

**MINUTES OF THE MEETING OF REGIONAL TRANSPORT
AUTHORITY ERNAKULAM HELD ON 17/05/2017**

Present:- Chairman-

Sri.K.MUHAMMED.Y.SAFEERULLA,I.A.S, The District Collector, Ernakulam

Members:-

1.Sri.A.V.George, The District Police Chief Ernakulam[Rural]

2.Sri.K.G.Samuel, Deputy Transport Commissioner [Law], CZ- II,Ernakulam.

Item No.01

This is the application for the grant of regular permit in respect of stage carriage KL-07-AM-7623 or a suitable stage carriage to operate on the route West Morakkala-Pallikkara- Aluva as Ordinary moffusil service in the vacant timings of stage carriage KL-07-BC-4010. The applicant is absent. Hence adjourned.

Item No.02

1.Perused the judgment of Hon'ble STAT in MVAA No.173/2016

2.Heard; Adv.Jithesh Menon,the learned counsel represented the applicant and heard the objectors. This is the application for the grant of fresh inter district regular permit on the route Mala-Aluva as Ordinary moffusil service. This authority in its sitting held on 17/08/2016 considered the application and rejected the application on the following grounds.

1. The proposed route is having length of 31 km in which the portion from Thottakkattukara- Aluva which is 2.5 km in length is objectionably overlaps Ernakulam- Thrissur and Trivandrum- Thrissur notified scheme published vide GO[P] No.42/2009/Tran dtd 14/07/2009. If the proposal is granted, it will be clear violation of Clause[5] C of the above said notification and scheme of nationalization. The Counsel represented KSRTC ,the beneficiary of the scheme has vehemently objected the grant of permit.

2.The applicant has not offered description of suitable stage carriage as ordered by this authority considering the aspects of road safety and in the

light of judgment of Hon'ble Supreme Court of India in C.A. No.5227 of 2003 dtd 04/08/2010 .

Above decision was challenged before the State Transport Appellate Tribunal vide appeal No.173/2016. Vide judgment in MVAA No.173/2016, the Hon'ble Tribunal has pronounced that there is nothing on record to show that the field officers report was called for in this case and copy of the report not given to the applicant well in advance and hence directed to reconsider the application within a time frame.

In the light of order of Hon'ble Tribunal, this authority reconsidered the application after issuing a copy of the report of the field officer to the applicant and exhibiting in the notice board for the information of public and reveals the following..

- A. In this case, the offered vehicle KL-07-AJ-8108 is an older model and having age more than five years will attain age of 15 year on 24/08/2017.Hence it cannot be considered for the fresh stage Carriage permit.
- B. As per the finding of this authority in the earlier sitting, the proposed route is having length of 31 km in which the portion from Thottakkattukara- Aluva which is 2.5 km in length is objectionably overlaps Ernakulam- Thrissur and Trivandrum- Thrissur notified scheme published vide GO[P] No.42/2009/Tran dtd 14/07/2009 and further modification vide GO(P) No.08/2017/Tran dtd 23/03/2017. If the proposal is granted, it will be clear violation of Clause[5] C of the above said notification and scheme of nationalization. The Counsel represented KSRTC ,the beneficiary of the scheme has vehemently objected the grant of permit violating scheme of nationalization.On consideration of length of proposed route and distance of overlapping, this authority felt that the permissible overlapping is 1.55 km, but here the overlapping is 2.5 km. Hence the objection is tenable.

C. The learned counsel represented the applicant has not produced any documents permitting grant of permit on the proposed route violating scheme of nationalization.

In view of the afore said fact and circumstances of legal impediments, the application for the grant of regular permit is hereby rejected. Order of the Hon'ble STAT is thus complied with.

Item No.03

Heard; Adv.K.Achuthan, the learned counsel represented the applicant and heard the counsel represented the KSRTC. This is the application for the grant of fresh inter district regular permit on the route HNL Velloor- Kaloor as Ordinary moffusil service. This authority considered the application in detail. The applicant is operating on the same route with successively issued temporary permit for long years. Even though the proposed route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 and further modification vide GO(P) No.08/2017/Tran dtd 23/03/2017, this authority is being granting temporary permit U/S 87[1] C of MV Act in favour of the applicant to facilitate the need of travelling public.

Now the temporary permit holder has applied for the grant of fresh regular permit on the same route specifying the GO(P) No.08/2017/Tran dtd 23/03/2017. This authority also considered the scope and applicability of the grant of proposed regular permit and reveals the following.

A.The proposed route is having length of 48 km and the portion of the route from Nadakkavu to Kaloor which is 15.6 km is objectionably overlaps Ernakulam- Thekkady notified route published vide GO(P) No.42/209/Tran/dtd 14/07/2009 which was modified by GO(P) No.08/2017/Tran dtd 23/03/2017. Moreover the portion of the proposed route from Trippunithura to Ernakulam South also objectionably overlaps Ernakulam- Muvattupuzha notified scheme[modified] published vide GO(P) No.05/2017/Tran dtd 21/02/2017.

As per clause [4] of the notification vide GO(P) No.08/2017/Tran dtd 23/03/2017, the permits granted in the private sector on notified routes or portion thereof as on 14/07/2009 are permitted to operate as Ordinary or

Ordinary limited stop service. As per Clause [19] of the notification, permits can be granted to private stage carriages on other routes permitting them to overlap 5 km or 5% of the length of their own routes, whichever is less on the notified routes for the purpose of intersection. In this case, as the permit holder is operating service on the route Vellor HNL- Kaloor as ordinary service since 2007, the applicant is entitled to continue service only with temporary permit. He has no right to convert his temporary permit as regular permit as the government order not permitted to convert the temporary permit as on 14/07/2009 as regular permit.

B. The route portion from Trippunithura to Ernakulam South is also objectionably overlaps Ernakulam- Muvattupuzha notified route published vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause [4] of the above notification, the existing regular permits in the private sector as on date of publication of the scheme in the gazette will be allowed to operate. No fresh permits shall be granted in favour of any other operators enabling them to conduct service overlapping on the route as such or portion thereof. As per clause[19] of the above notification, it is specified that Regional Transport Authorities shall not grant any temporary/regular permits on the portions other than those mentioned in clause 5[c](permitted to overlap between Muvattupuzha KSRTC bus station to Muvattupuzha Nehru Park Jn).

Therefore if, the proposed regular permit is granted, it will be clear violation of GO(P) No.05/2017/Tran dtd 21/02/2017 and GO(P) No.08/2017/Tran dtd 23/03/2017.

C. The learned counsel represented the KSRTC, the beneficiary of the notified routes vehemently objected the grant of regular permit and temporary permit on the proposed route violating scheme of nationalization. This authority felt that the objection filed by the STU is genuine.

In view of the aforesaid circumstances of legal impediments, the application for the regular permit is hereby rejected.

Item No.04

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-39-F-5146 on the route Thalayolapparambu- Kaloor via

Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn ,Vytila and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. The offered stage carriage KL-39-F-5146. Matter related to the fixation of age in respect of stage carriages to be operated as ordinary service is under consideration of State Transport Authority for a decision. Therefore, the grant of permit is adjourned to next sitting for the decision of STA .

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Trippunithura.

Item No.05

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-F-5159 on the route Mulakkulam- Kaloor via Chottanikkara, Thiruvankulam,Trippunithura and Vytila as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Mulakkulam- Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vytila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has

ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Mulakkulam- Kaloor via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vytila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, by avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.06

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-E-8282 on the route Kaloor- Koothattukulam via M.G.Road, Vyttila, Trippunithura, Thiruvankulam ,Chottanikkara, Mulamthuruthy, Piravom ,Anchalpetty and Thirumarady as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam-Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Kaloor- Koothattukulam via Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Kaloor- Koothattukulam via M.G.Road, Vyttila, S.N.Jn,Puthiya Road, Thiruvankulam ,Chottanikkara, Mulamthuruthy, Piravom ,Anchalpetty and Thirumarady as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, by avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.07

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-39-E-9786 on the route Thalayolapparambu- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary***

permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.08

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-F-3829[Possessed under lease] on the route Koothattukulam- Kaloor via Thirumarady,Piravom, Palace Square, Eruveli, Chottanikkara,Thiruvankulam, Trippunithura, Petta Jn,Vyttila and MG Roas as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Thirumarady,Piravom, Palace Square, Eruveli, Chottanikkara, Thiruvankulam, Puthiya Road,S.N Jn, Petta Jn,Vyttila and MG Roas as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Thirumarady,Piravom, Palace Square, Eruveli, Chottanikkara, Thiruvankulam, Puthiya Road,S.N Jn, Petta Jn,Vyttila and MG Roas as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini,but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.09

