

**DECISION OF REGIONAL TRANSPORT AUTHORITY MUVATTUPUZHA –
HELD ON 23-02-2017.**

Present:(1)Sri. Muhammed Y Safirulla. I.A.S.-District Collector & Chairman RTA Muvattupuzha.

(2)Sri.K.G Samuel.-Deputy Transport Commissioner-CZ-II, Ernakulam &Member RTA Muvattupuzha.

Item No-1

Heard Advocate P Deepak , the learned counsel represented the applicant Sri K A Noufal. This is an application for fresh intra district regular permit in respect of suitable vehicle with seating capacity not less than 38 in all to operate on the route Odackaly, Kuruppampady, Perumbavoor, Chembarakky, Pukkattupady, Kangarapady, Navodaya, Infopark gate, Kakkanad, Vazhakkala and Vyttila Bypass as ordinary service having a route length of 52.9 Km.

The counsel of the applicant submitted a lease agreement executed between the applicant with the registered owner of KL 07 BV 3807, which is a vehicle not older than five years from the date of its registration .

The objections raised in the meeting are related with proposed timings. There is no other legal impediments to grant a permit as per laws governing to the grant of permit on a non notified route.

Hence regular permit on the proposed route is granted to stage carriage KL 07 BV 3807, the vehicle possessed by the applicant under lease agreement, subject to settlement of timings and production of current records of the vehicle within the time limit stipulated under Rule 159[2] of KMV Rules 1989.

Item No-2

Heard Advocate P Deepak , the learned counsel represented the applicant Sri Rahul S Kumar. This is an application for fresh intra district regular permit in respect of KL 06 E 868 with seating capacity not less than 38 in all to operate on the route Inchathotty- Aluva (Via) Neriamangalam, Kothamanglam, Perumbavoor and South Vazhakulam in the vacancy of KL 07 AX 4946 as ordinary service. having a route length of 63 Km.

This authority considered the matter in detail and reveals the following. As per the application submitted for the grant of regular permit, the applicant offered stage carriage KL 06 E 868 with seating capacity not less than 38 in all.

This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration ,considering the aspects of road safety and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010.

In this case the applicant offered the stage carriage KL 06 E 868 which is an older vehicle having age of more than five years. Hence it cannot be considered for the grant of fresh stage carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of its original registration.

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

Item No-3

Heard the learned counsel represented the applicant . This is an application for fresh intra district regular permit in respect of KL 05 N 3858 with seating capacity not less than 48 in all to operate on the route Thalayolaparambu- Perumbavoor (Via) Mulamthuruthy, Thiruvaniyoor, Choondy, Kolencherry, Kadayiruppu, and Pattimattom in the vacancy of KL 39 4777 as ordinary service.

This authority considered the matter in detail and reveals the following. This is an inter district route having route length of 54.8 Km out of which 8.2 Km comes under the jurisdiction of RTA Kottayam. There is an overlapping of 4.3 km from Kolencherry to Choondy with the notified scheme Muvattupuzha-Ernakulam and an overlapping of 800 metre at Thalayolaparamabu with the notified scheme Ernakulam- Thekkady. More over there was a draft scheme published by the govt vide No 489/B1/2015/Tran dtd 17/02/2016 related with exceptional clause of intermediate points mentioned in the Ernakulam- Muvattupuzha scheme. As per clause 19 of the above said notification no regular or temporary permits shall be granted on the portions other than those mentioned in clause 5© of the notification. Here the proposed route violates the above draft notification .In addition to this, as per the application submitted for the grant of regular permit, the applicant offered stage carriage KL 05 N 3858 with seating capacity not less than 48 in all.

This authority in its earlier sitting specified the description of the stage carriages for which fresh regular stage carriage permits will be granted by this authority, that no fresh regular permit shall be granted to stage carriages older than five years from the date of its original registration ,considering the aspects of road safety and in the light of Judgment of Hon'ble Supreme Court of India in C.A No.5227/2013 dtd 04/08/2010.

