

Minutes of the Meeting of RTA, Idukki Held on 31-05-2019

Item No.01

Heard .1.This is an application filed for fresh regular and temporary permit in respect of a new or suitable stage carriage with seating capacity 38 in all to operate on the route Thekkemala-Kuzhimavu—Elamkadu Top Touching Kuttiplangade and Azhengade Via Paloorkadu, Mundakkayam, Kokkayar, Meloram and Halting at Mundakkayam as Ordinary Service. On 23-02-2018 Honorable Chairman RTA, Idukki has directed to circulate this application for consideration among RTA members under KMV Rule 130. The file is circulated among RTA members and decided as follows.

Honorable High Court in WPC No.30359 of 2017 dated 17/10/2017 directed that whenever an application is made for grant of permanent permit which pre-supposes no temporary need or necessity, no temporary permit can be granted. During the pendency of permanent permits no temporary permit could be granted. There is no temporary need established by the field officer. Hence temporary permit application was **rejected**. Secretary RTA was directed to place the application for regular permit before next open RTA meeting.

2. In view of the above decision this authority in its open hearing dated 04/10/2018 again considered the application and decided as follows.

“This is an application for fresh inter district regular permit in respect of a new or suitable stage carriage with seating capacity 38 in all to operate on the route Thekkemala-Kuzhimavu-Elamkadu Top Touching Kuttiplangade and Azhengade Via Paloorkadu, Mundakkayam, Kokkayar, Meloram and Halting at Mundakkayam as Ordinary Service, having route length 57.5Km. The field officer reported that the proposed service will be beneficial for the students and public. There is no objectionable overlapping and virgin portion. A distance of 22 Kms lies under the jurisdiction of RTA Kottayam. Secretary, RTA is directed to call for concurrence with intermediate points of RTA Kottayam in accordance with sub rule (2) of rule 171 of KMV rule 1989 and GO(P) 8/17/Tran dtd.23/03/2017. **Hence adjourned**”

3. Now RTA Kottayam granted the concurrence vide Order No.G1/170447/2018/K dtd 08/02/2019 subject to the right of original authority to verify the feasibility with the Government Notifications and its modifications.

Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant. Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.02

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Kumaly-Nedumkandam-Via-Pathumury,Chakkupallam,8thMile,Chellarcoil,Kochara,Puttady,Rajakkandam,Cumbummettu,Koottar,Thookkupalam,and,Thannimoode,with halt at Chettukuzhy as Ordinary Service. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.03

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Adimaly-Chemmannar Touching Muttukade and Via Mankulam,Vellathooval,Kalathrakkuzhy,Rajakkade ,Kuthungal,Anachal,Kallar,Kunjithanny,Pottenkade as Ordinary Service. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant . Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.04

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 38 in all to operate on the route Irumpupalam-Adimaly Via Machiplavu and Chattupara as Ordinary Service. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant . Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.05

Heard. The learned counsel represented for the applicant. This is an application for fresh regular permit in respect of a new or suitable stage carriage with seating capacity 38 in all to operate on the route Chilavu-Vannappuram with halt at Karimannoor Via Marampara, Karimannoor, Kiliyara Ezhumuttam Church, Chirakandam, Kothakuthy, Karikode, Thodupuzha, Vandamattam, Kodikkulam, Kaliyar, Koduvvely, and Neyyasserry as Ordinary Service having route length 44.5 kms. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Also reported that there is a virgin portion 6.5Km, from Karikode Pally to Kiliyara Via Kothakuthy and Ezhumuttam Church

Assistant Engineer PWD Roads Section, Thodupuzha reported that the said virgin portion is fit for conducting stage carriage service. (Letter No.A3-934/07 dated 13/05/2019). Also reported that all the said virgin roads are not under the jurisdiction of that authority. At the mean time assistant engineer LSGD Section, Karimannoor G/P reported that Kiliyara-Ezhumuttam-Annaikandam road having a distance of 1.4km is under the jurisdiction of that authority and is fit for conducting stage carriage service.

Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant. Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.06

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 30 in all to operate on the route **Pasuppara- Vandiperiyar touching Upputhara** (Via) Elappara, Chappathau, Parappu, Chenkara, Wallardie as ordinary service .This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant . Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.07

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 28 in all to operate on the route Thengakkal-Vandiperiyar Via Mlammala as ordinary service. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant . Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.08

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the Pericnhamkutty – Rajakkade Via Panickankudy, Kompodinjal, Konnathady, 5th Mile, Kallarkutty , Adimaly, Iruttukanam, Thokkupara, Anachal, Audit, Kunjithanny, Kalathrakkuzhy, Panniyar kutty, Vellathooval, Muthuvankudy and Senkulam as Ordinary Service.

having route length 88 Km. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA

Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.9

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the Adimaly-Munnar Via Iruttukanam ,Thokkupara Anachal and 2nd Mile as Ordinary Service having route length 88 Km. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students.

Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.10

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 33 in all to operate on the Kuninji-Thodupuzha Touching Karimkunnam Via Kodikuthy,Purappuzha LPS , Purappuzha,Nediyasala,Kolani,IrakkumpuzhaBridge,Iruttuthode,Vazhithala,Marika Puthenpally,Kollamparampu,Kamukinthottam and Thoyipra as Ordinary Service.

having route length 30 Km. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students.

Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.11

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Adimaly-Kattappana Via, Kallarkutty,Kambilikandam,Murickacherry, Thopramkudy, Chempakappara,Santhigiry, ,Erattayar North, ,Melechinnar,Perichamkutty and Konnathady as Ordinary Service

having route length 118 Km. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA

Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.12

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Ernakulam Vyttila Hub -Munnar Via Medical Centre, Alinchuvade, Vazhakkala, Kakkanade, HMT, MedicalCollege, NAD, Cochin Bank Jn. S.Vazhakkulam, Perumpavoor, Kothamangalam, Adimaly, Anachal starting and halting at Adimaly as LSOS having route length 130KM. RTA Idukki on 07/02/2018 considered the application and decided to seek concurrence from RTA Ernakulam and Muvattupuzha. Now RTA Ernakulam and Muvattupuzha has granted and forwarded the concurrence vide letter No.G/5175/2017/E dated 19/05/2018 and G/2450/2018/EM dated 19/05/2018 respectively subject to the right of original authority to verify the feasibility with the Government notifications.

. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to GO(P) No.6/2017/Tran dated 15/03/2017 , GO(P) No.8/2017/Tran dated 24/03/2017, settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.13

Heard .The learned counsel represented for the applicant. This is an application for the application for Fresh Regular permit in the surrender vacancy of S/C KL-68-A942 on the route Munnar-Chenduvurai Via Mattupetty and Kundala as Ordinary Service in the existing vacant timings. This authority verified the application and connected documents in detail. The field officer reported that the proposed service will be beneficial for the students, public and the proposed route is not well served with stage carriage service. There is no objectionable overlapping and virgin portion .Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant . Now this stage carriage is operating on the very same route on the strength of the valid temporary permit U/S 87(1)(C) with settled timings.

Hence regular permit is **granted with existing timings** subject to only on production of the current records of a suitable vehicle not older than 8 years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.14

Heard .The learned counsel represented for the applicant. The applicant is MD KSRTC Thiruvananthapuram This is an application for Fresh Regular permit on the route to a new or suitable stage carriage with seating capacity 38 in all to operate on the route Thodupuzha-Kattappana Via Moolamattam as Ordinary Service.

. This authority verified the application and connected documents in detail. The field officer reported that the proposed service will be beneficial for the students, public and the proposed route is not well served with stage carriage service. There is no virgin portion .Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** with the proposed timings only on production of the current records of a suitable vehicle not older than 8 years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.15

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Thengakkal-Vandiperiyar Via Mlammala as ordinary service having route length 16 Km. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. A distance of 100 mts overlaps from Vandiperyar to Pasumala Jn. on the notified scheme Trivandrum –Thekkady ,which is the permissible limit of 5km or 5% .There is no virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students.

Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and only on production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram. within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Item No.16

Heard .The learned counsel represented for the applicant. This is an application for fresh intra district regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Muttukade-Thodupuzha Via Pooppara,Bisonvally,Adimaly,Neriyamangalam,Oonnukal,Painottoore,Kallarkutty,Kalat hrakuzhy,Rajakkde and Rajakumary as ordinary service. This authority verified the application and connected documents in detail on the basis of all connected Government orders and Judgment of Honorable Courts. A distance of 20 Kms lies under the jurisdiction of RTA Muvattupuzha . Secretary, RTA is directed to call for concurrence with intermediate points of RTA Muvattupuzha in accordance with sub rule (2) of rule 171 of KMV rule 1989 and GO(P) 8/17/Tran dtd.23/03/2017 . Hence the application is **adjourned**.

Item No.17

Heard. The learned counsel represented for the applicant . This is an application filed for renewal of regular permit in respect of S/Cs KL-39-L8282 and KL-39-L-8283 on the route Konnakkadu - Pooppara (Via) Vellarikkundu, Chittarickal, Cherupuzha, Udayagiry, Alackodu, Taliparamba, Kannur, Thalassery, Mahi, Vadakara, Kozhikkodu, Valanchery, Kuttipuram, Edappal, Kunnamkulam, Guruvayoor, Kodungalloor, N.Parur, Pathalam, Edappilly, Eranakulam, Piravam, Koothattukulam, Ramapuram, Kollappilly, Pala, Bharananganam, Erattupetta, Kanjirappally, Mundakkayam, Kattappana, Pampadumpara, Nedumkandom and Udumbanchola as LSOS and Pooppara - Konnakkadu (Via) Nedumkandom, Kattappana, Mundakayam, Kanjirappilly, Erattupetta, Bharananganam, Pala, Kollappilly, Ramapuram, Koothattukulam, Piravam Eranakulam, Edappilly, Pathalam, N.Parur, Kodungalloor, Guruvayoor, Kunnamkulam, Edappal, Valanchery, Kozhikkodu, Vadakara, Thalassery, Kannur, Taliparamba, Alackodu, Udayagiry, Cherupuzha, Chittarickal and Vellarikkundu as LSOS respectively as **Opposite Service**.

These stage carriages were operating on the above said route as Super Express Service and the regular permit was expired on 12/04/2015. There after these permits were operating on the strength of temporary permit U/S 87(1)(d) and as per GO(ms)45/2015, dated 20/08/2015. Renewal of permit applications of these stage carriages were adjourned by RTA, Idukki conducted on 26/08/2014, for want of concurrence from sister RTAs. On 12/10/2015, as per GO(ms)45/2015, dated 20/08/2015 the permit holder had applied for variation of permit as the conversion of class from Super Express Service to LSOS with list of stops and timings. Now this S/C is operating as LSOS on the strength of temporary permit as per the judgment of Honorable High Court of Kerala against the GO(p) No. 08/2017, which is valid up to 02/10/2019, since the route length is 664 km. The permit holder has submitted a request for re-consider the above said renewal applications on the strength of the several judgment of Honorable High Court of Kerala (quashing the clause (4) of the modified scheme, 8/2017 dated 23/03/2017), since it is a saved permit.

In the light of the several judgment of Honorable High Court of Kerala (quashing the clause (4) of the modified scheme, 8/2017 dated 23/03/2017) there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues, NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No.18

Heard. The learned counsel represented for the applicant . This is an application filed for renewal of regular permit in respect of the S/C KL-33-L-5776 on the route Kottayam - Thookkupalam (Via) Ponkunnam, Mundakayam, Kumily and Kochara as LSOS .

This stage carriage KL-5-AK-8835(New No.KL-33-L-5776) was operating on the above said route as Express Service and the regular permit was expired on 10/02/2015 .There after this permit was operating on the strength of temporary permit U/S 87(1)(d).On 20/02/2015 a stop memo was issued to this stage carriage in compliance of the order of hon'ble High Court in IA 1311/2014 in WA No 667/2014, Since KSRTC had commenced operation on the very same route. On 15-05-2015 as per the judgment of Honorable High Court in WPC No.13458 of 2015 dated 05/05/2015 a permit less certificate was issued to this stage carriage under suspended animation.

1.Later the stage carriage KL-33-L-5776 is replaced on this permit.

2.As per G.O(MS)45/2015/Tran dated 20/08/2015 fee for variation of class as LSOS is also remitted .Application for variation with list of stop list and fare stages are submitted.

2.Now this stage carriage is operating on the strength of a temporary permit which valid up to 10/09/2019 as per the several judgment of Honorable High Court of Kerala against the GO(p) No.08/2017 since the route length is 155 km. The permit holder has submitted a request for re-consider the above said renewal application on the strength of the several judgment of Honorable High Court of Kerala (quashing the clause (4) of the modified scheme,8/2017 dated 23/03/2017),since it is a saved permit.

In these circumstances We observes and delivered the following.

In the light of the judgment of Honorable High Court of Kerala(quashed clause (4) of the modified scheme,8/2017 dated 23/03/2017) ,there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006 .There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.19

Heard. The learned counsel represented for the applicant . This is an application filed for renewal of regular permit in respect of the S/C KL 33 K 8242 on the route Changanacherry – Kattappana (via) Ponkunnam, Mundakkayam, Kuttikkanam, Vandiperiyar, Kumily And Puttady as LSOS. This application is pending consideration since the route length is above 140 kms. Now this stage carriage is operating on the strength of a temporary permit U/S 87(1)(d)which valid up to 02/10/2019 as per the several judgment of Honorable High Court of Kerala against the GO(p)No.08/2017 since the route length is 144 km. The permit holder has submitted a request for re-consider the above said renewal application on the strength of the several judgment of Honorable High Court of Kerala (quashing the clause (4) of the modified scheme,8/2017 dated 23/03/2017),since it is a saved permit.

In the light of the several judgment of Division Bench of Honorable High Court of Kerala quashed clause (4) of the modified scheme,8/2017 dated 23/03/2017.Hence there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006 .There is no need for any concurrence for renewal of permit from sister RTAs . Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.20

Heard. The learned counsel represented for the applicant. This is an application filed for renewal of regular permit in respect of S/C KL 33 C 9978 on the route Chempakappara – Changanacherry via Ezhukumvayal, Eattayar, Kattappana, Elappara, Mundakkayam, Ponkunnam, 14th mile, Karukachal as LSOS for a period of 5 years from 15/02/2019. Now this S/C is operating on the strength of temporary permit valid up to 14/06/2019, issued U/S 87(1) (d) of KMV Act.

This authority verified the application and connected documents in detail and observes the following

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No.21

This is an application filed for renewal of regular permit in respect of the stage carriage KL 34 F 6099 on the route Kottayam – Nedumkandam Via Pambady, Ponkunnam, Mundakkayam, Kuttikkanam, Kumily, 8th mile, Chelarcovil, Cumbummettu, Koottar as LSOS for a period of 5 years from 26/01/2015. The RTA conducted on 18/06/2015 rejected the renewal of regular permit application since KSRTC strongly objected the application in the light of GO(p)72/2013 and 73/2013. Now this S/C is operating on the strength of temporary permit valid up to 08/09/2019 U/S 87(1)(d) as LSOS issued as per GO(M/S)No.45/2015 dtd 20/08/2015.

The applicant or any authorized person is not appeared before the meeting of this Authority. Hence **adjourned**.