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-39-J-9798 on the route Thalayolapparambu- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary***

permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.10

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-07-AS-5333 on the route Koothattukulam- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Piravom, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Piravom, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Petta via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of

permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.11

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-39-H-5950 on the route Koothattukulam- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Edayar, Piravom, Thiruvaniyoor, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Edayar, Piravom, Thiruvaniyoor, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vytila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.12

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-F-7577 on the route Piravom- Kaloor via Maneed, Sasthamugal, Thiruvankulam, Trippunithura, Pettah Jn, Vytila and M.G

Road as ordinary mofussil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Piravom- Kaloor via Maneed, Sasthamugal, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vyttila and M.G Road as ordinary mofussil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ **the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits**”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Piravom- Kaloor via Maneed, Sasthamugal, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vyttila and M.G Road as ordinary mofussil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippinithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.13

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-40-A-9466 on the route Thalayolapparambu- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil

service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.14

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-06-C-8962 on the route Edakkattuvayal- Kalamassery via Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn ,Vytila and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Edakkattuvayal-Kalamassery via Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Petta Jn ,Vytila and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Edakkattuvayal- Kalamassery via Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Petta Jn ,Vytila and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam-Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.15

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-07-AN-6880 on the route Vattappara- Kaloor via Thirumarayoor, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn ,Vytila and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. The offered stage carriage KL-07-AN-6880 is of 2003 model ,which attains the age of 15 years in 2018. Matter related to the fixation of age in respect of stage carriages to be operated as ordinary service is under consideration of State Transport Authority for a decision. Therefore, the grant of permit is adjourned to next sitting for the decision of STA .

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Trippunithura.

Item No.16

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-E-9097 on the route Vattappara-Kaloor via Thirumarayoor, Veliyanad, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn ,Vytila and MG Road as ordinary moffusil service.

The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Vattappara-Kaloor via Thirumarayoor, Veliyanad, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road,S.N Jn, Petta Jn ,Vytila and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Vattappara-Kaloor via Thirumarayoor, Veliyanad, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road,S.N Jn, Petta Jn ,Vytila and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini,but the way of travel is modified so as to touching Trippinithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.17

Heard; Adv. K .Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-07-BT-7947 on the route Kothad Ferry- Thiruvaniyoor via Chittoor, Kacherippady, Menaka, Jetty, Vytila, Petta, Trippunithura, Thiruvankulam, Chottanikkara and Vettickal OEN as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Kothad Ferry- Thiruvaniyoor via Chittoor, Kacherippady, Menaka, Jetty, Vytila, Petta, SN Jn,Puthiya Road, Thiruvankulam, Chottanikkara and Vettickal OEN as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Kothad Ferry- Thiruvaniyoor via Chittoor,

Kacherippady, Menaka, Jetty, Vyttila, Petta, SN Jn, Puthiya Road, Thiruvankulam, Chottanikkara and Vettickal OEN as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is seen modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.18

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-M-9091 on the route Koothattukulam- Kaloora via Piravom, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of

GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Piravom, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Piravom, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.19

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-37-A-4930 on the route Koothattukulam- Kaloor via Edayar, Piravom, Peppathy, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Piravom, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Piravom, Arakkunnam, Mulanthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.20

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-05-M-3982 on the route Piravom- Kaloor via Thiruvaniyoor,

Vadippetta, Vennikkulam, Sasthamugal, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Piravom- Kaloor via Thiruvaniyoor, Vadippetta, Vennikkulam, Sasthamugal, Thiruvankulam, Karingachira, Puthiya Road,S.N Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Piravom- Kaloor via Thiruvaniyoor, Vadippetta, Vennikkulam, Sasthamugal, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat

the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.21

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-06-C-212 on the route Thalayolapparambu- Kaloor as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara,

Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vytila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.22

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-17-F-6906 on the route Piravom- Kaloor via Vettikkal, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P)

No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Piravom- Kaloor via Vettikkal, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Rd, SN Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Piravom- Kaloor via Vettikkal, Peppathy, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Rd, SN Jn, Pettah Jn, Vytila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.23

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-05-Y-2181 on the route Ramamangalam- Kaloor via Thiruvaniyoor, Meenpara, Vettikkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Ramamangalam- Kaloor via Thiruvaniyoor, Meenpara, Vettikkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Ramamangalam- Kaloor via Thiruvaniyoor, Meenpara, Vettikkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Pettah Jn, Vyttla, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.24

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-36-A-4100 on the route Thalayolapparambu- Kaloor via

Thalappara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of

permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.25

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-36-4197 on the route Thalayolapparambu- Kaloor via Thalappara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary***

permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.26

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage

carriage KL-36-363 on the route Srampillikkavu- Nilampathinjamugal via Pambra Colony, Maneed, Vettkkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Srampillikkavu- Nilampathinjamugal via Pambra Colony, Maneed, Vettkkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Srampillikkavu- Nilampathinjamugal via Pambra Colony, Maneed, Vettkkal, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.27

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-40-335 on the route Thalayolapparambu- Kaloor via Thalappara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service with issued temporary permits in continuation of

temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Thalayolaparambu- Kaloor via Thalappara, Neerpara, Kanjiramattam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, S.N Jn, Petta and Vyttila as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.28

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-07-AQ-2497 on the route HPC Velloor- Kaloor via Piravom, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Trippunithura, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route HPC Velloor- Kaloor via Piravom, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route HPC Velloor- Kaloor via Piravom, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Pettah Jn, Vyttila, Kadavanthara and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching

Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned.

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.29

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-05-AC-2801 on the route Koothattukulam- Kaloor via Thirumarady, Anchalpetty, Piravom, Peppathy,Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn, Vytila and MG Roas as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Koothattukulam- Kaloor via Thirumarady, Anchalpetty, Piravom, Peppathy,Arakkunnam,

Mulamthuruthy, Chottanikkara, Thiruvankulam, Puthiya Road,S.N Jn, Petta Jn,Vyttila and MG Roas as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Koothattukulam- Kaloor via Thirumarady, Anchalpetty, Piravom, Peppathy,Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Puthiya Road,S.N Jn, Petta Jn,Vyttila and MG Road as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini,but the way of travel is modified so as to touching Trippinithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.30

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-07-AT-3816 on the route Piravom- Kaloor via Kalamboor, Thirumarayoor, Veliyanad, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn, Vyttila and MG Roas as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Piravom- Kaloor via Kalamboor, Thirumarayoor, Veliyanad, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Petta Jn, Vyttila and MG Roas as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Piravom- Kaloor via Kalamboor, Thirumarayoor, Veliyanad, Peppathy, Arakkunnam, Mulamthuruthy, Chottanikkara, Thiruvankulam, Karingachira, Puthiya Road, SN Jn, Petta Jn, Vyttila and MG Roas as ordinary moffusil service without touching

Trippunithura, one of the main intermediate point on Ernakulam-Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini, but the way of travel is modified so as to touching Trippunithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the portions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.31

Heard; Adv.K.Achuthan, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of stage carriage KL-05-P-3097 on the route Ooramana- Kaloor via Kolenchery, Kakkattupara, Thiruvaniyoor, Vettickal, Thalacode, Chottanikkara, Thiruvankulam, Trippunithura, Petta Jn, Vyttila and MG Roas as ordinary moffusil service. The application is filed in the light of GO(P) No.05/2017/Tran dtd 21/02/2017 for converting the existing temporary

permits with existing settled set of timings as specified under Clause[4] of the above said Ernakulam- Muvattupuzha modified scheme.

This authority considered the application in detail in the light of GO(P) No.05/2017/Tran published vide S.R.O No.93/2017 dtd 21/02/2017. At present, the applicant is operating on the route Ooramana- Kaloor via Kolenchery, Kakkattupara, Thiruvaniyoor, Vettickal, Thalacode,Chottanikkara, Thiruvankulam,Karingachira, Puthiya Road, SN Jn Petta Jn, Vytila and MG Roas as ordinary moffusil service with issued temporary permits in continuation of temporary permit mentioned in the annexure published with GO(P) No.05/2017/Tran dtd 21/02/2017. As per clause[4] of the above said notification, the Government of Kerala has ordered that “ ***the temporary permits in the Annexure will also be permitted to operate and they will be permitted to convert their permits as regular permits***”.

On perusal of the records, it reveals that at present, the applicant is operating service on the route Ooramana- Kaloor via Kolenchery, Kakkattupara, Thiruvaniyoor, Vettickal, Thalacode,Chottanikkara, Thiruvankulam,Karingachira, Puthiya Road, SN Jn Petta Jn, Vytila and MG Roas as ordinary moffusil service without touching Trippunithura, one of the main intermediate point on Ernakulam- Muvattupuzha notified route. The temporary permit shown in the Annexure against the vehicle number was also issued to operate on the above route without touching Trippunithura.

