

# DECISION

REGIONAL TRANSPORT AUTHORITY

MUVATTUPUZHA HELD ON 22-12-2015

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22-12-2015.

Present:(1)Sri.M.G.Rajamanickam. I.A.S.-District Collector & Chairman RTA Muvattupuzha.  
(2) Sri. Yathish Chandra G.H, I.P.S -District Police Chief, Ernakulam (Rural) &  
Member RTAMuvattupuzha.  
(3)Sri.K.G Samuel.-Deputy Transport Commissioner-CZ- II, Ernakulam &Member  
RTA Muvattupuzha.

**Item No-1**

Heard Advocate Stalin Peter Davis , the learned counsel represented the applicant Sri Shiyas C A and also heard the learned counsels appeared for objectors. This is an application for fresh inter district regular permit in respect of 2002 model or later model stage carriage with seating capacity not less than 28 in all to operate on the route Thattekkad- Aroor temple (Via) Punnekkad, Chelad, Kothamangalam, Odackaly, Perumbavoor , Ponjasserry, Kitex, Kizhakambalam, Pallikkara, Edachira, , Infoparak, Kakkanad, Palarivattom, Medical Cente, Vytila Hub, Kundannoor and Kumabalam as ordinary service, having a route length of 76 km. This authority considered the matter in detail. Very strong objections were raised by other en route operators alleging that the intention of the applicant is to concentrate the service between Kothamanglam and Vytila Hub , the places having sufficient stage carriage services at present. It is also suspected that the intention behind the route proposal is to increase the route length so as to keep the distance of overlapping within the limit.

Hence Secretary RTA is directed to obtain a modified proposal from the applicant with more trips towards the ill served areas on the route ,and call the route report from RTO Alappuzha for the route portion lying under the jurisdiction that authority , and place the matter in the next meeting

Hence adjourned.

**Item No.2**

Heard Advocate Prabhakaran , the learned counsel represented the applicant Sri. Wilson K P. The application is for a regular permit in respect of a 2003 model or later model stage carriage with seating capacity not less than 28 in all to operate on the route Perumbavoor-Kochupurackal kadavu (Via) Kuruppampady, Vengoor, Kombanad and Paniely with halt at Chooramudy as ordinary service .It is reported that there is no objectionable overlapping and the field officer recommended the grant.

In the previous meeting as well in this meeting many complaints have been received from the travelling public against the grant of regular permit to very old stage carriages stating that such grant will backward the aspects of road safety and also threat to the life of innocent travelling public. This authority considered the issue in detail. As per Sub Section [2] of Section 72 of MV Act-1988, "the Regional Transport Authority, if decides to grant a stage carriage permit, may grant the permit for a stage carriage of specified description".

Vide judgment in C.A No.5227 of 2003 dtd 04/08/2010 [2010[4] KLT 597[SC], the Hon'ble Supreme Court of India clarified that "the expression 'specified description' is very wide and this would include the fixing of age of the vehicle also.