Item No.22

Heard. The learned counsel represented for the applicant . This is an application filed for renewal of regular permit in respect of the S/C KL-34-E-4464 on the route Kottayam-Nedumkandam Via Pampady, 14th Mile, Ponkunnam, Mundakayam, Elappara, Kattappana, Vattappara as LSOS for a period of 5 years from 31/01/2015. The RTA conducted on 29/01/2015 considered this application and adjourned for want of concurrence from RTA Kottayam. Now the permit holder has applied to reconsider the application for renewal of permit since this permit is issued prior to 09/05/2006

Now this stage carriage is operating on the strength of a temporary permit U/S 87(1)(d) which valid up to 02/10/2019 as per the several judgment of Honorable High Court of Kerala against the GO(p) No.08/2017 since the route length is 152 km. The permit holder has submitted a request for re-consider the above said renewal application on the strength of the several judgment of Honorable High Court of Kerala (quashing the clause (4) of the modified scheme, 8/2017 dated 23/03/2017), since it is a saved permit. In the light of the several judgment of Division Bench of Honorable High Court of Kerala quashed clause (4) of the modified scheme, 8/2017 dated 23/03/2017. Hence there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006 . There is no need for any concurrence for renewal of permit from sister RTAs.

Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.23

Heard. The learned counsel represented for the applicant This is an application filed for renewal of regular permit in respect of the S/C KL 33 H 805 on the route Changanacherry - Nedumkandam (Via) Karukachal, 14th Mile, Ponkunnam, Mundakkayam, Kuttikkanam, Elappara, Kattappana Puliyannala and Vattappara and return trip (Via) Vattappara, Kattappana, Elappara, Mundakkayam, Ponkunnam, 14th Mile, Pampady, Kottayam, Mulankuzha, Pakkil, Chingavanam, Anchalkutty and Thuruthy as LSOS for a period of 5 years from 26/04/2016. This application is pending since the route length is above 140 kms. Now the permit holder has applied to reconsider the application for renewal of permit since this permit is issued prior to 09/05/2006. Now this S/C is conducting service on the strength of TP issued U/S 87(1) (d) valid up to 11/08/2019.

In these circumstances We observe and deliver the following.

However the total route length is 157 Kms, there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala (quashed clause (4) of the modified scheme, 8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No.24

Heard. The learned counsel represented for the applicant This is an application filed for the reconsideration of renewal of regular permit in respect of the S/C KL 34 E 3978 on the route Santhigram-Ernakulam Via Kattappana, Elappara, Wagamon, Erattupetta, Pala, Ramapuram, Koothattukulam, Piravom, Thripunithara as LSOS for 5 Years from 22/03/2012 to 21/03/2017 and consider the renewal of regular permit from 22/03/2017 to 21/03/2022. The first application for renewal of regular permit was considered by RTA Idukki on 21/03/2013 as item No.45 and treated it as not maintainable as per G.O(P) No.73/2013/Trans dated 16/07/2013. Later on 01/10/2015, the permit holder submitted application for variation of class of service as LSOS and temporary permit for a period of 4 Months along with the renewal of regular permit application in compliance of GO(ms) No.45/2015/Trans dated 20/08/2015. The reissue of Temporary permit for a period of 4 months as LSOS has been continuing and now the Temporary Permit is valid upto-23/07/2019 as per the interim order of Hon.Highcourt of Kerala in WP(C) No.22522/2017(M) dated 07/07/2017 directing to issue Temporary permit untrammelled by G.O(P)06/2017/Tran dated 15/03/2017 and G.O(P) No.8/2017/Tran dated 23/03/2017.

In these circumstances We observes and delivered the following.

However the total route length is 157 Kms ,there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme,8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.25

Heard. The learned counsel represented for the applicant This is an application filed for considering the renewal of regular permit in respect of the S/C KL 37 D 2025 on the route Kollam-Kumily Via Kannalloor, Kundara-BharanikkavuKadampanadu,Adoor,Thatta,Pathanamthitta,Ranni,Erumeli,26th mile,Kanjir appally,Mundakkayam, Kuttikkanam, Vandiperiyar, Kumily as LSOS for 5 Years from 09/06/2015 to 08/06/2020.On 01/10/2015,the permit holder submitted application for variation of class of service as LSOS and temporary permit for a period of 4 Months as LSOS in compliance of GO(ms) No.45/2015/Trans dated 20/08/2015.The reissue of Temporary permit for a period of 4 months as LSOS has been continuing and now the Temporary Permit is valid upto-09/09/2019 as per the interim order of Hon. High Court of Kerala in WP(C) No.19633/2017(D) dated 14/06/2017 directing to issue Temporary permit untrammled by G.O(P)06/2017/Tran dated 15/03/2017 and G.O(P) No.8/2017/Tran dated 23/03/2017.

This authority verified the application , connected documents and connected Government Orders in detail and observes

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 176 Kms , there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme,8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.26

Heard. The learned counsel represented for the applicant

This is an application filed for the reconsideration of renewal of regular permit in respect of the S/C KL 34 B 8688 on the route Adoor-Koottar Via Pathanamthitta, Ranni, Erumely, Kanjirappally, Mundakkayam, Kuttikkanam, Elappara, Kattappana, Puliyanmala, Amayar and Cumbummettu as LSOS for 5 Years from 11/10/2011 to 10/10/2016 and from 11/10/2016 to 10/10/2021. The first application for renewal of regular permit was considered by RTA Idukki on 22/08/2012 as item No.27 and rejected the same. Later allowed to continue the service U/S 214(2) as per the judgement of Hon.STAT in MP No.1033/2012 in MVAA No.324/2012 dtd 12/10/2012. on 01/10/2015, the permitholder submitted application for variation of class of service as LSOS and temporary permit for a period of 4 Months as LSOS in compliance of GO(ms) No.45/2015/Trans dated 20/08/2015. The reissue of Temporary permit for a period of 4 months as LSOS has been continuing and now the Temporary Permit is valid upto-25/07/2019 as per the interim order of Hon.Highcourt of Kerala in WP(C) No.24320/2017(L) dated 24/07/2017 directing to issue Temporary permit untrammelled by G.O(P)06/2017/Tran dated 15/03/2017 and G.O(P) No.8/2017/Tran dated 23/03/2017.

This authority verified the application, connected documents and connected Government Orders in detail and observes

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 176 Kms, there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme, 8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No.27

Heard. The learned counsel represented for the applicant

This is an application filed for the reconsideration of renewal of regular permit in respect of This is an application filed for considering the renewal of regular permit in respect of the S/C KL 24 D 3434 on the route Kozhancherry-Kombayar Via Pathanamthitta, Ranni, Erumely, 26th Mile, Kanjirappally, Mundakkayam, Kuttikkanam, Elappara, Kattappana, Puliyanmala, Thookkupalam, Nedumkandom as LSOS for 5 Years from 16/04/2014 to 15/04/2019 and from 16/04/2019 to 15/04/2024. On 01/10/2015, the permit holder submitted application for variation of class of service as LSOS and temporary permit for a period of 4 Months as LSOS in compliance of GO(ms) No.45/2015/Trans dated 20/08/2015. At present this stage carriage is under Form G wef 01/06/2016.

This authority verified the application, connected documents and connected Government Orders in detail and observes

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 171 Kms, there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala (quashed clause (4) of the modified scheme, 8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No.28

Heard. The learned counsel represented for the applicant . This is an application filed for the consideration of renewal of regular permit in respect of the S/c KL 24 D 3033 on the route Muniyara-Thodupuzha Via Panickankudy,Oonnukal, Paingottor and return via Pothanikkadu and Kothamangalam as OS for 5 Years from 27/01/2019 to 26/01/2024. In the light of the several judgment of Honorable High Court of Kerala(quashing the clause (4) of the modified scheme,8/2017 dated 23/03/2017) there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.29

Heard. The learned counsel represented for the applicant.This is an application filed for considering the renewal of regular permit in respect of the S/C KL 17 S 2903 on the route Ernakulam-Kanthalloor Via HMT, NAD, Cochin Bank Jn.,Aluva, Perumbavoor, Kothamangalam, Adimaly, Munnar and Marayoor as LSOS for 5 Years from 17/02/2019 to 16/02/2024.The S/C KL 17 S 2903 is now conducting service on the strength of Temporary Permit u/s 87(1)(d) valid upto-16/06/2019.