But, in the application for regular permit, the applicant has preferred route with same termini,but the way of travel is modified so as to touching Trippinithura, avoiding existing service in between Karingachira and Pettah via Puthiya road and S.N.Jn.

The counsel represented KSRTC has strongly objected the application and the grant of regular permit on a route other than that specified against the temporary permit mentioned in the annexure stating that the grant of permit on the route proposed in the application via Trippunithura will defeat the interest of the State Transport Undertaking and will fell the STU in huge revenue loss.

This authority felt that that the STU is the beneficiary of the every notified route and any objection raised by the is to be clarified before granting permit on the potions of notified route since the exiting operational route and the proposed route in the application are different.

Therefore, the Deputy Transport Commissioner, Ernakulam will entrusted to seek a clarification in this regard from the Government of Kerala .Hence adjourned

2.The Secretary RTA is directed to grant temporary permit to the applicant for durations of 4 months to continue operation in the existing route via Karingachira , Puthiya Road and S.N Jn.

Item No.32

Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant. This is the application for the grant of fresh regular permit in respect of a suitable stage carriage with seating capacity not less than 28 in all on the route Kadavanthara- Eloor Depot in the vacant timings of stage carriage KL-07-AG-5642 as ordinary city service. The learned counsel represented the applicant has requested to adjourn the decision to next sitting. This authority considered the application and request in detail. On perusal of the records this authority felt that the stage carriage KL-07-AG-5642 was covered by a regular permit on the route Kadavanthara- Eloor Depot valid up to 10/04/2021 and subsequently, the vehicle replaced with a later model stage carriage KL-07-AP-5125. Therefore no vacancy of stage carriage KL-07-AG-5642 exist to seek a permit on the applied route. Hence request for adjournment of decision and the proposed application for the grant of a permit are hereby rejected.

Item No.33

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant Sri.Rejith. This is the application for the variation of regular permit in respect of stage carriage KL-08-AJ-2500 covered by regular permit on the route Parambayam Kappela-Angamaly Bus Stand. By the proposed variation, the permit holder has desired to vary the permit by deviating all trips via FISAT by curtailing existing service. In this meeting the public have raised strong objection against the curtailment of existing service stating

that during the year 2007, the regular permit was granted on the existing route considering the interest of public and hence the curtailment of existing service through ill served areas will be against the interest of public. This authority considered the application in detail and felt that

1.The Enquiry report of the field officer is not self explanatory to ascertain the details and length of curtailed portion and the effect of curtailment.

2.The route enquiry report not specified whether the advantage of proposed deviation outweigh the disadvantage consequent to the curtailment of existing service.

3.Route sketch is also not properly furnished with intermediate places.

4.Agenda submitted by the Secretary RTA is not contained the required details for verifying the merit and demerits of the proposed variation.

Therefore, the Secretary RTA is directed to seek detailed route enquiry report from the field officer with handmade route sketch and submit detailed agenda for the consideration. Hence adjourned.

Item No.34

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-01-AP-2277 operating on the route Fort Kochi- South Chittoor as Ordinary service. By the proposed variation the permit holder is desired to operate all trips except 1st and 2nd through Ayyappankavu, Pachalam overbridge, Lourde Road, Kattungal temple, SRM Road, Perandoor Road, Puthiya Road Jn, Kaloor Jn, KK Road, Permomix Tower, Subhash Chandra Bose Road and Vyloppilly Road as ordinary service. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. The enquiry officer has reported that the curtailment will not adversely affect the travelling public and the proposed deviation portion is not well served and hence the grant of proposed variation will be highly beneficial to the public. Considering the report of the field officer, the Proposed variation is granted subject to settlement of timings.

Item No.35

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-

07-CG-3976 operating on the route Chittethukara-Kakkanad-Thuthiyoor-Fort Kochi as Ordinary service. By the proposed variation the permit holder has applied for interchanging the trips with the trips of his own another stage carriage KL-07-BY-7817 covered by regular permit on the route Thuthiyoor Fort Kochi. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. This authority felt that there is no provision in the Motor Vehicles Act and Rules made there under to interchange the trips of two stage carriages. The permit holder can apply for variation of regular permit covered by a stage carriage. But here, the permit holder has requested for the mutual change of trips in respect of his stage carriages. Since the law not mandate such variation, the enquiry officer has reported that there is no public demand for the proposal, the application is hereby rejected.

Item No.36

Heard; Adv.Gopinathan Nair, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-07-BF-2777 operating on the route Veegaland- Chellanam as Ordinary moffusil service. By the proposed variation, the permit holder has desired to change starting and halting place to Chellanam instead of Veegaland avoiding operation from Kakkanad to Veegaland and to provide additional from Trippunithura to Chellanam . This authority considered the scope and applicability of the proposed variation and felt that

1. This regular permit was issued to operate in between Veegaland and Chellanam as ordinary moffusil service. If the proposal for curtailment of service from Kakkanad to Veegaland is permitted, the nature of service will change from moffusil service to city service. The Government have limited the number of city stage carriage permit and such permits were completely issued before long years. If the proposed variation is allowed, the nature of permit will altered and which will defeat the Government notification in this regard. Hence it cannot be allowed.
2. The route enquiry officer has reported that the curtailment of service from Kakkanad to Veegaland will adversely affect the travelling public

and there is no necessity warranting U/R 145[6] for the proposed variation.

In view of the aforesaid facts and circumstances, the application for the variation of permit is hereby rejected.

Item No.37

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-07-AN-2795 operating on the route Thuruthippuram-Aluva as Ordinary service. By the proposed variation the permit holder is desired to extend the route from Thuruthipuram to Keetholi via Kottappuram Toll Jn and to deviate service from Padambu to Azeezi via Kallepparambu. This authority considered the application in detail. The enquiry officer has reported that the curtailment of service in between Parambu to Azeezi via Kurisinkal will adversely affect the public, but the above route portion is not suitable for the stage carriage operation since width of road is too narrow and hence not possible to operate two vehicles simultaneously in opposite directions. The enquiry officer has further reported that the proposed extension from Thuruthippuram to Keetholi is beneficial to the travelling public.

The Regional Transport Authority Thrissur has granted concurrence for the proposed variation within the jurisdiction of that authority. The agenda specified that there is no objectionable overlapping in the proposed extension on notified routes. Considering the report of the field officer, the Proposed variation is granted subject to settlement of timings.

Item No.38

1.Perused the judgment of Hon'ble High Court of Kerala in WPC No.39722/2016 and heard; Adv.Gopinathan Nair, the learned counsel represented the permit holder of stage carriage KL-11-B-3737.This authority considered the application for variation of regular permit in respect of stage carriage KL-11-AB-3737 covered by a regular permit on the route Chottanikkara- Thrissur as LSOS. By the proposed variation,the permit holder has desired to curtail the service from Ernakulam to Chottanikkara.

The enquiry officer has reported that the curtailment of service to Chottanikkara will adversely affect the travelling public and so many objections had been received from the public while renewal of this permit against the purposeful curtailment of service from Vyttila to Chottanikkara. In this situation, the application for variation of permit. Vide judgment in WPC No.39722/2016, the Hon'ble High Court of Kerala had directed to consider and dispose the application for variation within a time frame. In compliance to the above order, this authority in its earlier sitting considered the application and adjourned decision since the applicant was absent for hearing. In this sitting, the authorized representative of the permit holder is heard. On consideration of the file, this authority felt that the regular permit was initially granted considering the interest of public to reach Chottanikkara, the famous pilgrim centre. After obtaining regular permit, the permit holder is frequently curtailing service to Chottanikkara without any reason. Hence the action on permit U/S 86 of MV Act is pending for further verification. Since the proposed variation is against the interest of public interest, there is no necessity warranting U/R 145[7] of KMV Rules-1989, the application for the variation of permit is hereby rejected.

2. The secretary RTA is directed to watch the service of the vehicle frequently and take action on regular permit U/S 86[5] of MV Act, if curtailment of service detected.

Item No.39

Heard; Adv.P. Deepak, the learned counsel represented the permit holder of stage carriage KL-07-AR-5419. This authority considered the application for variation of permit. The enquiry officer in his report specified that the proposed variation in the 4th, 5th, 6th and 9th trips will objectionably overlaps Trivandrum-Kannur, Trivandrum-Palakkad and Ernakulam-Muvattupuzha notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009, GO(P) No.08/2017/Tran dtd 23/03/2017 and GO(P) No.05/2017/Tran dtd 21/02/2017 respectively. As per clause [4] of the GO(P) No.08/2017/Tran, further extension or variation of the existing permits covered portions of notified routes, cannot be allowed. Moreover as per clause [19] of the above notifications, the right to operate additional services or increase the number

of trips on notified routes are exclusively reserved for the State Transport Undertaking. The grant of proposed variation is against the above clauses and hence it cannot be allowed.