In this case the applicant offered the stage carriage KL 05 N 3858 which is an older vehicle having age of more than five years. Hence it cannot be considered for the grant of fresh stage carriage permit, as this authority implemented limitation for the grant of fresh permits to stage carriages older than five years from the date of its original registration.

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

Item No-4

Heard Advocate P Deepak, the learned counsel represented the applicant Sri Nishanth. This is an application filed for variation of regular permit in respect of stage carriage KL 40 C 8037 on the route Kozhikottukulangara- Aluva (Via) Vakuvally, Nedungapara, Punnayam, Asamannoor, Mudakkarai and Perumbavoor as Kozhikottukulangara- Aluva touching Chernaganal (Via) Vakuvally, Nedungapara, Punnayam, Asamannoor, Mudakkarai , Perumbavoor and Kottappady by extending the route to Cheranganal with deviation in the existing 6th,7th and last trip as ordinary service. This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The proposed variation includes curtailment of trip number 06,07 and 10 and the filed officer reported that it will adversely affect the passengers. It is also reported that there is no overlapping in the variation portion and the proposed extension recommended without curtailment of existing trips. Considering all these facts variation of permit is granted with the proposed extension without curtailment of existing trips.

Item No-5

Heard Adv. G Prabhakaran, the learned counsel represented the applicant Sri Eldho P P and Adv. Jithesh Menon the learned counsel represented the objector.

This is an application filed for variation of regular permit in respect of stage carriage KL 08 AR 8394 operating on the route Muvattupuzha- Kolencherry (Via) Mekkadambu, Kunnackal, and Mazhuvannoor as ordinary service. The applied variation includes extension of route to Malayattoor .

This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. As per the enquiry report an additional overlapping of 1.3 km with the notified scheme Kottayam- Kozhikode.

The filed officer reported that the proposed extension to Malayattoor is beneficial to the travelling public since that portion is ill served and the curtailment of certain trips will not affect the public since the peak hour service is retained. But representation against the curtailment of route was received from natives of Mangattoor, Mazhuvannoor, Kunnackal area. Hence Secretary RTA is directed to conduct a detailed enquiry in this matter and submit a specific report in this regard. Hence adjourned.

Item No-6

Heard Adv. P Deepak, the learned counsel represented the applicant Smt Ansiya. This is an application filed for variation of regular permit in respect of stage carriage **KL 17 A 3133** on the route Kothamangalam – Perumbavoor-Aluva (via) Kuruppampady, Odakkali, Thankalam and South Vazhakulam as ordinary service as Kothamangalam - Perumbavoor –Aluva touching Akanad (via) Kuruppampady, Odakkali, Thankalam , South Vazhakulam as ordinary service.

The variation sought for includes an extension of route to Akanad from Kuruppampady and curtailment of route to Kothamangalam in the 1st trip of service. This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. As per the enquiry report the filed officer , the proposed extension to Akanad is beneficial to the travelling public since that portion is ill served and the curtailment of route from Kuruppampady to Kothamangalam in the 1st trip will not affect the public since the route is well served.

Hence the applied variation is granted subject to settlement of timings only in the variation portion.

Item No-7

Heard Adv. G Prabhakaran, the learned counsel represented the applicant Sri Beerankunju. This is an application filed for variation of regular permit in respect of stage carriage **KL-07 AQ 1697** operating on the route Aluva- Vyttila Hub (Via) Pukkattupady, Kizhakambalam, Pattimatom, Kadayiruppu,, Kolencherry, Pazhamthottam and Palarivattom Bypass as ordinary service. The variation sought for includes the deviation in two trips from Kakkanadu to Pallikkara (Via) Padathikara and Pinarmunda instead of (via) Manackapady and also intend to vary the trip @ 5.22 pm from Vyttila Hub to Pukkattupady by avoiding the trip to Pallikkara to Kolencherry.

This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. Strong objection has been filed by the President of Kunnathunad Grama Panchayath against the curtailment of route to Kolencherry stating that it will adversely affect the travelling public. Regional Transport authorities are entitled to protect the travel needs of common public, hence considering the public interest variation application is not seen maintainable. Hence rejected.

