:150/2011

[b] Heard. In compliance of the order of the Hon'ble STAT in MP No:421/2012 in MVAA No:445/2012, T P for 4 months for stage carriage KL 07 Z 6979 on the route Kothad - Cheranelloor- Chittoor- Thrippunithura in The Vacant timings of S/C KL7/BJ 1878 is granted

22] [a] Perused the order of the Hon'ble STAT in MP No:393/2012 in MVAA No:130/2012

[b] Heard. In view of the order of the Hon'ble STAT in MP No:393/2012 in MVAA No:130/2012, T P for 4 months on the route Panangadu Cheranelloor in The Vacant timings of S/C KL7/BC 7318 is granted

23] Heard, This T P is applied in R/O S/C KL 01/X 2723 on the route Vattaparambu-Knakkankadavu in the vacant timings of S/C KL 07 AN 1431. The regular permit in R/O S/C KL 07 AN 1431 was surrendered and cancelled way back in August 2007 and there does not exist a valid permit at present. Since there is no valid permit and the case of non operation of service by the permitted vehicle, there exist no vacancy at all. Since there is no vacancy no substitute temporary permit could be granted in favour of the applicant.

The proposed route overlap notified route from Eavoor Kavala to Angamaly (2.6 km), Angamaly Telk to Maikad (2.1km) and Athani to Kappela Jn (300 meters) on Tvm-Kannur Scheme. This is a violation of GO (p) No 42/Trans/09 dated 14/07/2009. Hence T P application rejected.

24] Heard. This T P is issued continuously by RTA U/S 104 of MV Act. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted on the route Eloor Ferry - W/Island in the vacant timings of S/C KL7/B 4887 U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

25] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 07 AZ 5454 on the route Thalayolaparambu - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

26] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 17 F 5159 on the route Koothattukulam - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

27] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 17 D 9787 on the route Piravom - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

28] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 40 A 9644 on the route Thalayolaparambu - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

29] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 05 Y 2181 on the route Ramamangalam - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

30] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T

P granted in respect of stage carriage KL 39 C 786 on the route Thalayolaparambu - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

31] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 32 4140 on the route Velloor HPC - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

32] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 35 2648 on the route Pala - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

33] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 07 AQ 2977 on the route Sramillikavu - Nilampathinjamukal U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

34] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 07 AT 3816 on the route Piravom - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

35] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 05 P 3097 on the route Ooramana - Kaloor U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

36] Heard. This T P is issued continuously by RTA U/S 104 of MV Act from long back years. Eventhough KSRTC filed objection, they have not applied or obtained permit on this route. Considering the convenience and traveling facility of the public, re issue of T P granted in respect of stage carriage KL 07 AL 3153 on the route Kunjithai - Ernakulam U/S 104 of MV Act for 4 months or till KSRTC apply and obtain permit on the route whichever is earlier

37] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 BJ 3339 on the route Kombara - Eramallur. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

38] Heard. This is an application for the renewal of permit in respect of stage carriage KL 13 H 7189 on the route Nedumbassery Airport - Angamaly - Vattaparambu - Aluva. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

39] Heard. This is an application for the renewal of permit in respect of stage carriage KL 17 B 5276 on the route Koothattukulam - Kaloor. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

40] Heard. This is an application for renewal of permit in respect of stage carriage KL 39 B 6226 on the route Peruva - Kaloor. The permit is originally issued prior to 09/05/2006. Renewal of permit granted

41] Heard. This is an inter district permit. Portion of the route lies under the Jurisdiction of RTA Alappuzha. Hence call for the concurrence of RTA Alappuzha. Adjourned

42] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 BE 5028 on the route Aluva - Eramallur. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

43] Heard. This is an application for the renewal of permit in respect of stage carriage KL 05 L 5485 on the route N Paravoor - Ernakulam Kaloor Bus stand. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

44] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AH 7033 on the route Aluva - Kaloor. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of

permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

45] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AF 5796 on the route North Paravoor - Aluva. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