Vide Judgment of Hon'ble Supreme Court of India in C.A No.4480 of 1998[Venkataswamy Reddy v. State Transport Authority] and connected cases dtd 19/07/2016 it is clearly pronounced that ,no private operator can operate his vehicle on any part or portion of a notified area or notified route unless authorized so to do by the terms of the scheme itself. He may not operate on any part or portion of the notified route or Area on the mere ground that the permit as originally granted to him covered the notified route or area. Hence the proposed variation cannot be granted violating the scheme of nationalization.

Therefore the application for variation of permit is hereby rejected.

Item No.40

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-17-M-5585 operating on the route Koothattukulam- Kaloor as Ordinary moffusil service. By the proposed variation the permit holder is desired to operate last trip from Koothattukulam to Piravom via Anchalpetty without any time change.This authority considered the application in detail. The route enquiry officer has reported that the proposed deviation via Anchalpetty is more beneficial to the travelling public than the existing service via Andichira. Considering the report of the field officer, the Proposed variation is granted without changing existing timings.

Item No.41

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-07-BB-6243 operating on the route Kodungalloor- Ernakulam South as Ordinary moffusil service. By the proposed variation, the permit holder has desired to vary the permit so as to operate major trips touching Aster Medicity by curtailing portion service via Manjummal Kavala and Edayakunnam. The enquiry officer has not specified whether the proposed variation will provide additional advantage to the travelling public.

Therefore, the Secretary RTA is directed to seek a comparative study report from the route enquiry officer and place the matter in the next sitting. Hence adjourned.

Item No.42

Heard;Adv.P.Deepak, the learned counsel represented the applicant and the Counsel represented the KSRTC. This is the application for variation of regular permit in respect of stage carriage KL-07-BE-7733 operating on the route Kadamakudy-Varappuzha-Aluva as Ordinary moffusil service.By the proposed variation, the permit holder is desired to change the halting place to Chirayam by operating 14th trip from Varappuzha at 7.46pm to Chirayam by curtailing last trips to Aluva and Koonammavu. Vide judgment in MVARP No.11/2015,the STAT has set aside the earlier order of this authority rejecting the application for variation and directed to reconsider the matter with respect to the report of field officer and this authority reconsidered the application and sought detailed route enquiry report from the field officer for ascertaining the effect of curtailment of night trips to Aluva and Koonammavu.Now vide judgment in WPC No.5416/2017, the Hon'ble High Court of Kerala has directed to take a final decision on application for variation of permit. In compliance to the order of Hon'ble High Court of Kerala, this authority considered the application in the light of further route enquiry report furnished by the field officer. The route enquiry officer in his report clearly specified that the curtailment of night trips to Aluva and Koonammavu will adversely affect the travelling public. The existing travelling facilities enjoyed by the public shall not be deprived of consequent to the proposed variation. In this case, the curtailment of night trips to Koonammavu and Aluva will deny the travelling facilities of the public and the proposed variation will not give any additional advantage to the public. Moreover, there is no necessity U/R 145[6] of KMVR reported by the route enquiry officer.

In view of the aforesaid facts and circumstances, application for the proposed variation is hereby rejected.

Item No.43

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for variation of regular permit in respect of stage carriage KL-07-BY-7817 operating on the route Thuthiyoor-Fort Kochi as Ordinary service. By the proposed variation the permit holder has applied for interchanging the trips with the trips of his own another stage carriage KL-07-CG-3976 covered by regular permit on the route Chittethukara-Thuthiyoor Fort Kochi. This authority considered the application in the light of enquiry report furnished by the field officer and connected file. This authority felt that there is no provision in the Motor Vehicles Act and Rules made there under to interchange the trips of two stage carriages. The permit holder can apply for variation of regular permit covered by a stage carriage. But here, the permit holder has requested for the mutual change of trips in respect of his stage carriages. Since the law not mandate such variation, the enquiry officer has reported that there is no public demand for the proposal, the application is hereby rejected.

Item No.44

1.Perused the judgment of Hon'ble High Court of Kerala in WP(C) No.8692/2017

2.Heard; Adv.P.Deepak, the learned counsel represented the applicant and Counsel represented the KSRTC . This is an application for variation of regular permit in respect of stage carriage KL-07-CE-8273 operating on the route Ponekkara- Mattancherry as Ordinary service. This authority in its earlier sitting considered the application and rejected the same on the findings that the curtailment of night trip from Mattancherry to Ponekkara is against the public interest. Vide judgment in WP(c) No.8692/2017, the Hon'ble High Court has directed to consider the application for variation of permit and pass orders afresh on the basis of the report of the enquiry officer.

Now in this sitting this authority reconsidered the application in detail in the light of enquiry report furnished by the field officer ,Objections raised by the public and connected file.

By the proposed variation,the applicant is desired to vary the permit so as to curtail last trips to Mattancherry so as to extend service to Vyttila

Hub for halting early at Ponekkara. The enquiry officer has reported that the effect of proposed curtailment of service between Mattancherry and Ponekkara in the late night is less since stage carriages operating with time gap of 5 minutes in between Kaloor and Ponekkara. In this sitting also so many objections have been received from the public against the curtailment of trips stating that the curtailment of night trip at 8.05 PM from Mattancherry will adversely affect them. The members represented Ponekkara Residents Association has objected the report of the route enquiry officer stating that no stage carriages operating in the night in between Kaloor and Ponekkara with time gap of 5 minute and there is no other direct service from Ponekkara to Mattancherry in the night and requested to conduct a further route enquiry in this regard. Interest of the public is the main factor for the grant of a variation on existing regular permit. The existing benefits enjoyed by the public shall not be deprived of consequent to the variation of the permit.

On consideration of the objection raised by the public, this authority felt that taking a decision based on the previous report of the route enquiry officer is not good in this situation and decided to seek further detailed route enquiry through the Secretary RTA on following factors

1. Whether there is any direct stage carriage service in between Mattancherry and Ponekkara after 7.00PM
2. Whether stage carriages are operating in between Kaloor and Ponekkara with time gap of 5 minutes in between 6.00PM and 10.00PM and furnish details of operating stage carriages with their timings
3. Whether the curtailment of existing trip in between Mattancherry and Ponekkara in the night is against the public interest.

Hence adjourned.

2.The Secretary RTA is directed to bring the reason of adjournment of decision to the notice of Hon'ble High Court of Kerala.

Item No.45

Perused the GO(P) No. 05/2017/Tran dtd 21/02/2017 and GO(P) No. 08/2017/Tran dtd 23/03/2017 and delegated the Secretary RTA to

1.Renew all intra district ordinary and limited stop stage permits granted up to 14/07/2009 subject to the compliance of provisions of schemes.

2.Renew all inter district stage carriage permit granted up to 14/07/2009 and having distance only up to 20 km in the neighbouring districts.

In the case of stage carriage permits overlaps notified route published vide GO(P) No.05/2017/Tran dtd 21/02/2017 only, the Secretary RTA is delegated to renew such permits subject to compliance of other provisions of the scheme

Item No.46

Heard; Adv.Gopinathan Nair the learned counsel represented the applicant. This is the application for the transfer of permit in respect of the stage carriage KL-07-AN-313 consequent to the death of permit holder and renewal of the regular permit on the route Cheranelloor-Fort Kochi as ordinary city service. This authority in its earlier sitting, considered the application and denied the renewal of permit and revoked the permit on the ground that after the death of permit holder, the possessor of the vehicle filed application for the renewal of permit without intimating the death and availed renewal of permit misrepresenting the facts before RTA. The denial of permit challenged before the Hon'ble High Court vide WP(C) No.39475/2016. Vide judgment in above writ petition, the Hon'ble High Court has directed this authority to consider the application for the renewal of permit and transfer of permit in the light of direction issued by the Hon'ble Court in WPC No.27780 in a similar case.

This authority reconsidered the application in the light of judgment in WPC No.27780/2014 and considering the findings and observations rendered by the Hon'ble Court, renewal and transfer of permit U/S 82[2] of MV Act are allowed subject to the clearance of Government dues,if any.

Item No.47

Heard; Adv.Gopinathan Nair the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-CC-602 on the route Kakkanad- Trippunithura- Eramallur-Medical College as inter district ordinary moffusil service. The regular permit was issued on 08/08/2006

and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now, the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause[4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-CC-602 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.48

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-AJ-1923 on the route Aluva- Valiyaparambu as ordinary moffusil service. The regular permit was

issued on 06/06/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause[4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-AJ-1923 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.49

1.Heard;Adv.M.Jithesh Menon, the learned counsel represented the applicant and the Counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AQ-1376

operating on the route Gothuruth- Munambam as Ordinary moffusil Service. This authority considered the application in detail.