This authority verified the application, connected documents and connected Government Orders in detail and observes

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 172 Kms ,there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme,8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

Item No.30

Heard. The learned counsel represented for the applicant

This is an application filed for reconsider the renewal of regular permit in respect of the S/C KL 17 T 2484 on the route Puttady-Kumily-Ernakulam via Chengara, Elappara, Vagamon, Erattupetta, Pala, Piravom, Vyittila, Kaloor as LSOS for 5 Years from 04/08/2011 to 03/08/2016 and 04/08/2016 to 03/08/2021. The RTA Idukki considered this renewal applications on 04/05/2017 as item No.21 and rejected the same as the LSOS permit can be issued only for route length up to 140 Kms as per KMV Rule 2(oa). Challenging the decision of RTA Idukki, the permit holder filed MVAA No.153/2017 before the Hon. STAT Ernakulam and validated the permit u/s 214(2) through various miscellaneous petitions in MVAA No.153/2017. At present the permit is valid U/S 214(2) of MV Act up to 06/08/2019 as per the order of Hon. STAT in MP No.343/2019 in MVAA No.153/2017. As per the final Judgment of Hon. STAT in MVAA No.153/2017 dated 09/05/2019, the appeal filed by the permit holder was allowed and set aside the rejection of renewal of regular permit applications by RTA Idukki and directed to reconsider the application for renewal submitted by the appellant in the light of the order of Division Bench of the Hon' High court of Kerala in KSRTC Vs Saju Varkey and Others (2018(4) KLJ 145) and pass orders in accordance with law within two months. This authority verified the application, connected documents and connected Government Orders in detail and observes.

1. As per clause 5(b) of GO(P)NO.8/2017/Tran dated 23-03-2017 the existing and operating permits as on 14/07/2009 will be permitted to operate as OS or LSOS. This permit is issued prior to 14/05/2009, Hence route length restrictions and overlapping in the notified route are not objectionable.

2. There is no legal impediment to renew this regular permit

3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 169 Kms, there is no legal impediment to renew this regular permit since it is issued prior to 14/05/2009. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme,8/2017 dated 3/03/2017, this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Item No 31

Heard. The learned counsel represented for the applicant .(A)This is an application filed for the consideration of renewal of regular permit in respect of the S/c KL 46 F 7615 on the route Piravom –Parakkadavu Via Koothattukulam, Kozhippilly, Marika, Vazhithala and Thodupuzha OS for a period of 5 years from 19/04/2019 to 18/04/2024. This authority verified the application, connected documents and connected Government Orders in detail There is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA , only after conducting a personal hearing with the permit holder.

(B) This is an application filed for variation of regular permit in respect of the stage carriage KL 46 F 7615 on the route Piravom –Parakkadavu Via Koothattukulam, Kozhippilly, Marika, Vazhithala and Thodupuzha by a deviation from Marika to Koothattukulam Via Palakkuzha and Kozhippally(4 trips Only) and changing the timings from Thodupuzha to Parakkadavu at 9.35 am to 3.45pm.The places which comes in proposed variation lies in RTA Muvattupuzha .Secretary RTA is directed to seek concurrence from RTA Muvattupuzha. **Hence Adjourned.**

Item No 32

Heard. The learned counsel represented for the applicant . The S/C KL 44 7575 was covered by a regular permit on the route Munnar-Aluva valid up to 27/02/2024.On 20/05/2019 the permit holder applied for variation of permit by extending the route portion by deviating from Anachal to Rajakkadu via Audit, Kunjithanni, Ellakkal and Mullakkanam, avoid one cut trip from Adimaly to Munnar and change the starting and halting place as Munnar.. This authority verified the application and connected documents in detail based on the GO (P) No 06/2017 ,08/2017 and Various judgments of Honorable High Court.

We observe the following

As per section 80(3) of MV Act 1988 ,an application for variation shall be treated as an application for then grant of new permit. Hence this application is clear violation of the MV Act 1988As per clause 5(b) of GO(P)NO.8/2017/Tran dated 23-03-2017 the existing and operating permits as on 14/07/2009 will be permitted to operate as OS or LSOS.As per 2(oa) of Kerala Motor Vehicle Rule 1989 Ordinary Service means a service which is operated on a route having a distance of not more than 140Kms.This permit is not a saved permit since it was issued after 14/07/2009.If the variation will allowed ,the route length will be more than 140 Kms. It is the clear violation of the MV Act and Government Orders.

Thus, we are of the opinion that there is legal impediment to grant variation of permit as sought by the permit holder.

Hence variation Rejected .

Item No 33

Heard. The learned counsel represented for the applicant . This is an application filed for variation of regular permit in respect of the S/C KL-6-E-2776 on the route Maniyarankudy-Cheruthoni- Thopramkudy via Thadiyanpadu, Karimban, Kochukarimban, Charalanganam, Pathinarakmandam and Murickassery as Ordinary Service by curtailing the route portion from Thadiyanpadu to Maniyarankudy and extending the route from Thadiyanpadu to Murickasserry instead of the curtailed route. This authority verified the application and connected documents in detail. The service is operating to Maniyarankudy Tribal Settlement .Curtailment of this sector will adversely affect the travelling public and government official travelling for the service of tribal population residing in the area. The field officer has not recommended the application for variation.RTA on 13/10/2017 the said curtailment application was considered and rejected due to the above said reasons.

In these circumstances this authority rejected the variation application since there is no specific requirement under Rule 145(6) of KMV Rule and section 80(3)(ii) of MV Act

Secretary RTA is directed to watch the service of this vehicle and take action under section 86 of Motor Vehicles Act for cancellation or suspension of permit ,if the permit holder curtail the service from Thadiyanpadu to Maniyarankudy without sanction of this authority .

Item No 34.

Heard. The learned counsel represented for the applicant . This is an application filed for variation of regular permit in respect of the S/C KL-6-E-2776 to operate on the route Poomala –Thodupuzha as Methotty –Thodupuzha by extending the route from Poomala to Metotty having a distance of 2 kms at the first and last trip as Ordinary Service with the existing timings. This authority verified the application and connected documents in detail .There is no need for any concurrence .The field officer reported that The extension is beneficial to the travelling public and students. The variation application is within the limit of U/S 80(3) of MV Act 1988 .Thus, we are of the opinion that there is no legal impediment to grant variation of permit as sought by the permit holder. Hence variation **granted** to the settlement of timings as per the provisions of section 80(3) of MV Act 1988 and also subject to the clearance of Government dues and production of NOC from the financier if applicable within 30 days from the communication of this decision , failing which the grant of the variation of permit will be treated as revoked without further notice.

Item No 35.

Heard. The learned counsel represented for the applicant . This is an application filed for variation of regular permit in respect of the S/C KL-38-E-5787 to operate on the route Methotty –Thodupuzha as Ordinary Service by curtailing two trips, that is at 5.30AM from Poomala to Thodupuzha and at 6.20am from Thodupuzha to Poomala At 6.30 AM From Poomala to Thodupuzha and at 7.33 PM from Thodupuzha to Poomala as ordinary service with existing timings. This authority verified the application and connected documents in detail .There is no need for any concurrence .The field officer reported that the variation is not affected the travelling public and students. The variation application is within the limit of U/S 80(3) of MV Act 1988 .Thus, we are of the opinion that there is no legal impediment to grant variation of permit as sought by the permit holder. Hence variation **granted** to the settlement of timings as per the provisions of section 80(3) of MV Act 1988 and also subject to the clearance of Government dues and production of NOC from the financier if applicable within 30 days from the communication of this decision , failing which the grant of the variation of permit will be treated as revoked without further notice.