Item No-8

Heard Adv. Jithesh Menon ,the learned counsel represented the applicant Sri Varghese. This is an application filed for variation of regular permit in respect of stage carriage **KL 40 G 2383** on the route Perumbavoor- Muvattupuzha (Via) Kuruppampady, Nellimolam, Methala, Vandamattam, Cheruvattoor, Micropady and Paipra kavala as ordinary service as Perumbavoor- Muvattupuzha by limiting the trip of 6.36pm from Methala at Perumbavoor avoiding the existing round trip to Muvattupuzha as ordinary service. This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The field officer reported that the proposed curtailment will adversely affect the commuters of Vandamattom to Pezhackapilly.

Hence considering the public interest the application for variation of permit is not seen maintainable. Hence rejected.

Item No-9

Heard Adv. Deepak ,the learned counsel represented the applicant Smt Ruby Shamsudheen .This is an application filed for variation of regular permit in respect of stage carriage **KL 04 N 2583 operating** on the route Kothamangalam - Thrippunithura (Via) Odakkali, Perumbavoor, Chemberakey, Pukkattupady, Kangarapady, Navodaya, Kakkanad (CSEZ) and Irumpanam as Ordinary service as Kothamangalam - Thrippunithura (Via) Odakkali, Perumbavoor, Chemberkey, Pukkattupady, Kangarapady, Navodaya, Kakkanad (CSEZ) and Irumpanam with a deviation of existing 9.05 am trip from Kakkanadu (via) Infopark gate, Edachira to Thevakkal Jn instead of (via) Kangarapady. This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The field officer reported that the proposed deviation is beneficial to the travelling public including labours of Infopark area at peak hours. It is also reported that the route portion between Thengode to Thevakkal is very ill served. Hence the applied variation is granted subject to settlement of timings.

Item No-10

Heard Adv. Sajeev kumar K Gopal ,the learned counsel represented the applicant Sri Basheer .This is an application filed for variation of regular permit in respect of stage carriage **KL 09 L 8484** operating on the route Onnukal- Muvattupuzha (Via) Nellimattom, Kothamangalam, Kozhippilly, Koovalloor, Adivadu, Varappetty Puthuppady and Thalakode as Onnukal- Muvattupuzha touching Ayvana and Vallikkada as ordinary service. The variation sought for is an extension from Muvattupuzha to Ayvana and Vallikkada.

This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The field report reveals that the proposed extension is beneficial to the travelling public since the route portions Vallikkada and Ayvana are ill served areas. Hence considering the travel needs of common public the applied variation is granted subject to settlement of timings.

Item No-11

Heard Adv. Deepak ,the learned counsel represented the applicant Sri K J Jijo .This is an application filed for variation of regular permit in respect of stage carriage **KL 37 5004** operating on the route Piravom- Muvattupuzha touching Kothamangalam (Via) Onakkoor Anchalpetty and Pampakuda as ordinary service as Piravom- Muvattupuzha touching Kothamangalam with an additional trip from Piravom to Muvattupuzha after the existing trips and change of halting place to Muvattupuzha.

This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The field officer reported that the proposed variation will provide additional transport facility to the common public in the early morning and late hours. Hence the applied variation is granted subject to settlement of timings only in the varied portion.

Item No-12

Heard Adv. Deepak ,the learned counsel represented the applicant Sri Yoosuf .This is an application filed for variation of regular permit in respect of stage carriage **KL 38 A 6723 operating** on the route Muvattupuzha- Perumbavoor (Via) Pezhackappilly, Paipra kavala, Cheruvattoor, Methala and Kuruppampady as Muvattupuzha- Perumbavoor with halt at Pezhackappilly by curtailing the round trip @ 6.55pm from Kuruppampady to Perumbavoor and intend to limit the service at Pezhackappilly instead of going to Muvattupuzha without changing the existing timings . This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The field officer reported that the curtail portion Pezhackappilly to Muvattupuzha lies in the notified scheme Aluva- Kottayam and is well served with stage carriages. Hence the applied variation is granted subject to settlement of timings.