The route is having length of 22 km in which the portion of the route from Vadakkumpuram to North Parur which is 4.8 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the application for the renewal of regular permit is adjourned.

2.The Secretary RTA is permitted to issue temporary permits in favour of the applicant to continue operation on the same route on public interest.

Item No.50

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-BD-399 on the route North Parur- Kaloor Bus Stand as ordinary moffusil service. The regular permit was issued on 19/05/2006. The Government of Kerala have promulgated a modified scheme vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 .

Item No.51

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-17-1956 on the route Angamaly- Kalady Plantation as ordinary mofussil service. The regular permit was issued on 01/08/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause[4] of the modified scheme,the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-17-1956 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017,a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted

subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.52

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-17-B-2138 on the route Piravom- Ernakulam Kaloor Bus Stand as ordinary moffusil service. The regular permit was issued on 13/04/1995 and the route is objectionably overlaps Ernakulam- Muvattupuzha notified schemes published Vide 65598-TA4-60-PW dtd 28/08/1961 . This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision for the finalization of draft scheme published for the modification of Ernakulam- Muvattupuzha scheme. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] d of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per Clause[4] of the modified scheme, the existing regular permits in the private sector as on the date of publication of the above scheme are allowed to operate.

In view of the modification of Ernakulam- Muvattupuzha scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-17-B-2138 and felt that there is no legal impediments for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 21/02/2017. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[19] of notification No.05/2017/Tran dtd 21/02/2017.

Item No.53

1.Perused the judgment of Hon'ble STAT in MVAA No.12/2017 dtd 18/02/2017

2.Heard; Adv.Jithesh Menon, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-17-E-1579 on the route Munambam- Paravur- Kakkanad as ordinary moffusil service. The regular permit was issued on 07/03/2011 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting held on 17/08/2016 considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act.

The applicant approached Hon'ble STAT against the order of this authority rejecting the application for renewal of permit. On consideration of the submission of appellant to permit the renewal on modified route avoiding objectionable overlapping on notified routes, the STAT has directed the appellant to submit a fresh proposal avoiding objectionable overlapping and this authority is directed to consider the application for renewal of permit on modified route in accordance with law.

In the light of above order, the appellant has furnished a modified proposal to extend the service up to Kakkanad avoiding objectionable overlapping from Edappally to Palarivattom. This authority considered the modified application in detail and reveals the following.

1.As there is no provision in the MV Act and Rules for the renewal of permit on a modified route other than initially granted, the applicant is directed to submit application for the variation of permit also in accordance with law.

2.The Secretary RTA is directed to conduct a detailed route enquiry on modified application with details of overlapping and propose a set of timings without affecting existing timings.

Hence adjourned.

Item No.54

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-17-F-1490 on the route Poovakkulam- Kaloor as ordinary moffusil service. The regular permit was issued on 23/12/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause[4] of the modified scheme,the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-17-F-1490 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017,a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.55

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-39-2023 on the route Kanjiramattam- Kaloor as ordinary moffusil service. The regular permit was issued on 21/12/2006. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 .

Item No.56

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-38-D-8725 on the route Nechoorkadavu- Kaloor as ordinary moffusil service. The regular permit was issued on 29/10/2000 and the route is objectionably overlaps Ernakulam- Muvattupuzha notified schemes published Vide 65598-TA4-60-PW dtd 28/08/1961 . This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision for the finalization of draft scheme published for the modification of Ernakulam- Muvattupuzha scheme. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] d of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per Clause[4] of the modified scheme, the existing regular permits in the private sector as on the date of publication of the above scheme are allowed to operate.

In view of the modification of Ernakulam- Muvattupuzha scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017, this authority considered the

request for reconsideration of application for the renewal of permit in respect of stage carriage KL-38-D-8725 and felt that there is no legal impediments for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 21/02/2017. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[19] of notification No.05/2017/Tran dtd 21/02/2017.

Item No.57

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AL-4791 on the route North Parur- Kaloor- Moothakunnam as ordinary moffusil service. The applicant has not filed application within the time limit specified U/S 81 of MV Act. Hence he has requested to condone delay in filing application. The regular permit was issued on 09/02/2007. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and remittance of Rs.5000/- being the fine for the delay.

Item No.58

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-17-A-2823 on the route Piravom- Kaloor as ordinary moffusil service. The regular permit was issued on 10/11/1970 and the route is objectionably overlaps Ernakulam- Muvattupuzha notified schemes published Vide 65598-TA4-60-PW dtd 28/08/1961 . This authority in its

earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision for the finalization of draft scheme published for the modification of Ernakulam- Muvattupuzha scheme. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] d of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per Clause[4] of the modified scheme, the existing regular permits in the private sector as on the date of publication of the above scheme are allowed to operate.

In view of the modification of Ernakulam- Muvattupuzha scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-17-A-2823 and felt that there is no legal impediments for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 21/02/2017. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[19] of notification No.05/2017/Tran dtd 21/02/2017.

Item No.59

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-17-B-3619 on the route Piravom- Kaloor as ordinary moffusil service. The regular permit was issued on 08/08/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause[4] of the modified

scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-17-B-3619 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.60

Heard; Adv. Jithesh Menon, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-31-4849 operating on the route Panambukad-Ernakulam High Court Jn as Ordinary moffusil Service. The permit holder has filed application within the time prescribed under Section 81[2] of MV Act,1988.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued on 25/02/2012. The proposed route is having length of 6.5 km and the route will not objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009 or other existing notified schemes. There is no impediment to renew the permit for continuous operation on the proposed route. Hence renewal of regular permit is granted.

Item No.61

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-35-C-84 on the route Aluva- Kottayam as LSOS. The regular permit was issued on 20/07/1996 and the route is objectionably overlaps notified routes. This authority in its earlier sitting considered the application and adjourned decision seeking concurrence of RTA Kottayam. Now, the sister RTA has granted concurrence for the renewal of this inter district permit. As there is no legal impediment, the renewal of regular permit in respect of stage carriage KL-35-C-84 on the route Aluva- Kottayam is granted subject to the conditions stipulated in the Clause[4] of notification No.08/2017/Tran dtd 23/03/2017.

Item No.62

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-40-4244 on the route Kanjiramattam-Ernakulam-Kaloor as ordinary moffusil service. The regular permit was issued on 30/05/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-40-4244 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.63

1.Heard; Adv. Jithesh Menon, the learned Counsel represented the applicant and the Counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-42-A-4671 operating on the route Panambukad-Ernakulam High Court Jn as Ordinary moffusil Service. The permit holder has not filed application within the time limit prescribed under Section 81[2] of MV Act,1988.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file. The regular permit was issued on 03/04/1997. The proposed route is having length of 18 km and the route will not objectionably overlaps notified schemes published vide GO(P) No. No.42/2009/Tran dtd 14/07/2009 or other existing notified schemes. There is no impediment to renew the permit for continuous operation on the proposed route. Hence delay is condoned and renewal of regular permit is granted.

2.As requested, maximum time up to 26/08/2017 is allowed.

Item No.64

Heard; Adv.Jithesh Menon, the learned counsel represented the applicant. This is the application for the renewal of inter district regular permit in respect of stage carriage KL-47-C-2700 on the route Kumbalam-

Guruvayoor as LSOS. The regular permit was issued on 25/09/2003 and the route is objectionably overlaps notified routes. The route is an inter district one having route length 95 km, in which 46 km is lying under the jurisdiction of RTA Thrissur. This authority considered the application in detail. The RTA Thrissur granted general concurrence up to 50km for the renewal of permit. As there is no legal impediment, the renewal of regular permit in respect of stage carriage KL-47-C-2700 on the route Kumbalam-Guruvayoor as LSOS is granted subject to the conditions stipulated in the Clause[4] of notification No.08/2017/Tran dtd 23/03/2017.

Item No.65

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-39-J-4757 on the route Ernakulam- Piravom as ordinary moffusil service. The regular permit was issued on 14/07/1995 and the route is objectionably overlaps Ernakulam- Muvattupuzha notified schemes published Vide 65598-TA4-60-PW dtd 28/08/1961 . This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision for the finalization of draft scheme published for the modification of Ernakulam- Muvattupuzha scheme. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] d of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per Clause[4] of the modified scheme, the existing regular permits in the private sector as on the date of publication of the above scheme are allowed to operate.

In view of the modification of Ernakulam- Muvattupuzha scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-39-J-4757 and felt that there is no legal impediments for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 21/02/2017. Therefore, the renewal of permit is granted subject to the effect

of conditions in Clause[19] of notification No.05/2017/Tran dtd 21/02/2017.