Item No 36

This is an application filed for variation of regular permit in respect of the S/C KL-17-E-6162 Muvattupuzha-Thopramkudy as Ordinary Service as Muvattupuzha-Thopramkudy as LSOS by curtailing the trip from Thodupuzha to Muvattupuzha at 11-10AM and extending from Karimpan to Thopramkudy and returns to Cheruthony Via Thankomany and Idukki. RTA on 17-12-2015 in item no.64 the application for variation as LSOS was rejected. On 16/06/2016 Honorable STAT in its judgment in MVARP No.38/2016 directed to reconsider the application after finalization of the modification of the existing scheme proposed as per the Notification No.12878/B1/2015/Tran dated 08/02/2016 .

This matter was enquired through MVI Idukki and reveals the following. Curtailment of one trip from Thodupuzha to Muvattupuzha will not affect the commuters as there is enough services on this sector. Extension of the trip from Karimpan to Thopramkudy Via Murickasserry and returns to Cheruthony via Thankomany and Idukki is beneficial for the passengers especially students. Variation as LSOS is beneficial for regular long distance passengers. RTA Idukki on 04/05/2017 considered the application in detail and observes the following.

“This is a notified route overlapping the Kottayam-Thekkady nationalization scheme .There is an additional overlapping after variation having a distance of 2 km from Idukki to Cheruthony on Kottayam – Kattappana and Aluva – Kattappana Schemes. As per GO(P) No. 42/2009/ Tran dated 14/07/2009 and as per para 33 of the judgment of Honorable High Court in WP(c) No.14793 of 2006 dated 10/04/2015, the Chief Executive Officer of the STU is the competent authority to determine the traffic demand of a nationalized route. In para 15 of the judgment of Honorable High Court in WA 670/2014 dated 05/02/2016, it is held that issue of additional permit apart from the scheme will **upset the scheme** ,which is legally impermissible.

As per GO(P) No. 8/2017/ Tran dated 23/03/2017, further extension or variation shall not be allowed on the notified route under any circumstance. KSRTC has strongly objected the applied variation. Hence **rejected .”**

Now Honorable STAT in MVARP No.126/2017 dated 03/01/2019, set aside the above said RTA's order and is directed to re-consider the application for variation of permit on merits and pass orders in accordance with law.

This authority again verified the application and connected documents in detail based on the GO (P) No 06/2017 and 08/2017. As per clause (19) of GOP NO. 8/2017 dated 23/03/2017 the State Transport undertaking reserves the to operate additional services or increase the number of trips on each route in the Annexure as per traffic demand. In para 15 of the judgment of Honorable High Court in WA 670/2014 dated 05/02/2016, it is held that issue of additional permit apart from the scheme will **upset the scheme** ,which is legally impermissible. KSRTC has strongly objected the applied variation. Moreover there is no specific requirement under Rule 145(6) of KMV Rule and section 80(3)(ii) of MV Act .Hence **rejected.**

Item No 37

This is an application filed for variation of regular permit in respect of the S/C KL 05 Q 6666 Muvattupuzha – Thopramkudy as O.S.as Muvattupuzha-Thopramkudy as LSOS by curtailing the trip from Thodupuzha to Muvattupuzha at 11-10AM and extending the evening trip from Karimpan to Thopramkudy and returns to Cheruthony Via Thankomany and Idukki. RTA on 17-12-2015 in item no.65 the application for variation as LSOS was rejected. On 16/06/2016 Honorable STAT in its judgment in MVARP No.38/2016 directed to reconsider the application after finalization of the modification of the existing scheme proposed as per the Notification No.12878/B1/2015/Tran dated 08/02/2016

This matter is enquired through MVI Idukki and reveals the following
Curtailment of one trip from Thodupuzha to Muvattupuzha will not affect the commuters as there is enough services on this sector. Extension of the trip from Karimpan to Thopramkudy via Murickasserry and returns to Cheruthony via Thankamony and Idukki is beneficial for the passengers especially students. Variation as LSOS is beneficial for regular long distance passengers. The proposed stop list is including almost all the stops between Cheruthony and Thopramkudy and hence will not affect the passengers enroute. RTA Idukki on 04/05/2017 considered the application in detail and observes the following.

“This is a notified route overlapping the Kottayam-Thekkady nationalization scheme .There is an additional overlapping after variation having a distance of 2 km from Idukki to Cheruthony on Kottayam – Kattappana and Aluva – Kattappana Schemes. As per GO(P) No. 42/2009/ Tran dated 14/07/2009 and as per para 33 of the judgment of Honorable High Court in WP(c) No.14793 of 2006 dated 10/04/2015,the Chief Executive Officer of the STU is the competent authority to determine the traffic demand of a nationalized route. In para 15 of the judgment of Honorable High Court in WA 670/2014 dated 05/02/2016,it is held that issue of additional permit apart from the scheme will **upset the scheme** ,which is legally impermissible.

As per GO(P) No. 8/2017/ Tran dated 23/03/2017,further extension or variation shall not be allowed on the notified route under any circumstance. KSRTC has strongly objected the applied variation. Hence **rejected .”**

Now Honorable STAT in MVARP No.126/2017 dated 03/01/2019,set aside the above said RTA’s order and is directed to re-consider the application for variation of permit on merits and pass orders in accordance with law.

This authority again verified the application and connected documents in detail based on the GO (P) No 06/2017 and 08/2017. As per clause (19) of GOP NO. 8/2017 dated 23/03/2017 the State Transport undertaking reserve the to operate additional services or increase the number of trips on each route in the Annexure as per traffic demand. In para 15 of the judgment of Honorable High Court in WA 670/2014 dated 05/02/2016,it is held that issue of additional permit apart from the scheme will **upset the scheme** ,which is legally impermissible. KSRTC has strongly objected the applied variation. Moreover there is no specific requirement under Rule 145(6) of KMV Rule and section 80(3)(ii) of MV Act .Hence **rejected.**

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Item No 38

Heard. The learned counsel represented for the applicant. This is an application filed for variation of regular permit in respect of the S/C KL5-AR-5061 on the route Kottayam - Rajakkad Via Manarcadu, Koorapada, Pallickathode, Mutholi, Pala, Kollappally, Nellappara, Thodupuzha, Kaloor, Onnukal, Paingottur, Neriya mangalam, Adimaly, Eruttukanam, Anachal and Kunjithanny as **Ordinary Service AS** Conversion of class as **LSOS**.

The application for conversion of class is considered by RTA on 15/02/2017. The existing route length is 157 km. As per KMV rule 2(oa) maximum route length for ordinary service is 140 km. Govt. had published a draft notification No.536/B2/2016/Tran dtd.19/02/2016 allowing LSOS to operate with route length above 140 km. But the draft was not finalized at that time. Hence Adjourned. The permit holder applied for variation of regular permit on the route Kottayam - Rajakkad Via Manarcadu, Koorapada, Pallickathode, Mutholi, Pala, Kollappally, Nellappara, Thodupuzha, Kaloor, Onnukal, Paingottur, Neriya mangalam, Adimaly, Eruttukanam, Anachal and Kunjithanny as OS As Pallickathodu - Rajakkad Via Mutholi, Pala, Kollappally, Nellappara, Thodupuzha, Kaloor, Onnukal, Paingottur, Neriya mangalam, Adimaly, Eruttukanam, Anachal and Kunjithanny by curtailing the rote portion from Pallickathode to Kottayam as LSOS. This application was considered by RTA on 04/05/2017. The learned counsel represented for the applicant had requested to adjourn the application. Hence **Adjourned**.

On 16/03/2018 the permit holder has again applied for renewal of permit and conversion of class as LSOS . RTA on 04/10/2018 considered the matter in detail. The learned counsel represented for the applicant prayed before this authority to adjourn the applications. Hence adjourned.