Item No-13

Heard the learned counsel represented the applicant Sri Prasad .This is an application filed for variation of regular permit in respect of stage carriage KL 17 D 9295 operating on the route Aluva- Kaloor (Via) Kizhakmablam, Karimugal, Thripunithura, Vyttila with one trip to Aroor temple as Aluva- Kakkanad (Via) Kizhakmablam, Karimugal, Thripunithura, Vyttila, Kundannoor, Aroor temple and infopark phase II, by curtailing the route portion from Thripunithura to Kaloor and extending the service from Thripunithura to Kakkanad , Infopark phase II (Via) Irumpanam, CSEZ. The applicant also intend to curtail the route portion from Kundannoor Jn to Thripunithura stand in the 6th trip and deviate (Via) Mini by pass.

This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file.

It is evident from the enquiry report that the variation is beneficial to the travelling public including labours of Infopark area. The route portion of the proposed curtailment(Thripunithura- Kaloor) is a highly saturated sector hence it will not affect the public ,on the other hand it will reduce traffic congestion in city. Hence the applied variation is granted subject to settlement of timings.

Item No-14

Heard Adv G.Prabhakarn ,the learned counsel represented the applicant Sri Baby A K. This is an application filed for variation of regular permit in respect of stage carriage **KL-44 6053** operating on the route Kolencherry- Koothattukulam (Via) Choondy, Ramamangalam, Pampakuda, Mannathoor, Kuzhikkattukunnu, Uppukandam as Kolencherry- Koothattukulam (via) Choondy, Ramamangalam, Pampakuda ,Mannathoor, by deviating the route from Kuzhikkattukunnu Jn (Via) Oliyapuram, Vadakara instead of (via) Uppukandam without changing existing timings. This authority elaborately considered the scope and applicability of the variation application in the light of enquiry report furnished by the field officer, objections raised by the public, KSRTC and connected file. The curtailed portion is well served with stage carriages on the other hand the deviation portion is ill served . This authority feels that this will be beneficial to the travelling public. Hence the applied variation is granted without changing the existing timings.

Item No-15

A)Heard Adv. Deepak ,the learned counsel appeared for the permit holder Sri Kuriachan K P. This is an application for renewal of regular permit in respect of S/C KL 17 G 5446 to operate on the route Muvattupuzha Bus Stand- Adimaly . This vehicle was permitted to operate on the route Adimaly - Muvattupuzha Bus stand (Via) Irumpupalam ,Neriamangalam, Kothamangalam, Mathirappally, Puthuppady as Fast Passenger with valid regular permit up to 14/06/2015. Renewal of permit application in respect of this stage carriage was rejected by RTA Muvattupuzha held on 26/05/2015 as per clause (3) of draft notification 5631/B2/2009/Tran dtd 02/08/2012 which was finalized as GO(p) No 73/2013/Tran dated 16/07/2013 issued under SRO No 555/2013 by which higher class operation by private stage carriages were completely restricted.

Now the renewal application is submitted in the light of GO(MS) No 45/2015/ Tran dated 20/08/2015 as it is ordered to issue Ordinary LSOS permits to those private stage carriages which had been operated as higher class services.

The application has been considered in the meeting dated 22/12/2015 and decided to call concurrence of RTA Idukki. Now it is reported that granted concurrence from sister RTA has received. This is an inter district route having route length 62 km and overlaps a distance of 2 km from BOC Jn to Latha stand at Muvattupuzha with the notified scheme Aluva- Kattappana.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file and feels that withdrawal of any category stage carriage services will cause impediments to the travel facilities of the public at large.

Hence in view of enhancing the travelling facility of common public and students ,renewal permit in respect of S/C KL 17 G 5446 to operate on the route Muvattupuzha bus stand-Adimaly is granted. The timings shall be settled subject to the finalization of STA resolution No D3/875/STA/2005 .

B) This is an application for conversion of class of service as LSOS in respect of S/C KL 17 G 5446 to operate on the above route . Conversion of class of service is also granted with the proposed list of stops submitted by applicant.