Item No.66

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-BE-2854 on the route Aluva- Perumannoor Jn- Fort Kochi-Kannamaly as ordinary city service. The regular permit was expired on 01/12/2010 and thereafter during 2014, the permit holder applied for the renewal of permit with request to condone delay in filing application for the renewal of permit. The applicant has produced medical certificates issued during the year 2010 and 2014 for supporting his version of illness and incapability in filing application on expiry of regular permit .The Secretary RTA has intimated that the applicant has cleared all pending tax arrears. This authority considered the application in detail. This authority satisfied with the explanation offered and documents produced supporting reason of delay in filing application. The route Aluva- Fort Kochi- Kannamaly is highly populated and the renewal of the permit will provide additional advantage to the travelling public since there is legal impediment for the grant of new permit on the proposed route. Therefore, the delay in filing application is condoned and renewal of permit is granted from 02/12/2010.

Item No.67

1.Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of inter district regular permit in respect of stage carriage KL-39-A-5000 on the route Kaippuzhamuttu-Ernakulam as Ordinary Service. The regular permit was issued on 12/05/1997 and the route is objectionably overlaps notified routes. The route is an inter district one having route length 51 km, in which 26 km is lying under the jurisdiction of RTA Kottayam. This authority considered the application in detail. The RTA Kottayam granted general concurrence up to 50km for the renewal of permit in the case of inter district stage carriage. As there is no legal impediment, the renewal of regular permit in respect of stage carriage KL-39-A-5000 on the route Kaippuzhamuttu-Ernakulam is

granted subject to the conditions stipulated in the Clause[4] of notification No.08/2017/Tran dtd 23/03/2017.

2. Transfer of permit in respect of stage carriage KL-39-A-5000 on the route Kaippuzhamuttu-Ernakulam is allowed subject to the clearance of Government dues ,if any.

Item No.68

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-33-2530 on the route Kodungalloor- Ernakulam High Court Jn as ordinary moffusil service. The applicant has filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 30/10/2006 and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017

Item No.69

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-04-M-6535 on the route Eramalloor- Eramalloor as ordinary moffusil service. The regular permit was issued on 13/07/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision till the finalization of modification in notification No.42/2009/Tran dtd

14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-04-M-6535 and felt that the modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 .

Item No.70

1.Heard;Adv.M.Jithesh Menon, the learned counsel represented the applicant and the Counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-04-T-6852 operating on the route Vypin-North Parur-Kottuvally-Manjaly-Collectors Square as Ordinary moffusil Service. This authority considered the application in detail.

The route is having length of 41.5 km in which the portion of the route from Vedimara to Chendamangalam which is 1.5 km in length objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd

17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the application for the renewal of regular permit is adjourned.

2.The Secretary RTA is permitted to issue temporary permits in favour of the applicant to continue operation on the same route on public interest.

Item No.71

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AP-5616 on the route Poothotta-Vyttila as ordinary moffusil service. The applicant has not filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 03/04/2002 and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017

Item No.72

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AP-5666 on the route Irimpanam- Manjummal as ordinary moffusil service. The applicant has not filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 19/03/1986

and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017

Item No.73

1.Heard;Adv.M.Jithesh Menon, the learned counsel represented the applicant and the Counsel represented KSRTC. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AP-7358 operating on the route Gothuruth-Munambam as Ordinary moffusil Service. This authority considered the application in detail.The route is having length of 18 km in which the portion of the route from North Parur to Vadakkumpuram which is 5 km in length is objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme. Judgments of Hon'ble High Court of Kerala in WP© No.4435/2011 and connected cases, prohibited the renewal of regular permit issued on Aluva-Vadakkumpuram Complete exclusion scheme reserved for the State Transport Undertaking. KSRTC also objected the renewal of permits on the portions of Aluva-Vadakkumpuram Scheme. Vide letter No.10689/B1/2014/Tran dtd 17/07/2014 the Government of Kerala has decided to formulate schemes under section 99 of the MV Act for making an objective assessment on the actual requirement of the KSRTC and in order to ensure sufficient travel facilities to the general public. Hence this authority is not able to take a decision in this situation. This authority is decided to wait for further orders from the government in this regard. Hence the application for the renewal of regular permit is adjourned.

2.The Secretary RTA is permitted to issue temporary permits in favour of the applicant to continue operation on the same route on public interest.

Item No.74

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-AW-6667 on the route South Chittoor Ferry- Mattancherry as ordinary service. The regular permit was issued on 26/05/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-AW-6667 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of

notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.75

Heard; Adv.Jithesh Menon, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-34-6136 on the route South Kodungalloor- Kaloor as ordinary service. The regular permit was issued on 26/05/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-34-6136 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of

notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.76

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-42-7448 on the route High Court Jn- Kodungalloor as ordinary moffusil service. The applicant has filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 10/05/2007 and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

Therefore the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017

Item No.77

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-AM-8390 on the route Poothotta- Aluva as ordinary service. The regular permit was issued on 26/05/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the

Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-AM-8390 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.78

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-AV-9233 on the route Piravom- Kaloore as ordinary moffusil service. The applicant has not filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 11/04/2002 and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009 and Ernakulam-Muvattupuzha Scheme published during the year 1961. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop

service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances. Vide GO(P) No.05/2017/Tran dtd 21/02/2017 the existing regular permits as on the date of publication of notification are permitted to operate on Ernakulam- Muvattupuzha scheme. Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017 and Clause[19] of GO(P) No.05/2017/Tran dtd 21/02/2017.

Item No.79

Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-07-BS-9250 on the route Thalayolapparambu- Kaloor as ordinary moffusil service. The regular permit was issued on 09/09/1995 and the route is objectionably overlaps Ernakulam- Muvattupuzha notified schemes published Vide 65598-TA4-60-PW dtd 28/08/1961 . This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and adjourned decision for the finalization of draft scheme published for the modification of Ernakulam- Muvattupuzha scheme. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] d of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.05/2017/Tran dtd 21/02/2017. As per Clause[4] of the modified scheme, the existing regular permits in the private sector as on the date of publication of the above scheme are allowed to operate.

In view of the modification of Ernakulam- Muvattupuzha scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-BS-9250 and felt that there is no legal impediments for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 21/02/2017. Therefore, the renewal of permit is granted subject to the effect

of conditions in Clause[19] of notification No.05/2017/Tran dtd 21/02/2017 and Clause[4] of the GO(P) No.08/2017/Tran dtd 23/03/2017.

Item No.80

Heard; Adv.Jithesh Menon, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-38-9155 on the route North Parur- Ernakulam South as ordinary moffusil service. The applicant has filed application within the time limit specified U/S 81 of MV Act. The regular permit was issued on 29/03/2007 and the route is objectionably overlaps notified routes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. The Government of Kerala have modified GO(P) No.42/2009/Tran dtd 14/07/2009 vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances. Therefore, delay is condoned and the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a]&[b] of notification No.08/2017/Tran dtd 23/03/2017.

Item No.81

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-AP-9816 on the route Vellarappilly- Aluva- Chully as ordinary service. The regular permit was issued on 05/08/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the

Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-AP-9816 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.82

1.Heard; Adv.P.Deepak, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-BB-9030 on the route Kakkanad- Fort Kochi Bus Stand as ordinary service. The regular permit was issued on 31/07/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the

Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-BB-9030 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

2.Heard; both applicants. Transfer of permit in respect of stage carriage KL-07-BB-9030 on the route Kakkanad- Fort Kochi is also allowed subject to the clearance of Government dues,if any and further remittance of fee for transfer of permit.

Item No.83

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-08-AJ-9095 on the route Munnurppilly-Elavoor- Mayayattoor as ordinary service. The regular permit was issued on 22/08/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a

legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-08-AJ-9095 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.84

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the renewal of regular permit in respect of stage carriage KL-38-E-9212 on the route Kaippuzhamuttu- Thoppumpady as Ordinary Service. The regular permit was issued on 26/07/1997 and the route is objectionably overlaps notified routes. This authority in its earlier sitting considered the application and adjourned decision seeking concurrence of RTA Kottayam. Now, the sister RTA has granted concurrence for the renewal of this inter district permit. As there is no legal impediment,

the renewal of regular permit in respect of stage carriage KL-38-E-9212 on the route Kaippuzhamuttu- Thoppumpady is granted subject to the conditions stipulated in the Clause[4] of notification No.08/2017/Tran dtd 23/03/2017.

Item No.85

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-39-E-8223 on the route Poochackal- Kaloor as ordinary service. The regular permit was issued on 10/11/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-39-E-8223 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and

issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.86

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-39-G-7679 on the route Perumbalam Ferry- Kalamassery Medical College as ordinary service. The regular permit was issued on 02/09/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-39-G-7679 and felt that the earlier rejection of application was based on the existence of legal impediments specified in Clause[4] of notification No.42/2009/Tran dtd 14/07/2009. The modified scheme published only on 23/03/2017, a date after the rejection of application for the renewal of permit. The modified scheme permitted the operation of applicants service, since the regular permit was granted and

issued before 14/07/2009. Therefore, the renewal of permit is granted subject to the effect of conditions in Clause[4], Clause[5][a] & [b] of notification No.08/2017/Tran dtd 23/03/2017 and further fresh remittance of prescribed fee for the renewal of permit.