On 12/02/2019 a Judgment in WP(C).NO. 41073 of 2018 of Honorable High Court of Kerala received in this office. In this judgment Honorable High Court directed to place the both applications made by the petitioner in the next meeting of RTA consider

the same and pass orders thereon with notice to the petitioner and after affording him an opportunity of being heard. A decision in this regard shall be taken as expeditiously as possible at any rate within a period of six weeks from the date of receipt of a certified copy of this judgment.

Hence the file is submitted to Honorable Chairman RTA, Idukki for considering the matter under rule 130 by circulating the file among RTA members, since it is time bounded by Honorable High Court. On 18/03/2019 the Honorable Chairman RTA Idukki ordered to circulate the file.

Subsequently on 20/03/2019 Sri. MA Augustine has submitted an objection against considering of this matter by circulation under rule 130. He claims that the direction of Honorable High Court in wp©No.41073/2018 means that the Secretary, RTA to place the applications in the next meeting of the RTA, necessarily the application must be placed in the open meeting for consideration giving opportunity to the interest persons to make representations.

In this matter a detailed route enquiry report is obtained from the field officer of this office. This reported that the conversion of class from ordinary service to limited stop ordinary service may upset the other stage carriage operators of that sector and may cause time clash between other operators including K S R TC. Also reported that the applied conversion will seriously affect the travelling public. Field officer has not recommended the applied variation.

. RTA on 18/05/2019 through circulation, In view of the judgment of the Hon'ble High Court of Kerala in WP©No.13155/2017, the application for renewal of regular permit in respect of Stage Carriage KL 05 AR 5061 on the route Kottayam – Rajakkad as Ordinary Service **granted**.

On reconsideration of the application for conversion of class from ordinary service to ordinary limited stop service as directed by the Hon'ble High Court in WP©No.

41073/2017 dated: 04-01-2019, the field officer has reported that the conversion of service will affect the travelling public adversely and it will also adversely affect the KSRTC services as well as students travelling on the route. Hence the application for conversion of class from ordinary service to ordinary limited stop service **rejected**.

On 03/05/2019 a judgment of Hon'ble High Court in WP©No. 9218/2019 dated: 10/04/2019 is received in this office. In this writ petition Hon'ble High Court directed to consider the objections filed by Sri.M A Augustine,Mukkadayil House,Vellapadu ,Pala P O regarding the renewal application and variation application in respect of the stage carriage KL-5-AR-5061.These applications were already submitted to RTA Idukki on 12/04/2019 through circulation and renewal of permit is granted,conversion of class as LSOS is rejected.For the compliance of the judgment of Hon'ble High Court in WP©No. 9218/2019 dated: 10/04/2019 the conversion of class application is again submitted before the Regional Transport Authority, Idukki to hear the applicant and objector and to peruse the records for taking a decision.

This authority verified the application and connected documents in detail and observe and delivered the following .

In this matter a detailed route enquiry report is obtained from the field officer of this office. It is reported that the conversion of class from ordinary service to limited stop ordinary service may upset the other stage carriage operators of that sector and may cause time clash between other operators including K S R T C. Also reported that the applied conversion will seriously affect the travelling public especially school route passengers including students. Moreover there is no specific requirement under Rule 145(6) of KMV Rule and section 80(3)(ii) of MV Act .It is also held that issue of this permit variation will **upset the scheme** ,since it can be taken to account of the grant of new permit under section 80(3) of MV Act,which is legally impermissible. Hence **rejected** .

Item No 39

This is application for variation of regular permit and settlement of time in respect of S/C KL-33 B 6772 on the route Mathamba – Mundakkayam touching Valliyamkavu with cut trips to Thekkemala, Pakkanam, Kottaramkada (via) Kuzhimavu as OS As Extension from Pakkanam to Injakuzhy so as to make the running time proportionally and cut the trip from Kuzhimavu to Kottaramkada , these two places are of same distance.

2. To settle the departure time from Mundakkayam to Kuzhimavu from 4.40pm to 4.50pm by implementation of the Hon'ble High Court direction in WP© 1922238/2019. Several objections raised against the applied variation. This variation application is against the interest of public and students residing at 116 colony. The applicant or any authorized person are not appeared before this Authority. We thought this is the clear violation of Rule 145 (6) Kerala Motor Vehicles Rules read with Section 71 of Motor Vehicles Act 1988. Hence **Rejected**.

Item No 40

This is an application filed for variation of regular permit in respect of the S/C KL 33 K 4420 operating on the route Balanpillacity - Changanacherry (Via) Kochara, Kumily, Mundakkayam, Ponkunnam, 14th Mile and Karukachal as LSOS as Nedumkandam - Changanacherry (Via) Kochara, Kumily, Mundakkayam, Ponkunnam, 14th Mile and Karukachal as LSOS by extending 16 kms from Balanpillacity to Nedumkandam and changing of halt ship place from Balanpillacity to Puttady. This authority verified the application and connected documents in detail .There is no need for any concurrence .The field officer reported that the proposed extension is beneficial for regular long distance passengers. The proposed change of halting place will not affect the travelling public and beneficial for Students and public. The variation application is within the limit of U/S 80(3) of MV Act 1988 .Thus, we are of the opinion that there is no legal impediment to grant variation of permit as sought by the permit holder. Hence variation **granted** as per the provisions of section 80(3) of MV Act 1988 , subject to the settlement of timings , clearing of Government dues and production of NOC from the financier if applicable within 30 days from the communication of this decision , failing which the grant of the variation of permit will be treated as revoked without further notice.

Item No 41

This is an application for conversion of class of regular permit in respect of S/C KL 06 E 2808 on the route Balanpillacity – Kottayam (via) Thoorkupalam, Balagram, Kattappana, Elappara, Ponkunnam, Kodungoor, 14th mile and Pampady as Ordinary Service as LSOS with existing timings with list of 42 stops suggested by the applicant.

2. This is an application filed for renewal of regular permit in respect of the S/C KL 06 E 2808 on the route Balanpillacity – Kottayam (via) Thoorkupalam, Balagram, Kattappana, Elappara, Ponkunnam, Kodungoor, 14th mile and Pampady as Ordinary Service for a period of 5 years from 04/03/2019. This application is belated and the registered owner has submitted application to condone delay since he was hospitalized. Medical certificate produced. Now this S/C is operating on the strength of temporary permit valid up to 03/07/2019, issued U/S 87(1) (d) of KMV Act. This regular permit is issued prior to 09/05/2006. KSRTC has strongly objected the applied variation. This authority verified the application and connected documents in detail. In para 15 of the judgment of Honorable High Court in WA 670/2014 dated 05/02/2016, it is held that issue of additional permit apart from the scheme will **upset the scheme**, which is legally impermissible. We thought this variation may cause an additional permit, if it will be issued as LSOS by changing the existing class.

This authority delivered the following .

1. Rejected the application for variation
2. Delay in submitting the application for renewal condoned
2. Renewal of permit granted.

Item No 42

This is an application for variation of Regular permit and settlement of time in respect of the S/C KL 34 F 5070 operating on the route Prakash –Changanacherry (Via) Chempakappara, Kattappana, Mundakayam, Ponkunnam and Karukachal as LSOS As Thopramkudy- Changanacherry (Via)Prakash, Erattayar, Vettikuzhakavala Kattappana, Kuttikkanam, Mundakayam, Ponkunnam And Karukachal As LSOS by extending 2 km from Prakash to Thopramkudy and deviating the route Erattayar – Kattappana Via Vettikuzhakavala instead of Erattayar – Kattappana. This authority verified the application and connected documents in detail .There is no need for any concurrence .The field officer reported that the proposed extension is beneficial for regular long distance passengers. The proposed change of halting place will not affect the travelling public and beneficial for Students and public. The variation application is within the limit of U/S 80(3) of MV Act 1988 .Thus, we are of the opinion that there is no legal impediment to grant variation of permit as sought by the permit holder. Hence variation **granted** as per the provisions of section 80(3) of MV Act 1988 , subject to the settlement of timings and clearance of Government dues and production of NOC from the financier if applicable within 30 days from the communication of this decision , failing which the grant of the variation of permit will be treated as revoked without further notice.