Item No-16

Heard Adv. Deepak, the learned counsel represented the applicant Sri .V .N Sukumaran. This is an application for the renewal of regular permit in respect of Stage Carriage KL-17 N 450 operating on the route Muvattupuzha- Thodupuzha as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an inter district route and 04 km lies under the jurisdiction of RTA Idukki, which comes under the purview of general concurrence. The regular permit was issued prior to 09/05/2006 and the entire route overlaps with the notified scheme, Aluva- Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted to Stage Carriage KL-17 N 450 operating on the route Muvattupuzha-Thodupuzha subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No-17

A) Heard Adv. G. Prabhakaran the learned counsel represented the applicants This is an application for the renewal of regular permit in respect of Stage Carriage KL-17 K 1314 operating on the route Thodupuzha- Muvattupuzha as Ordinary moffusil Service. This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an inter district route and 04 km lies under the jurisdiction of RTA Idukki, which comes under the purview of general concurrence. The regular permit was issued prior to 09/05/2006 and the entire route overlaps with the notified scheme, Aluva- Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted to Stage Carriage KL-17 K 1314 operating on the route Thodupuzha-Muvattupuzha- subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

B) Heard Adv. G. Prabhakaran ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 17 K 1314. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No-18

Heard Adv. G. Prabhakaran, the learned counsel represented the applicant Sri Santhosh T P. This is an application for the renewal of regular permit in respect of Stage Carriage KL-05 W 3744 operating on the route Kothamangalam- Thodupuzha (Via) Muvattupuzha as Ordinary moffusil Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an inter district route having route length of 32 kms, out of which 04 km lies under the jurisdiction of RTA Idukki, and it comes under the purview of general concurrence.

The regular permit was issued prior to 09/05/2006 and the entire route overlaps a distance of 20 kms from Muvattupuzha to Thodupuzha with the notified scheme, Aluva-Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted to Stage Carriage KL-05 W 3744 operating on the route Kothamangalam-Thodupuzha.

Item No-19

Heard Adv. P . Deepak,the learned counsel represented the applicant Sri Ani. This is an application filed for renewal of regular permit in respect of S/C KL 06 D 2312 on the route Perumbavoor- Muvattupuzha (Via) Arackapady, Mngalathunada, Nellad and Vazhappilly as ordinary service .

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an intra district route having route length of 26.5 km . The regular permit was issued after 09/05/2006 and the route overlaps a distance of 3.1 km from Vazhappilly Jn to Latha Bus stand (Aluva- Kattappana scheme) and 300 m at Perumbavoor town with notified scheme Aluva- Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 . As per clause 5 © of the above notification "the private stage carriages of other routes are permitted to overlap 5 Kms. or 5% of the length of their own routes which ever is less on the notified routes for purposes of inter section as per the scheme published" . The total route length in the instant case covered by the permit sought for is 26.5 Kms and 5% of the same extends to 1.325 km and the alleged overlapping is in excess by 2 kms .

Hence the renewal of permit application in respect of S/C KL 06 D 2312 on the route Perumbavoor- Muvattupuzha is not maintainable ,and rejected since it violates GO(p) No 42/2009/Tran dated 14/07/2009.

Any how this authority feels that withdrawal of any category stage carriage services will cause impediments to the traveling facilities of the common public at large. Hence Secretary RTA will issue temporary permits to S/c KL 06 D 2312 on the above route to continue operation until further orders.

Item No-20

Heard Adv. Deepak the learned counsel represented the applicant Sri Abdul Rahman. This is an application for the renewal of regular permit in respect of Stage Carriage KL-40 A 8595 operating on the route Aluva- Thripunithura as Ordinary moffusil Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an intra district route permit issued prior to 09/05/2006. The route overlaps a distance of 2.3 Km from Thripunithura to Hill Palace with the notified route Muvattupuzha- Ernakulam and 500 metre from Aluva BS to Pump Jn with Aluva- Kattappana scheme published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application for permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No-21

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9122 owned by KSRTC to operate on the route Perumbavoor- Kochupurackalkadavu-Muvattupuzha- Aluva and Ernakulam as O.S. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 -9122 owned by KSRTC to operate on the route Perumbavoor- Kochupurackalkadavu-Muvattupuzha- Aluva and Ernakulam as ordinary service. The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9122 to operate on the route above route.