Item No.87

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the reconsideration of application for the renewal of regular permit in respect of stage carriage KL-07-AN-8001 on the route Angamaly Town- North Parur as ordinary service. The regular permit was issued on 19/09/2006 and the route is objectionably overlaps notified schemes published vide GO(P) No.42/2009/Tran dtd 14/07/2009. This authority in its earlier sitting considered the application for the renewal of permit in respect of the above vehicle and rejected the same as there is a legal impediments for the renewal of permits as specified in Clause[4] of the notification No.42/2009/Tran dtd 14/07/2009. However, the applicant was permitted to continue operation on the same route with successively issued temporary permits conditionally U/S 87[1] C of MV Act. Now the Government of Kerala have modified the above notification vide GO(P) No.08/2017/Tran dtd 23/03/2017. As per Clause [4] of the modified scheme, the regular permits granted in the private sector as on 14/07/2009 violating scheme of nationalization are permitted to operate as ordinary or ordinary limited stop service subject to compliance of rule 2[oa] of KMVR-1989 and subject to the condition that further extension or variation on these saved permits shall not be allowed under any circumstances.

In view of the modification of notification No.42/2009/Tran dtd 14/07/2009 by GO(P) No.08/2017/Tran dtd 23/03/2017, this authority considered the request for reconsideration of application for the renewal of permit in respect of stage carriage KL-07-AN-8001 and felt that the portion of the route from Vedimara to North Parur is objectionably overlaps Aluva-Vadakkumpuram complete exclusion scheme also. Therefore the renewal of permit cannot be allowed in this situation for obtaining clarification from the Government of Kerala in this regard. Therefore the applicant is entitled to get the benefit of grant of temporary permit U/S 87[1] d of MV Act,if he is

willing to remit prescribed fee for the renewal of permit afresh. Otherwise, the applicant is eligible for the grant of temporary permit U/S 87[1]C of MV Act only.

The Secretary RTA is permitted to issue temporary permit U/S 87[1] of MV Act to continue operation on public interest.

Item No.88

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-03-J-2332 on the route Kumbalangy Ferry- Elamakkara, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.89

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-05-AD-721 on the route Pala- Ernakulam, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.90

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AR-93 on the route Puthenvelikkara-Manjapra, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.91

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BA-2155 on the route Puthuvankunnu-Thevara Jn, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.92

Heard; Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-17-D-2322 on the route North Parur-Aroor, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.93

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-18-A-1561

on the route North Parur-Vyttila Hub, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.94

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-45 on the route Trippunithura- Eroor- W/Island, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.95

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-2419 on the route Panangad- Aluva, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.96

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-41-C-1291 on the route Aluva- Thoppumpady, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.97

Heard; Adv.M.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-A-2525 on the route Kakkanad- Perumbalam Ferry, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.98

Heard; Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-41-A-4345 on the route Pukkattupady-Fort Kochi, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.99

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. This is the application for transfer of permit in respect of S/C KL-07-BA-4359 on the route Ernakulam High Court Jn-Manjapra. The learned counsel represented the permit holder has requested to adjourn the item to next sitting since judgment in a writ petition

connected to this case is pending with the Hon'ble High Court of Kerala. Considering the request, consideration is adjourned to next sitting.

Item No.100

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-42-C-3459 on the route Aluva- Kumbalangy South, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.101

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-A-3033 on the route Irumbanam- Chittoor Ferry- Kakkanad- Kinfra, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.102

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-11-Y-4554 on the route Kakkanad- Trippunithura- Kavumthazham, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.103

Heard; Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AJ-3579 on the route Vaikom- Kaloor- Amrutha Hospital- Kizhakkambalam, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.104

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-CG-6192 on the route Kumbalam- Aluva, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.105

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AT-6854 on the route Aluva- Fort Kochi, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.106

Heard; Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BL-5730 on the route Aluva- Fort Kochi, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.107

Heard; Adv.P.Deepak, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-39-5090 on the route Aluva- Mattancherry, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.108

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-B-5791 on the route Aluva- Ernakulam South, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.109

Repetition of item No.108.Hence dismissed.

Item No.110

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-06-B-8473 on the route Kalady- Aluva, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.111

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-AS-9571 on the route Kakkanad- Thevara Fery, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.112

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BD-8080 on the route Pallithode Beach- Kaloor, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.113

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BU-9587 on the route Cheranelloor- Kumbalangi, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.114

Heard; Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-08-AK-8600 on the route Ezhikkara- North Parur, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.115

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-40-A-8339 on the route South Chittoor-Mattancherry, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.116

Heard; Adv.Jithesh Menon, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-41-B-8989 on the route Kodungallur- Vypin with Extension to Kalamukku, is allowed as applied for subject to the clearance of Government dues, if any.

Item No.117

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BS-7623 on the route Fort Kochi- Cheranelloor, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.118

Heard; Adv.C.D.Anitha, the learned counsel represented both the transferor and proposed transferee. Transfer of permit in respect of S/C KL-07-BG-9566 on the route South Chittoor- Trippunithura, is allowed as applied for subject to the clearance of Government dues, if any .

Item No.119

Heard; Adv.C.D.Anitha, the learned counsel represented the applicant. This is the application for the grant of fresh temporary permit for a duration of 4

months in respect of stage carriage KL-07-CD-9438 on the route Eloor Methanam-Vyttila- Kakkanad- Koonammavu as ordinary moffusil service. This authority considered the application in the light of report furnished by the route enquiry officer. The enquiry officer has reported that there exist necessity U/S 87[1]C of MV Act for the grant of temporary permit on the proposed route and the grant of permit will be beneficial to the public. Considering the report of route enquiry officer, temporary permit is granted for 4 months subject to settlement of timings and clearance of pending dues, if any.

Item No.120

Heard; Adv.P.Deepak, the learned counsel represented the applicant Sri.Raju.T.J . This is the application for the grant of temporary permit in respect of stage carriage KL-17-4656 on the route Poothotta- Aluva as ordinary city service in the vacant timings of stage carriage KL-40-A-6031. Existing temporary permit was granted in the light of judgment of Hon'ble High Court in WPC No.24089 of 2016. Now, the Government of Kerala have published Ernakulam- Muvattupuzha modified scheme vide GO(P) No.05/2017/Tran dtd 21/02/2017 and the proposed route overlaps above scheme. But the applicant was permitted to operate service on the above route in the vacant timings before the promulgation of the scheme and the further grant was on the basis of findings and observations rendered by the Hon'ble High Court of Kerala in WP(C) No.24089/2016. Therefore this authority felt that the denial of further grant will be against the findings of the Hon'ble High Court of Kerala in WP(C) No.24089/2016. Therefore temporary permit for a duration of 4 months is granted with already issued conditions.

Item No.121

This is the application for the grant of counter signature on regular permit in respect of stage carriage KL-36-1372 with regard to the variation of permit granted and endorsed by the RTA Kottayam to operate on the portion between Vyttila Hub and Kunnumpuram, the portion lying under the jurisdiction of this authority. This authority considered the matter in detail. The Secretary RTA Kottayam has already endorsed the granted variation in the regular permit. As per the enquiry report of the field officer, the route

portion under the jurisdiction of this authority will not overlaps notified route and there is only a chance of unhealthy competition since the route portion on which extension sought is very well served. Therefore counter signature is granted subject to the settlement of timings by the primary RTA.

Item No.122

It is decided to convene sitting of RTA Ernakulam on 3rd Saturday of alternative month from July-2017. As such next sitting will be held on 15/07/2017.

Item No.123

Heard; the permit holder of stage carriage KL-35-G-1677. He has requested to adjourn the matter to the next sitting since an appeal filed against the decision of the RTA Pathanamthitta is pending with the Hon'ble STAT. Considering the request, adjourned to next sitting.

Item No.124

Heard; Sri.Suresh Ummen, the representative of the permit holder of stage carriage KL-07-BF-3807. He has requested to dispose the issue without taking action on regular permit. The Secretary RTA has intimated that the criminal case filed against the permit holder for the prevention of official duty of enforcement officer is still pending with Hon'ble JFMC, Maradu. Therefore the Secretary RTA is directed to issue fresh show cause notice to the permit holder in the light of observation rendered by the STAT in judgment in MVAA No.1/2016 .Hence adjourned.

Item No.125

The Secretary RTA has recommended to take action on check report booked against stage carriage KL-05-AN-3699 for the unauthorized operation of service on notified route. The Secretary RTA is directed to issue show cause notice to the permit holder and place the matter in the next sitting.