Item No 43

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-68-A-3770 operating on the route Kanthalloore-Aluva from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 44

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-38-A-3755 operating on the route Thodupuzha – Odiyapara from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 45

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-44 E 5679 operating on the route Vattappara–Ernakulam. from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 46

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 34 A 6022 operating on the route Vannappuram - Thodupuzha from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 47

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 06 D 8112 operating on the route Idukki – Nedumkandam from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 48

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 06 D 7344 operating on the route Vandiperiyar – Kattappana from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 49

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 34 B 5004 operating on the route Nellippara – Kothapara from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 50

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 34 D 1766 operating on the route Thopramkudy – Kothapara from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 51

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL H 4851 operating on the route Adimaly – Kattappana from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 52

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-35 D 7344 operating on the route Murickassery – Kozhimala from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 53

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-05 A 4911 operating on the route Combayar – Kottayam from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 54

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL 33 L 2848 operating on the route Nedumkandam –Kottayam from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

Item No 55

RTA, Kottayam has requested to re-consider the application for concurrence of this RTA for variation of permit in respect of the S/C KL-38-C-7203 on the route

Anakkayam-Kottayam Via Thodupuzha,Pala,Ayarkunnam,and Manarcade with cut trip between Thodupuzha and Kottayam by curtailing the route portion from Thodupuzha to Anakkayam in the light of the judgment of Honorable STAT in MVAA No.214/2015.RTA on 13-10-2017 vide Item No.46 had considered the matter and decided as follows.

“There is no adequate travelling facility on this route .Hence curtailment of the portion from Thodupuzha to Anakkayam will adversely affect the passengers .Also a representation from Smt.Renuka Rajasekaran Councilor, Ward No.3,Thodupuzha Municipality is received against the issuance of this concurrence. Hence **Rejected**”

RTA Kottayam has requested to re-consider the above said concurrence in the light of the judgment of Honorable STAT in MVRP NO.72/2018 dated 24/11/2018.Secretary RTA is directed to obtain the said judgment of Honorable STAT in MVRP NO.72/2018 dated 24/11/2018 and submit the application before the next meeting of this authority with specific report, based on the judgment of Honorable STAT . Hence **Adjourned**.

Item No 56

RTA, Kottayam has requested concurrence of this RTA for considering the application for fresh regular permit in respect of the stage carriage KL 34-B-9599 or suitable stage carriage on the route Vadakkemala-Mundakkayam-Kuzhimavu Via, Koottickal, Vembly, Yendayar Vandanpathal and Koruthode as Ordinary Service .

The matter has been enquired through MVI Idukki and the enquiry report reveals the following. There is no overlapping in Nationalized or Notified Route in this jurisdiction.

'Concurrence granted Subject to the right of original Authority to verify the feasibility with the Government notification GO(P)No 08/2017 "

Item No 57

RTA, , Kottayam has requested concurrence of this RTA for considering the application for fresh regular permit in respect of in respect of the stage carriage KL-5- AG -3553 on the route Yendayar-Mundakkayam-Erumely-40Acre Via Vembli,Koottickal,Mundakkayam,Pachima,Mukkottuthara,Koruthode as Ordinary Service.

The matter has been enquired through MVI Idukki and the enquiry report reveals the following. There is no overlapping in Nationalized or Notified Route in this jurisdiction.

'Concurrence granted Subject to the right of original Authority to verify the feasibility with the Government notification GO(P)No 08/2017 "

Item No 58

Several applications were received for a licence to work as an agent for the sale of tickets to the passengers of public Service Vehicles in accordance with the provisions of sub-section(1) of section 93 of the Motor Vehicle Act 1988.

Various apprehensions have been made by certain sections of society with regard to the LAPT licensing. It is made clear that contract carriage is always contract carriage and cannot be run as a stage carriage at any time. The booking has to be from point to point, that is from the starting point to the last point and no commuters can be picked up from any in-between stops.

The Government has issued the additional conditions to be observed by the RTA while issuing/renewing the 'LAPT' license in form-LAPT as per sub Rule (8) of Rule 193 .

I.Requirement of Booking Office

1. The office space should be minimum of 150 square feet size with the following passenger facilities:

- (i) Customer Lounge, with comfortable seating arrangements for at least 10 passengers; including the ladies.
- (ii) Toilet facility within the premises.
- (iii) Cloak Room with a locker facility.
- (iv) C.C.T.V. facility with hack up data storage for up to 6 months.
- (v) Drinking water facility.
- (vi) Portable fire extinguisher (DCP-5kgs).

2. Sufficient stopping space for the vehicle for boarding and alighting the passengers without disturbing the free flow of traffic and the other road users.

3. Parking space for at least 3 heavy passenger vehicles within a distance of 5kms.

4. No booking office /parking place shall be within 500 metres from the KSTC/mofussil Bus Stand.

5. The complaint redressal telephone numbers of the Kerala Police, the concerned RTO and the women helpline shall be exhibited in the office

II. General conditions to be observed by the License Holders

1. The LAPT License shall be exhibited in the office .in a conspicuous space.
2. The name of the booking office shall be exhibited with the License number in front of the building.
3. The name of the operators (with whom the Licensee is having the contract) shall be exhibited in the office with their contact numbers.
4. The time schedule of the vehicle shall be exhibited
5. The names and contact numbers of the crew shall be exhibited before commencing the trip
6. The real-time location of the vehicle shall be shown through the digital media
7. Quarterly Return shall be filed before the Secretary of the RTA concerned, by the LAPT licensee
8. The license holder shall maintain a register of the passenger travelling in the format attached, and the vehicles shall at all times carry a list of the passengers in respect of each trip. This list shall be produced on demand by

the officers authorized to demand the production of the document. The same shall be kept for a period of one year for further verification.

9. The operator shall not engage in or use any vehicle for any illegal activity or for the transportation of goods/contraband other than the personal luggage of the travelling passengers.
10. The Licensee shall ensure and inform the passengers regarding the availability of refreshment and toilet facilities within a distance of every 50kms enroute.
11. The ticket should have the details of the vehicle, crew, passengers, helpline numbers of the Police, MVD, Women Helpline, etc.
12. The Licensee/operator shall have sufficient alternative arrangements of substitute vehicles in the case of any break down.

The following qualifications of the Licensee shall be observed while considering the applications for the 'LAPT' License by the RTA:-

- (a) Age of the Licensee : 18 years (minimum)
- (b) The applicant should not have any criminal history : A Police clearance certificate shall be obtained.
- (c) The financial resource of the applicant should be sufficient to provide a sustainable service.
- (d) The applicant should have adequate computer knowledge. (Desirable).

In this matter Secretary Idukki is accept the application and submit before this authority after making necessary enquiry regarding the compliance of these requirements.

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Item No 59

To consider the application from Joint Director, P D S Spices Facory,Kuttikkanam for the approval of Bus Stop at P D S Spices Facory,Kuttikkanam.

Notes:. This is an application from P D S Spices Facory,Kuttikkanam for the approval of Bus Stop at P D S Spices Facory,Kuttikkanam.

JRTO Peermedu has reported the following in this matter.

It is reported that there is an urgent need for a bus stop at P D S Spices Facory,Kuttikkanam. At present, there are about 200 labours are working at P D S Spices Facory,Kuttikkanam.The nearest bus stops at P D S Spices Facory,Kuttikkanam are Kuttikkanam and Murinjapuzha ,which are 2.5km and 3.3 km far away from P D S Spices Facory respectively.

We have verified the application and the report of Joint Regional Transport Officer Peermedu ,and decided to sanction the bus stop subject to the completion of constructions as reported by Joint Regional Transport Officer Peermedu .

Item No 60

To consider the application from Kamakshy Grama Panchayathu for the approval of Bus stand at Thankamony.