Item No-22

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9123 owned by KSRTC to operate on the route Perumbavoor- Vyttila- Aroor temple as O.S This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 -9122 owned by KSRTC to operate on the route Perumbavoor- Vyttila- Aroor temple as O.S. The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9123 to operate on the route above route.

Item No-23

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9169 owned by KSRTC to operate on the route Perumbavoor- Kochupurackalkadavu- Thevara and Paniely as ordinary service. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 -9169 owned by KSRTC to operate on the route Perumbavoor- Kochupurackalkadavu-Thevara and Paniely as ordinary service.

The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9169 to operate on the route above route.

Item No-24

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9121 owned by KSRTC to operate on the route Perumbavoor- Muvattupuzha and Mattancherry as O.S. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 - 9121 owned by KSRTC to operate on the route Perumbavoor- Muvattupuzha and Mattancherry as O.S

The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9121 to operate on the route above route.

Item No-25

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9124 owned by KSRTC to operate on the route Perumbavoor- Muvattupuzha- Aluva and Mattancherry as O.S. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 - 9124 owned by KSRTC to operate on the route Perumbavoor- Muvattupuzha – Aluva and Mattancherry as O.S

The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9124 to operate on the route above route.

Item No-26

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9171 owned by KSRTC to operate on the route Perumbavoor- Kothamangalam and Ernakulam Jetty as O.S. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 - 9171 owned by KSRTC to operate on the route Perumbavoor- Kothamangalam and Ernakulam Jetty as O.S

The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9171 to operate on the route above route.

Item No-27.

A) Heard the representative of KSRTC .This is a request for condonation of delay for submitting the renewal of permit application in respect of S/C KL-15 -9170 owned by KSRTC to operate on the route Perumbavoor- Panamkuzhy and Ernaklam Jetty as O.S. This authority satisfied the explanation of the applicant and request allowed.

B) This is an application for renewal of regular permit in respect of stage carriage KL-15 - 9170 owned by KSRTC to operate on the route Perumbavoor- Panamkuzhy- Ernaklam Jetty as O.S

The applicant is STU and there is no impediment to renew the permit on a non notified route. Hence renewal of regular permit is granted to S/C KL-15 -9170 to operate on the route above route.

Item No-28

Heard Adv. Deepak the learned counsel represented the applicant Sri Sabu Varghese This is an application for the renewal of regular permit in respect of Stage Carriage KL-40 K 9196 operating on the route Alattuchira- Thripunithura as Ordinary moffusil Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an intra district route permit issued prior to 09/05/2006. The route overlaps a distance of 2.0 Km from Thripunithura to Hill Palace with the notified route Muvattupuzha- Ernakulam , 1 km from Perumbavoor to Palakkattuthazaham with Aluva- Kattappana scheme and 3 km Perumbavoor to Vallam with Kottayam- Kozhikode notified scheme published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 . Since the STU has not filed new application for the permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No-29

Heard Adv. Deepak, the learned counsel represented the applicant Sri Jins George. This is an application for the renewal of regular permit in respect of Stage Carriage KL-38 C 8899 operating on the route Muvattupuzha- Thodupuzha as Ordinary moffusil Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an inter district route and 04 km lies under the jurisdiction of RTA Idukki, which comes under the purview of general concurrence. The regular permit was issued prior to 09/05/2006 and the entire route overlaps with the notified scheme, Aluva- Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application for permit on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted to Stage Carriage KL-38 C 8899 operating on the route Muvattupuzha- Thodupuzha subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No-30

Heard Adv. Deepak, the learned counsel represented the applicant Sri Jins George. This is an application for the renewal of regular permit in respect of Stage Carriage KL-38 E 700 operating on the route Thodupuzha – Muvattupuzha as Ordinary moffusil Service.

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an inter district route and 04 km lies under the jurisdiction of RTA Idukki, which comes under the purview of general concurrence.

The regular permit was issued prior to 09/05/2006 and the entire route overlaps with the notified scheme, Aluva- Kattappana published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 .