Item No.126

The Secretary RTA has recommended to take action on check reports booked against stage carriage KL-34-B-9599 for the violation of permit

conditions. The Secretary RTA is directed to issue fresh show cause notice to the permit holder and place the matter in the next sitting.

Item No.127

Heard. This is the request of the grantee of autorickshaw city permit for the condonation of delay in filing current records of vehicle and replacement of the vehicle KL-07-BA-1290 with later model vehicle KL-07-BZ-6625 and issue of granted city permit to the new vehicle. This authority considered the request in detail . The applicant has intimated that the old vehicle KL-07-BA-1290 to which RTA granted autorickshaw city permit met with an accident after the grant of permit and hence requested for the cancellation of registration certificate. On perusal of the file this authority felt that the version of the applicant is genuine .Therefore delay in production of current records of the vehicle is condoned and the Secretary RTA is directed to effect replacement and issue granted city permit to A/R KL-07-BZ-6625, if the application and records of the vehicle are otherwise in order.

Item No.128

1.Perused the judgment of Hon'ble High Court of Kerala in WPC No.33693/2016

2. Heard the petitioners in above writ petition. The Hon'ble Court has directed to consider the application for the grant of city autorickshaw permit filed by the petitioners in the light of judgment in WPC No.24688/2013. This authority considered the application in detail . In the light of judgment in WPC No.24688 of 2013, this authority granted city autorickshaw permit to non residents of Koch Corporation. The Secretary RTA has informed that allotted number of autorickshaw city permits in general quota were completely filled up proposal for sanctioning additional city autorickshaw permits in Koch City is under consideration of the Government of Kerala, Therefore this authority decided to grant fresh autorickshaw city permits to twenty five petitioners in WPC No.33693/2016 subject to the allotment of additional city permits by the Government.

Item No.129

Heard. This is the request of the Secretary,RTA, Idukki for the concurrence of this authority for the grant of fresh regular permit in respect of stage

carriage KL-44-D-9475 or a Suitable stage carriage on the route Ernakulam[Vyttila Hub]- Munnar as LSOS. This authority considered the matter in detail. The lying under the jurisdiction of this authority will not objectionably overlaps notified routes published vide GO(P) No.42/2009/Trans dtd 14/07/2009 and further amended by G.O(P) No.08/2017/Tran dtd 23/03/2017. Therefore, Concurrence for the grant of fresh regular permit as LSOS is granted on the proposed route subject to the effect of Clause[4] of notification No.42/2009 dtd 14/07/2009 and GO(P) No.08/2017/Tran dtd 23/03/2017.

Item No.130

1.Perused the judgment of Hon'ble STAT in MVAA No.171/2016
2.Heard; Adv.Gopinathan Nair,the learned counsel represented the applicant and Counsel represented the KSRTC and all affected parties in this regard and perused the earlier judgments of the STAT and judgment of Hon'ble High Court of Kerala in WPC No.15787/2016. The application for the variation of regular permit in respect of stage carriage KL-07-AQ-644 operating on the route Mambrakadavu- Angamaly-Perumbavoor-Palissery-Karamattam as Ordinary moffusil Service was considered finally by this authority on 17/08/2016 and proposed variation allowed partially considering the public interest and legal impediments. Main findings in decision are as follows.

- A. *At present, the stage carriage KL-07-AQ-644 is operating on the route Mambrakadavu-Angamaly- Perumbavoor- Karamattom as Ordinary Moffusil Service with settled set of timings. Vide an application in PVA,the permit holder sought variation in the above regular permit for curtailing the trip to Mambrakadavu for extending the last trip to Ezhattumugam so as to commence service from there and to operate one additional trips between Angamaly and Perumbavoor for deviating the service via Nayathode Jn,Vengoor and Kalady by curtailing trip via Mooppan Kavala and Sivajipuram.*
- B. *As per the detailed route enquiry report submitted by the field officer, it was clearly reported that there is a curtailment of 2 km from Mambra Kavala to Mambra Jn to extend the service up to Ezhattumugham in the*

last trip. He has reported that proposed extension of last trip to Ezhattumugham from Pallissery via Munnurppilly for a distance of 6.7 km is beneficial to the travelling public and the benefit of extension outweigh the difficulties of travelling public in the curtailed portion since operation of service touching Ezhattumugham Prakrithi Gramam will give additional advantage to the tourists and general public.

- C. The enquiry officer in his report clearly specified that proposed operation of service in between Angamaly and Perumbavoor by deviation of service via Kalady and Vengoor will objectionably overlaps Kottayam- Kozhikode nationalized route notified by GO(P) No.42/2009/Tran dtd 14/07/2009 for a distance of 14 km in length.
- D. The enquiry officer further reported that when a stage carriage curtail its existing service or trips to some places, it is sure that the withdrawal will deprive the existing benefits enjoyed by the public in the curtailed portion ,at the same time the proposal for extension will provide better or additional travelling facility to the peoples of extension portion. Hence he reported that it is very difficult to make comparative graphical report of advantage and disadvantage offered consequent to the proposed variation consisting of extension, curtailment and deviation of service.

This authority considered all the findings contained in the report of route enquiry officer in its real sprit and pronounced following orders on application for the variation of permit submitted by the applicant.

1. The proposed extension of service to Ezhattumugham will provide additional advantage to the travelling public especially tourists arriving at Prakrithi Gramam and felt that the benefit of this extension will outweigh the difficulties of public consequent to the curtailment of trip to Mambrakadavu. Hence the proposed extension of Ezhattumughalm is granted subject to settlement of timings in the varied trips only without affecting timings of remaining trips.
2. The proposed deviation of one trip in between Angamaly and Perumbavoor via Kalady and Vengoor will objectionably overlaps Kottayam- Kozhikode nationalized route notified by GO(P)

No.42/2009/Tran dtd 14/07/2009 for a distance of 14 km in length. As per clause [19] of the above said notification, the right to operate any new service and to increase the trips in the notified routes or its portions will be reserved exclusively for the State Transport Undertaking. In this case ,the applicant offered additional new trip on the portion of notified routes. KSRTC strongly objected the grant of proposed variation. This authority felt that,if the proposed additional trip is allowed,it will be a clear violation of above said notification and connected judgments in this regard.

3. Vide Judgment of Hon'ble Supreme Court of India in C.A No.4480 of 1998[Venkataswamy Reddy v. State Transport Authority] and connected cases dtd 19/07/2016 it is cleary pronounced that ,no private operator can operate his vehicle on any part or portion of a notified area or notified route unless authorized so to do by the terms of the scheme itself. He may not operate on any part or portion of the notified route or Area on the mere ground that the permit as originally granted to him covered the notified route or area. Hence the proposed variation cannot be granted violating the scheme of nationalization.

In view of the above said facts and circumstances of legal impediments, proposal for the deviation of one trip in between Angamaly and Perumbavoor via Kalady and Vengoor is hereby rejected.

The above decision was challenged before the Hon'ble STAT vide MVAA No.171/2016.Vide judgment in above appeal dtd 29/04/2017, the hon'ble Tribunal has pronounced that there is nothing on record to show that the affected parties were heard in detail and pass a considered order by the RTA and allowed appeal in part with direction to this authority to reconsider the matter and fresh orders in this regard within a time frame.

In the light of above direction from the Tribunal, this authority heard the learned counsel represented the applicant, the counsel represented KSRTC,the beneficiary of the notified scheme and all affected parties in this regard. On perusal of the file, it is very clear that on 17/08/2016, while passing earlier order also this authority heard all concerned and issued a detailed order considering the merit , demerit and legal impediments of

proposed variation . In this sitting also, on hearing the learned counsel of petitioner and all other affected parties has nothing offered other than the earlier. This authority also felt that there are no other circumstances that have come in to effect or the applicant has not produced any documents to revise the findings of this authority specified in the earlier order dtd 17/08/2016.

In these circumstances the proposed extension of Ezhattumughalm is granted subject to settlement of timings in the varied trips only without affecting timings of remaining trips and rejected the other proposed variations on regular permit.

Item No.131

All actions taken by the Secretary RTA on behalf of this authority are hereby ratified.

Item No.132

Nil

Item No.133

It is decided to conduct next sitting on 3rd Saturday of July-2017, ie, 15/07/2017

Sri.K. Mohammed.Y.Safirulla, I.A.S
The District Collector& Chairman,RTA
Ernakulam

Sri.A.V.George, I.P.S,
The District Police Chief Ernakulam[Rural]&
Member, RTA Ernakulam

Sri.K.G.Samuel
The Deputy Transport Commissioner
[Law] Central Zone-II,Ernakulam &
Member,RTA Ernakulam



Secretary
Regional Transport Authority
Ernakulam