46] Heard. This is an application for renewal of permit in respect of stage carriage KL 05 N 9394 on the inter district route Kumbalangi Ferry - S Chittor - Eramalloor. RTA held on 12/06/2012 has adjourned the application for want of permit renewal concurrence from RTA Alappuzha. Now permit renewal concurrence from RTA Alappuzha received as per the decision of RTA Alappuzha dated 16/08/2012. The permit is originally issued prior to 09/05/2006. Hence renewal of permit granted

47] Heard. [a] Delay condoned

[b] This is an application for the renewal of permit in respect of stage carriage KL 07 AJ 8440 on the route Chathnad - Kaloore. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

48] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AJ 9909 on the route Vayalkara - Eramalloor. The renewal application filed is not in time. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009 and subject to the remittance of compounding fee Rs 5000 /- (five thousand only) for the delay.

49] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AX 8036 on the route Vypin - Paravoor - Kodungallore. The permit is originally issued prior to 09/05/2006. Renewal of permit granted

50] Heard. This is an inter district permit. Portion of the route lies under the Jurisdiction of RTA Thrissur. Hence call for the concurrence of RTA Thrissur. Adjourned

51] Heard. This is an application for the renewal of permit in respect of stage carriage KL 17 B 7786 on the route Kudappuram Ferry - Kaloore Bus stand. The permit is originally issued prior to 09/05/2006. Renewal of permit granted



52] Heard. This is an application for the renewal of permit in respect of stage carriage KL 17 B 9598 on the route Kodungallore - Ernakulam High Court Jn. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

53] Herad. This is the application for the renewal of permit in respect of stage carriage KL 07 BE 3082 on the inter district route Kumily - Chottanikkara as LSOS. Concurrence for renewal of permit received from RTA Idukki subject to the Notification No:42/2009 dated 14/07/2009 & draft Notification No:5631/B2/2009/Trans dated 02/08/2012

The total length of route is 200.7km. If this permit is renewed, the class of vehicle has to be converted as Super fast service as per Rule 2[UC]. But as per the Govt draft Notification No:5631/B2/2009/Trans dated 02/08/2012 clause3,[regarding Super fast service] the permit issued in the private sector on or before the date of Notification will be allowed to continue till the date of expiry of permits. There after no permits shall be renewed. KSRTC strongly objected the renewal of permit based on the Notification. For the above reasons renewal of permit is rejected

54] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AF 1744 on the route Edayar - Aluva Bus stand. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

55] Heard. This is an inter district permit. Portion of the route lies under the Jurisdiction of RTA Kottayam. Hence call for the concurrence of RTA Kottayam. Adjourned

56] Heard. This is an application for the renewal of permit in respect of stage carriage KL 09 P 2674 on the route Kodungallore - Ernakulam High Court Jn. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

57] Heard. This is an inter district permit. Portion of the route lies under the Jurisdiction of RTA Kottayam. Hence call for the concurrence of RTA Kottayam. Adjourned

58] Heard. This is an application for the renewal of permit in respect of stage carriage KL 07 AK 4789 on the route Thuruthipuram - Aluva - N Paravoor - Valiya Pazhampilly Thuruth. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009

59] Heard. This is an inter district permit on the route Pallithode - Ernakulam Kaloor Bus stand issued during 1997. The renewal of permit application adjourned during 2002 for want of permit renewal concurrence from RTA Alappuzha. RTA held on 12/06/2009 reconsidered the renewal application in view of the Judgement of the Hon'ble STAT in MVAA No:595/2008 and again adjourned till the approval of the Government draft Notification. The S/C KL7/AG 5711 has been conducting service on this route on lease agreement and as per the various Judgements of STAT & Hon'ble High Court of Kerala U/S 87 [1][d]

The draft Notification has been approved by the Govt as No:42/Trans/09 dated 14/07/2009. The ownership of the vehicle transferred to the name of permit holder. The pending tax arrear of the route bus cleared. Hence call concurrence for the permit renewal from RTA Alappuzha for the period 2002 - 2007, 2007 - 2012. Adjourned

60] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

61] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

62] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

63] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

64] Heard. Learned counsel appeared for the applicants. Two check reports are pending against the vehicle. The applicant is directed to clear the check report, adjourned.

65] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

66] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

67] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

68] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

69] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

70] Transferor Smt Ramal Nazar absent. Adjourned

71] Heard.Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

72] Heard.Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

73] Heard.Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

74] Heard.Learned counsel appeared for the applicants. This permit is originally issued under SC/ST quota. As per the certificate dated 05/10/2012 issued by Sri Viswambaran Thahsildar, Kunnathunadu [No:CRNo:8372/2012/KDis] the transferee belongs to Hindu Pulaya caste which is recognized as scheduled caste. Hence Transfer of permit allowed subject to the production of NOC and clearance of Govt dues if any

75] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

76] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

77] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

78] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

79] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

80] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

81] Heard. Learned counsel appeared for the applicants. Transfer of permit allowed subject to clearance of Govt dues if any

82] The transferor Sri Antony Lal is repeatedly absent eventhough the authority directed two times to appear. Genuiness of the proposed transfer is suspected. Hence transfer of permit is rejected

83] Heard. There is no overlapping on the proposed varied route. Enquiry officer has reported that the variations proposed are beneficial to the travelling public. Hence variation granted subject to settlement of time

84] Heard. The report furnished by the enquiry officer in the 8th trip is not specific. Hence Secretary is directed to furnish specific report on 8th trip regarding the overlapping on notified route & also report whether the variation affect the travelling public. Adjourned

85] Heard. The enquiry officer has reported that the curtailment of trips from Eroor gate to Vyttila via Kaniyampuzha will have a deep adverse effect to the travelling public since this is the only stage carriage plying through Kaniyampuzh and also reported that the curtailment from Kaloor to Puthukkalavattom will also affect the travelling public. The prime consideration in variation application shall be the benefit of the travelling public. In the absence of public interest and necessity, the application for variation is considered and rejected.

86] Heard. The enquiry officer has reported that the portion from Kodungallore to Moothakunnam [8.3km] is curtailed in Thrissur district. Hence Secretary RTA is directed to call for the concurrence from RTA Thrissur for variation. Adjourned

87] Heard. The enquiry officer has reported that the curtailment will not affect the travelling public and also reported that extension to Mundamveli is beneficial to the travelling public. Hence variation granted subject to settlement of time

88] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:268/2012

[b] Heard & reconsidered. As per the Judgement of the Hon'ble STAT in MVAA No:268/2012, which directed RTA to reconsider the variation in the light of the observations in the Judgement. Hence in compliance to the judgment in MVAA NO 268/2012, variation granted subject to settlement of time.

89 Heard. This is an application for variation of permit in respect of stage Carriage KL 40/E 2223 on the route Vyttila – Vyttila via Bye Pass to be varied as Vyttila – Vyttila via Ponnurunni [Thammanam]. The enquiry officer has reported that there are only fewer services via Thammanam compared to the Bye Pass, hence variation is beneficial to the public

The representatives of various Resident's Associations attended the meeting and informed that the traffic facility through Thammanam is very less compared to Bye Pass and also informed that no new bus services allowed through this sector for the last 22 years and hence requested to allow the new service for their travelling facility

The objector appeared through the counsel and informed that there is enough service at present through Thammanam and traffic congestion will be increased if new service is allowed through the area

Considered all the above matters and it is evident that no new service is introduced through this area [Thammanam] for the last several years and travelling

problem is experienced there. Population in Kochi city is multiplied during the period and this also multiplied the travelling problems in this sector

There is no overlapping on Notified routes through the varied portion. Hence variation granted subject to settlement of time

90] Heard. The variation proposed is to operate all trips through K K Road, Kadavanthra & Vyttila from Kaloor instead of via M G Road. Secretary is directed to report specifically whether the peak hour variation affect the travelling public and also report the variation on all trips are beneficial to the travelling public. Adjourned

91] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:307/2012

[b] Heard & reconsidered. As per the Judgement of the Hon'ble STAT in MVAA No:307/2012, directed RTA to grant variation within a period of one month. In obedience to the Judgement of the Hon'ble STAT, variation granted subject to settlement of time

92] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:252/2012

[b] Heard, As per the Judgment of Hon'ble STAT in MVAA No 252/2012, it is observed that the introduction of one trip on the notified route in the evening is set off by the curtailment of one trip in the same sector in the evening and there is no additional trip on the route. It is also made clear that the applicant is not pressing the deviation of one trip via Padma instead of Menaka.

Hence in obedience to the Judgment of Hon'ble STAT 252/2012, variation granted (without deviation via Padma) subject to the settlement of time.

93] [a] Perused the Judgement of the Hon'ble STAT in MVAA No:253/2012

[b] Heard, As per the Judgment of Hon'ble STAT in MVAA No 253/2012, it is observed that the introduction of one trip on the notified route in the evening is set off by the curtailment of one trip in the same sector in the evening and there is no additional trip on the route. It is also made clear that the applicant is not pressing the deviation of one trip via Padma instead of Menaka.

Hence in obedience to the Judgment of Hon'ble STAT 253/2012, variation granted (without deviation via Padma) subject to the settlement of time.

94] Heard. The enquiry officer has reported that the proposed variation is beneficial to the travelling public. The overlapping on notified route is avoided due to deviation via K K Road. Hence variation granted subject to settlement of time

95] Heard. The enquiry officer has reported that the proposed variation to Edappally Kunnumpuram is beneficial to the travelling public since there is no other service to Kunnumpuram . The overlapping on notified route is avoided due to curtailment from Edappally to Aluva. Hence variation granted subject to settlement of time only to Kunnumpuram trip

96] Heard. The variation proposed is to operate the portion Chirangara - Koratty through old N H in the 1st & last trips. this portion comes under the Jurisdiction of RTA Thrissur. Hence call for the concurrence of RTA Thrissur for variation. Adjourned

97] Heard. Agenda and notes furnished is not correct. Report furnished by the enquiry officer is also not specific. Secretary is directed to report whether there is reduction of trip due to the proposed variation. Place the matter with new agenda, timings, specific enquiry report in the next RTA. Adjourned

98] Heard.[a] The enquiry officer has reported that there is an additional trip at 1.18 pm from Ernakulam South to Vyttila Hub via Edappally signal & bye pass. The portion from Ernakulam South to Edappally signal [9 km] overlaps on Ernakulam - Thekkady & Ernakulam - Palakkad schemes. This is the violation of clause 19 of G O [P] No:42/Trans/2009 dated 14/07/2009 [b] The route portion from Arookutty Ferry to Aroor Temple [4.2 km] is curtailed. The travelling public on the sector affected badly and there is no passenger convenience reported. This is the ill served area. The prime consideration in variation application shall be the benefit of the travelling public. In the absence of public interest and necessity, the application for variation is considered and rejected.

99] Heard.[a] This permit is a city service with C P No:163. The permit is originally issued as Kadavanthra - Kadavanthra for the convenience of the people at Kadavanthra. The people at Kadavanthra will suffer due to the variation.

[b]The variation applied is to operate 1st trip from Karimugal and halt at Karimugal instead of Kadavanthra. If the variation is allowed, the termini Karimugal is out of the city limit and the status of City permit will loose. This will lead to the reduction in City Permit and travelling facility to public in the city.

[c] There is overlapping on notified route from Palarivattom to Vyttila via Jetty [14.5 km] and Vyttila to Hillpalace [7.3 km] on Trivandrum - Cannore, Ernakulam - Thekkady & Ernakulam - Muvattupuzha schemes and hence violated clause 19 of G O [P] No:42/Trans/2009 dated 14/07/2009.