Since the STU has not filed new application for the on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases. Hence renewal of regular permit is granted to Stage Carriage KL-38 E 700 operating on the route Thodupuzha – Muvattupuzha subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No-31

Heard Adv. P Deepak, the learned counsel represented the applicant Sri Riyas. This is an application filed for renewal of regular permit in respect of S/C KL 17 E 997 on the route Muvattupuzha- Perumbavoor (Via) Ambalapady,Mekkadambu, Valakam, Nellad, Airapuram rubber park, and Vengola as ordinary service .

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an intra district route having route length of 39.6 km . The regular permit was issued on 23/09/2006 and the route overlaps a distance of 6.5 km with notified scheme Ernakulam- Muvattupuzha and 3.1 km with Aluva- Kattappana notified scheme published vide GO(P) No. 42/2009/Tran dtd. 14.7.2009 . As per clause 5 © of the above notification “the private stage carriages of other routes are permitted to overlap 5 Kms, or 5% of the length of their own routes which ever is less on the notified routes for purposes of inter section as per the scheme published” . In the instant case the distance of overlapping exceeds the permissible limit.

Hence the renewal of permit application in respect of S/C KL 17 E 997 on the route Muvattupuzha- Perumbavoor is not maintainable ,and rejected since it violates GO(p) No 42/2009/Tran dated 14/07/2009.

Any how this authority feels that withdrawal of any category stage carriage services will cause impediments to the traveling facilities of the common public at large. Hence Secretary RTA will issue temporary permits to S/c KL 17 E 997 on the above route to continue operation until further orders.

Item No-32

Heard Adv. Deepak, the learned counsel represented the applicant Sri Manju Varghese. This is an application for the renewal of regular permit in respect of Stage Carriage KL-40 H 7567 operating on the route Perumbavoor- Muvattupuzha (Via) Valayanchirangara, Mangalathunada, Nellad and Valakam as ordinary service .

This authority elaborately considered the scope and applicability of the renewal of permit in the light of existing notifications and connected file . This is an intra district route permit issued prior 09/05/2006 and the distance of overlapping is within the permissible limit.

Since the STU has not filed new application for the on this route till date, there is no impediment to renew the permit for continuous operation in view of the judgment of Hon'ble High Court of Kerala in WP(C) No. 14793/2006 and connected cases.

Hence renewal of regular permit is granted to Stage Carriage KL-40 H 7567 operating on the route Perumbavoor- Muvattupuzha subject to the effect of clause (4)of notification No. 42/2009/Tran dtd. 14.7.2009.

Item No 33

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 05 V 9881 operating on the route Panamkuzhy- Angamaly. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 34

Heard Adv.Sajeevkumar K Gopal ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 44 B 399 operating on the route Muvattupuzha- Neriamangalam .Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 35

Heard Adv.G.Prabhakaran ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 44 D 4193 operating on the route Plamudy-Muvattupuzha. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 36

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 33 B 1995 operating on the route Aluva- Kothamangalam. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 37

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 17 G 4575 operating on the route Angamaly- Muvattupuzha. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 38

Heard Adv. Jithesh Menon ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 17 A 2887 operating on the route Kunnuvazhy- Pandappilly. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 39

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 18 D 5917 operating on the route Kothamangalam- Thevara Jn. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 40

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 33 B 3232 operating on the route Thammanimattom-Ernakulam. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 41

Heard Adv. P Deepak ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 06 C 1386 operating on the route Vadakkumpilly- Aluva. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 42

Heard Adv.P .Deepak ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 38 E 5891 operating on the route Moolamattam- Ernakulam . Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 43

Heard Adv.P. Deepak ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 40 C 1674 operating on the route Kalady- Perumbavoor- Alattuchira. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 44

Heard Adv. P. Deepak ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 33 9875 operating on the route Perumbavoor- Ernakulam South. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 45

Heard Adv. Stalin Peter Davis ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 17 E 9188 operating on the route Peringasserry- Ernakulam. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 46

Heard Adv. P. Deepak ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 05 W 4577 operating on the route Avolichal- Ayavana- Allungal. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 47

Heard Adv.Sajeevkumar K Gopal ,the learned counsel represented both the applicants. This is an application for transfer of permit in respect of S/c KL 40 C 1188 operating on the route Perumbavoor- Muvattupuzha. Transfer of permit is allowed as applied for subject to the clearance of Government dues if any.