This is an application from Kamakshy Grama Panchayathu for the approval of Bus stand at Thankamony.The field officer of this office reported that the bus stand complies with the Rule 344 of KMVR 1988.**Approved**

Item No 61

To consider the application from The Principal in Charge ,University College of Engineering Thodupuzha ,Muttam P O, for Sanctioning a bus stop in front of Muttam Engineering College Main gate .

This is an application from The Principal in Charge ,University College of Engineering Thodupuzha ,Muttam P O, for Sanctioning a bus stop in front of Muttam Engineering College Main gate .

JRTO Thodupuzha has reported the following in this matter.

1. Sharp curves are seen on the both directions of the proposed bus stop .
2. The distance between the existing and proposed bus stops is only 300mts.
3. There is no any other public establishments at the proposed bus stop.
4. In the point of road safety it is not feasible to grant a bus stop at the proposed point and can't be recommended .

Hence Rejected

Item No 62

Agenda: To consider the recommendation from Honorable MLA Sri.P J Joseph for the approval of Bus Stop in front of Nediyaasala Church.

This is a recommendation from Honorable MLA Sri.P J Joseph for the approval of Bus Stop in front of Nediyaasala Church.JRTO Thodupuzha has reported the following in this matter.

It is reported that the approval of Bus Stop in front of Nediyaasala Church is more beneficial for the public and students. At present there is no bus bay at the proposed site. Permission may be granted after constructing the bus bay .

We have verified the application and the report of Joint Regional Transport Officer Peermedu ,and decided to sanction the bus stop subject to the completion of constructions as reported by Joint Regional Transport Officer Thodupuzha

Item No 63

Agenda: To consider the application from Muttam Grama Panchayathu for the approval of Bus stop in front of Muttam Village Office.

Notes:. This is an application from Muttam Grama Panchayathu for the approval of Bus stop in front of Muttam Village Office.

JRTO Thodupuzha reported that

1. The distance between the existing and proposed bus stops is 1 km.
2. There is a Christian church and forest station are situated at the proposed bus stop
3. A bus stop may be allotted in front of Muttam Village Office, which will be beneficial for the travelling public at that area.
- 4 At present there is no bus bay at the proposed site. Permission may be granted after constructing the bus bay.
5. In the point of road safety it is feasible to grant a bus stop at that proposed point.

We have verified the application and the report of Joint Regional Transport Officer Peermedu ,and decided to sanction the bus stop subject to the completion of constructions as reported by Joint Regional Transport Officer Thodupuzha

Item No 64

Ratified

Item No 65

Nil

Item No 66

Decision will be taken after the direction from the Honorable Chairman RTA Idukki.

Supplimentary Item No.01

Heard .The learned counsel represented for the applicant. This is an application filed for fresh regular permit in respect of a new or suitable stage carriage with seating capacity 48 in all to operate on the route Adimaly-Munnar touching Rajakkade Via Iruttukanam,Thokkupara,Anachal,Audit,Kunjithanny and Mullakkanam as Ordinary Service. This authority verified the application and connected documents in detail. We have also considered all the objections raised in the open hearing of this authority including that of the KSRTC representative. There is no objectionable overlapping with any notified or nationalized schemes and virgin portion. The field officer reported that the proposed service will be beneficial for the travelling public and students. Thus, we are of the common view that there is no legal impediment to grant regular permit as sought by the applicant .Hence regular permit is **granted** subject to settlement of timings and production of the current records of a suitable vehicle not older than eight years as directed by STA Thiruvananthapuram within the time limit specified U/R 159(2) of KMVR-1989 failing which the grant of the regular permit will be treated as revoked without further notice.

Supplimentary Item No.02

Heard. The learned counsel represented for the applicant . This is an application filed for renewal of regular permit in respect of the S/C on the route KL-38-G-4840 on the route Odiyapara- Kanjirappilly Via Vannappuram-Kaliyar, Vandamattom, Thodupuzha, Muttom, Melukavu, Erattupetta And Thidanadu as O S. Now this S/C is conducting service on the strength of TP valid up to 04-06-2019, issued U/S 87(1) (d). There is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable.

Supplementary Item No.03

Heard. The learned counsel represented for the applicant This is an application filed for reconsider the renewal of regular permit in respect of the S/C KL 40 Q 5756 on the route Ernakulam-Koviloor via Kaloor, Edappally, HMT, NAD, Aluva, South Vazhakkulam, Perumbavoor, Kothamangalam, Adimaly, Munnar and return trip via Anachal as LSOS 5 years from 05/06/2012 to 04/06/2017 and to consider the renewal of permit application from 05/06/2017 to 04/06/2022. The RTA Idukki considered this renewal applications on 22/08/2012 as item No.29 and rejected the same in the view of the G.O(P) No.73/2013/Tran dated 16/07/2013. Challenging the decision of RTA Idukki, the permitholder filed MVAA No.353/2012 and as per the final judgement of Hon.STAT in MVAA NO.353/2012 dated 07/10/2016, the application for the renewal of regular permit should be reconsidered in the light of G.O(ms)45/2015/Tran dated 20/08/2015 and notification No.12878/B1/2015/Tran dated 08/02/2016. On 27/02/2017, the permitholder applied for variation of calss of service as LSOS and temporary permit for a period of 4 Months in the light of G.O(ms)45/2015/Trans dated 20/08/2015 and the interim order of Hon.Highcourt of Kerala in WP© No.18062/2017(G) dated 31/05/2017 challenging the G.O(P) No.6/2017/Tran dated 15/03/2017. At present the temporary permit is valid upto-16/09/2019 as LSOS. As per the judgement of Hon.STAT in MVAA No.345/2018 dated 04/01/2019, Sec.RTA Idukki was directed to consider the application for renewal of permit on merits and pass order in accordance with law within two months. This authority verified the application, connected documents and connected Government Orders in detail and observes

1. This regular permit is issued prior to 09/05/2006.
2. There is no legal impediment to renew this regular permit
3. There is no need for any concurrence for renewal of permit from sister RTAs

In these circumstances We ordered the following.

However the total route length is 176 Kms, there is no legal impediment to renew this regular permit since it is issued prior to 09-05-2006. In the light of the several judgment of Division Bench of Honorable High Court of Kerala(quashed clause (4) of the modified scheme, 8/2017 dated 3/03/2017) this permit is renewable. There is no need for any concurrence from sister RTAs for renewal of permit. Hence Renewal of permit **granted** subject to clearance of Government dues and NOC from the financier if applicable. Secretary RTA is directed to issue the renewal of permit as granted by RTA, only after conducting a personal hearing with the permit holder.

Supplimentary Item No.04

To consider the application from The Secretary, St.Antoneys College Peermedu,Peruvanthanam P O, for Sanctioning a bus stop in front of St. Antoneys College Peermedu,Peruvanthanam P O.

This is an application from The Secretary,St.Antoneys College,Peermedu, ,Peruvanthanam P O, for Sanctioning a bus stop in front of St.Antoneys College Peermedu,Peruvanthanam P O.

JRTO Peermedu has reported the following in this matter.

1. The distance between the existing and proposed bus stops in both directions are 350mts and 600mts respectively.
2. There is no sufficient facilities for the construction of the bus bay at the proposed bus stop.
3. In the point of road safety it is not feasible to grant a bus stop at that proposed point and can't be recommended it.

Hence Rejected.

Supplimentary Item No.05

Heard .The learned counsel represented the applicants. Transfer of permit in respect of the stage carriage KL-44-E-5062 (death& another application) operating on the route Pooppara Ernakulam Vyttila Hub from the name of 1st applicant to the name of 2nd applicant is **allowed** subject to the clearance of all government dues and production of NOC from the financier of the vehicle.

1.Sri.H Dinesan ,IAS District Collector and Chairman, RTA,Idukki

2.Sri.Suresh M ,Deputy Transport Commissioner Central Zone II,Ernakulam & Member RTA ,Idukki.