[d] Halting place is changed from Kadavanthra to Karimugal. This violated Sec 80 [3] of M V ACT. For the above reasons variation is rejected & the request to rest at Vyttila Hub instead of at Kadavanthra also not allowed

100] Heard. The proposed variation is to operate through Vyttila Bye pass, Palarivattom by avoiding the city. Direct City services are less from Eloor to the city. So the variation will affect the travelling facility of public towards the city. Hence variation is rejected

101] Heard. Delay condoned. Renewal of permit granted

102] Heard. Delay condoned. Renewal of permit granted

103] Heard. Delay condoned. Renewal of permit granted

104] Heard. Delay condoned. Renewal of permit granted

105] Heard. This matter of fare stage anomaly filed before the Chief minister's Janasamparka paripady and Sutharya Keralam. The matter has been enquired through the Motor Vehicles Inspector and reported that there is anomaly in fare stage between Manjummel Kavala & Thaikavu. This fare stage was established when the service from Paravoor to Ernakulam via Varapuzha Bridge commenced. The distance between Manjummel Kavala & Thaikavu is only 900 mtrs and the complaint is genuine. Hence the fare stage at Manjummel Kavala is removed on this route by retaining the stopping place at Manjummel Kavala. The new fare stage will be Varapuzha/ Varapuzha Bridge, Thaikavu

106] Heard. The request is for the stop for buses at Ponevazhy, Railway station portion on the new Railway overbridge. The enquiry officer has reported that the proposal is beneficial to the public. Hence the proposal is allowed for ordinary buses only for one month on trial basis. Secretary is directed to report the matter after the period with the consultation of Police Authorities

107] Heard. The matter require detailed study with regard to the circular No:D3/875/STA/2011. Hence adjourned

108] Heard & reconsidered. The matter was adjourned by the RTA held on 17/07/2012 for report from the Police Authorities. Now report has been received from Asst Commissioner of Police, Traffic [West] Kochi City vide Letter No:1368/GL/ACTR [W] dated 27/09/2012 and suggested for the implementation. In view of the report of Police Authorities, the proposal is approved

109] [a] Perused the order of the Hon'ble STAT in MVAA No:314/2012, 312/2012, 308/2012, 309/2012

[b] Heard & reconsidered. In order to curb the tendency of curtailing the trips of S/C'S which caused inconvenience to the public, RTA held on 17/07/2012 vide item No:65 has decided to suspend the permit of the S/C'S who curtailed their trips with an option to compound the offence for RS 10000/- [Ten Thousand]. Now as per the above orders of the Hon'ble STAT,[S/C'S KL 7/BF 3807, KL 7/BH 2832, KL39/B 4329, KL4/R 2772 respectively] which directed this authority to reconsider the matter in accordance with Act & Rules.

In obedience to the order of the Hon'ble STAT in MVAA No:314/2012, 312/2012, 308/2012, 309/2012 it is decided to suspend the permit of the S/C'S [KL 7/BF 3807, KL 7/BH 2832, KL39/B 4329, KL4/R 2772] for 15 days as ordered earlier with an option to compound the offence for RS 4000/- [Four Thousand] within 7 days from the

date of receipt of the order. Secretary is directed to report the non compliance of the order before the next RTA for further action

110] Heard. [a] Delay condoned

[b] Heard. This is an application for renewal of permit on the route Perumpadappu - Aluva. The permit is originally issued prior to 09/05/2006. Renewal of permit granted

[c] Application for 4 months T.P became infructuous

111] Heard.[a] The decision taken by the RTA dated 27/09/2012 vide item No:53 is erred and hence reconsidered for correcting the decision

[b] The regular permit of S/C KL 42/C 3140 on the route Ezhikkara - N Paravoor - Ernakulam High Court Jn is valid upto 08/08/2012. The permit holder expired on 19/03/2010. RTA held on 27/09/2012 vide item No:53 considered the renewal application and took the decision on the assumption that the widow of the permit holder has applied for the renewal of permit without the consent of all the legal heirs, without no application for transfer of permit and suppressing the fact of death of the permit holder, RTA directed Secretary to initiate legal steps to cancel the permit