Item No 48

This matter was included as an item in the meeting of this authority held on 17/08/2016 and now included to revise the previous decision so as to make more clarification in this matter.

This authority considered the matter in detail. In view of the request and the opinion from the senior law officer of the Motor Vehicles Department, the State Transport Authority in its sitting held on 29/02/2016 has directed all Regional Transport Authorities to consider the enhancement of general concurrence for the renewal of inter district stage carriage permits and take decision in this matter.

Due to the delay in getting concurrence from the sister authorities, there may chance to inordinate delay in final disposal of the application for the renewal of inter district stage carriage permits and this delay constrained the permit holders to operate with temporary permits to continue operation after the expiry of the regular permit. To avoid such circumstances, in addition to the above this authority hereby decided to grant general concurrence for a distance up to 50 km in the jurisdiction of RTA Muvattupuzha for the renewal of inter district stage carriage permits issued by other Regional Transport Authorities in the state.

Item No 49

Perused the decision of State Transport Authority . STA has decided the following in connection with the grant of special permits to stage carriage U/s 88 (8) of MV act.

1. No special permits to stage carriages will be issued on working days.
2. Applications for special permits should be submitted to and received by the concerned authority 10 days in advance with proof of necessity of the journey.
3. Period of permit is restricted to maximum of two consecutive days of which one should be a holiday.
4. The number of such special permits which can be issued to a particular stage carriage is limited to one in a calendar month.

This authority is decided to implement the above conditions preferred by the STA. Secretary RTA will entrusted to the strict compliance of the order.

Item No 50

Heard Advocate G. Prabhakaran , the learned counsel represented Private Bus Operators association Muvattupuzha unit and perused the connected file. This is the request of Muvattupuzha municipal chairperson regarding the traffic modifications proposed to be implemented at Muvattupuzha town as per the decisions of traffic sub committee meetings.

This authority feels that implementation of traffic modifications without proper preparatory steps will cause more difficulties to the common public including vehicle operators.

Hence Secretary RTA is directed convene a traffic regulatory committee meeting with all concerned including Police, Revenue, Municipal, PWD , authorized representatives of Bus operators, Merchant association and drivers etc... and submit the report before this authority. Hence adjourned.

Item No 51

Ratified.

Item No 52

The date of next meeting will be fixed later.

Item No 53

This is an item admitted by the Chairman. It is a request of the permit holder of S/c KL 07 AP 6213 operating on the route Kalady Plantation- Kothamangalam. RTA held on 17/08/2016 considered the variation application submitted by the applicant and granted subject to settlement of timings . The grievance of the applicant is that, even though the timings was settled in the timing conference dated 24/01/2017 , the conversion of class of service from LSOS to ordinary service is not get effected or endorsed in the permit due to the objections of the some of the operators. The contention of the objectors is that the variation was granted only on the route and not in the conversion of class of service from LSOS to ordinary service.

This authority considered the matter in the light of previous decision and connected files. In the decision of this authority dated 17/08/2016 it is pronounced as “ the applied variation is granted subject to settlement of timings”.

It is evident that the variation of permit on the route as well as the conversion of class of service was granted by this authority as applied by the permit holder and the contentions of the objectors is not sustainable.

Hence secretary RTA is directed to endorse the granted variation including the conversion of class of service subject to the settlement of timings. It is also directed to forward the connected file to Secretary RTA Ernakulam after endorsing the granted variation ,since major portion of the route after variation will comes under the jurisdiction of RTA Ernakulam.

Sd/-

K G Samuel.

Deputy Transport Commissioner CZ-II
& Member -RTA Muvattupuzha.

Sd/-

Muhammed Y Safirulla. I.A.S.

District Collector &
Chairman -RTA Muvattupuzha.