On further perusal of the records, it is found that the transfer of permit application [death transfer] was filed on 01/06/2010 along with the legal heirship certificate and consent of the other survivors. The renewal of permit application filed in time. The permit is originally issued after 09/05/2006. But the Hon'ble High Court of Kerala in WP[C] No:20520/09, 22196/09 has stayed clause 4 of the Notification No:42/Trans/09 dated 14/07/2009. Hence renewal of permit granted subject to the above Writ petition & Notification No:42/Trans/09 dated 14/07/2009 and transfer of permit allowed subject to the production of NOC and clearance of Govt dues if any

[c] Delay condoned for filing T P application U/S 87 [1][d]

112] This item is repeated with item No:37 by mistake. Hence no action

113] Heard. The learned counsel appeared for the permit holder. The complainant Sri Balamohana Babu informed over phone that he has received the intimation to attend the item only on the date of the meeting and requested to hear him. Since this matter is a very old case occurred during 1999, it is right to hear the complainant. Hence call Sri Balamohana Babu to attend personally in the next meeting without fail. Adjourned

114] Ratified

115] Admitted the item with the permission of Chairman [a] Perused the order of the Hon'ble STAT in MVAA No:313/2012



[b] Heard & reconsidered. In order to curb the tendency of curtailing the trips of S/C S which caused inconvenience to the public, RTA held on 17/07/2012 vide item No:65 has decided to suspend the permit of the S/C'S who curtailed their trips for 15 days with an option to compound the offence for RS 10000/- [Ten Thousand]. Now as per the above orders of the Hon'ble STAT in MVAA No:313/2012 which directed this authority to reconsider the matter of S/C KL 7/BB 5065 in accordance with Act & Rules.

In obedience to the order of the Hon'ble STAT in MVAA No:313/2012 it is decided to suspend the permit of the S/C KL 7/BB 5065 for 15 days from 01/02/2013 as ordered earlier with an option to compound the offence for RS 4000/- [Four Thosand] within 7 days from the date of communication of the order. Secretary is directed to report the compliance of the order before the next RTA.

116] Next meeting 29/01/2013

### **Additional Agenda**

#### **Supplementary Item 1**

Heard persons attended in the RTA meeting including the representatives of various Trade Unions and perused the judgement of the Hon'ble High Court of Kerala in WPC No.17077 of 2009 filed by Sri. Martin, Vinod and WPC No. 19032/2011 filed by Association of city permit Auto Drivers. The permits allotted to Autorickshaws in city (citypermit) are 4000 in numbers (four thousand) as per the G.O (P) No. 189/95/pw &T and that permits were issued . No new city permits issued for the last 17 years and no amendments made.

In this connection, repeated report in Newspapers appeared against the unauthorized operation of Autorickshaws in city limit without city permit and this also caused misconduct from some fraction of drivers towards the travelling public. As per the judgement mentioned above, the Hon'ble High Court has directed the petitioners in that case to bring these matters to the notice of the police or Motor Vehicle Authorities to take appropriate action for permit violation.

In order to ascertain the original city permits which operates now and to eliminate the A/R's plying in city without permits, the owners were directed to produce vehicle before the Regional Transport Officer, Ernakulam and Jt Regional Transport Officer, Mattancherry with original permit and R.C. 8 Adalaths were conducted in this regard with prior intimation through media and only 1387 persons appeared with the permit and R.C. In order to finalize the procedure one more opportunity given to the owners and 77 owners responded by filing application . So it is evident that 2536 A/R's defaulted service and 2536 vacancy of city permit exists.

Considering the increasing necessity of A/R's in Kochi city for the benefit of travelling public , it is necessary to grant new permits to A/R's within city limit by filling the existing vacancy. Meetings were convened at the chamber of Hon'ble Mayor of Kochi on 9/11/2012 and 19/11/2012 for discussing the matter and decided to issue the 2536

permits which exists now and the guidelines to be adopted in this matter and to get approval of the RTA. So RTA decides

1. To cancel the permits issued to A/R's conducting service in city limit violating permit conditions and defaulted service .
2. To issue 2536 permits to A/R's within city limit and have maximum number of A/R's shall be 4000 Nos ( four thousand).

#### Guidelines

- a) Accept application only from registered owners of A/R's fitted with electronic fare meter having valid Calibration certificate as per G.O(P) No 77/2012/Trans Dt 30.11.2012 from legal Metrology department.
- b) Priority shall be given to the applicants reside within the city limit
- c) Priority shall be given to A/R owned by Handicapped persons.
- d) Priority shall be given to the Ex- service men owned by the vehicle and self employed with the A/R.
- e) Reservation shall be given to 100 women drivers , 100 SC/ST category
- f) Accept applications from owners of vehicles having less than 10 years old
- g) Parking place (R.T.O)
- h) Colour and other specifications of the A/R's shall be painted in accordance with the previous order issued by RTA.

Hence the matter is Adjourned for detailed discussion with the officials. Secretary RTA is directed to convene the meeting in this regard.

#### **Supplementary Item 2**

- 1) Perused the judgement of the Hon'ble High Court of Kerala in WPC No:25230/2012.
- 2) Heard and reconsidered. Regular permit on the route Kothad church – North Paravoor (Moffusil permit) was granted by RTA held on 26/12/2007. Eventhough the grantee has produced the records of the vehicle S/C KL-07-AZ 580 in time, Secretary, RTA on 09/01/2008 directed to produce the records of the vehicle with compliance of Rule 269 of MV Act. The grantee has produced the records only on 5/10/2012 after the gap of about 5 years. So this violated Rules 159 (2) of KMV Rules. Hence the request for the submission of records rejected.

#### **Supplementary Item 3**

Heard. The total route length is 26.5 k.m. The route overlaps 9.5 km on Always – Always circular scheme which exceed the permissible limit of 5 % of the route length and hence violated G O (P) No: 42/Trans /2009 dated 14/07/2009. The representative of K.S.R.T.C strongly objected the grant of permit stating that they are operating enough service on this route. For the above reasons, 4 months T.P application is rejected.

**Supplementary Item 4**

Heard. As per the order of Hon'ble High Court of Kerala in WPC. No. 29491/2011 (J) directed RTA to issue T.P to S/C KL-07-AH-3484 if the vacancy of S/C KL-07-AG-1472 still exists. Enquiry officer has reported that the vacancy still exists. Hence reissue of T.P for 4 months granted.

**Supplementary Item 5**

Heard. This is an application filed by STU for regular permit on the notified route North Paravoor- Aluva. Regular permit granted.

**Supplementary Item 6**

Heard. Transfer of permit allowed subject to production of NOC and clearance of Govt dues if any.

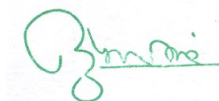
**Supplementary Item 7**

Heard. Transfer of permit allowed subject to production of NOC and clearance of Govt dues if any

**Supplementary Item 8**

Heard. President Chellanum Gramapanchayath has intimated that road repairing work by PWD is in progress from the sector Chellanum to Kandakadavu ( 7.9 k.m) and requested to rearrange the service of S/C's KL-05-U- 198, KL-17-B 473, KL -07- BD 3408, KL-32-B-7002, KL-2-AG-4092. Hence permission granted to these S/C's to operate through the deviated route for one months from 29.11.2012 or till the completion of the said road work whichever is earlier on condition that without picking up and set down passengers on the deviated road.

- [1] Sri Sheik Pareeth I A S  
District collector &  
Chairman RTA Ernakulam
- [2] Sri K P Philip I P S  
Superintendent of Police &  
Member RTA Ernakulam
- [3] Sri P A Sainudheen  
Deputy Transport Commissioner [Law]  
Central Zone II, Ernakulam &  
Member RTA Ernakulam



B.J. Antony  
RTO Ernakulam