

REGIONAL TRANSPORT AUTHORITY, VATAKARA
DECISION OF RTA Dt. 10.07.2019

- Present:-
1. Sri.Seeram Sambasiva Rao, IAS,
District Collector and Chairman,
Regional Transport Authority,
Vatakara.
 2. Sri.T.C.Vinesh
Deputy Transport Commissioner,
North Zone, Kozhikode and
Member, RTA, Vatakara.

Item No.1

“Heard. The learned counsel represented the applicant .This is a modified application for fresh regular stage carriage permit in view of judgment of Hon’ble STAT in MVAA No. 304/2018 Dtd. 20.12.2018 MVARP No.35/2019 dt. 15.06.2019 in respect of S/C KL 58 G 7115 to operate on the route Kurumpoyil – Koottalida – Balussery – Kozhikode--Kozhikode Medical College (via) Kannadipoyil, Arapeedika, Manhapalam, Nanmanda, Eranhipalam, Baby Memorial hospital. Perused the above judgments of Hon’ble STAT Ernakulam. Earlier application filed by this applicant to operate on the route Kurumpoyil – Koottalida – Balussery – Kozhikode (via) Kannadipoyil, Arapeedika, Manhapalam, Nanmanda, Eranhipalam, Baby Memorial hospital and the same was rejected by this authority in the meeting held on 04.10.2017 and rejected since this proposal was against the decision of this authority dated 25.01.2000 in item No.20. The applicant challenged the decision before Hon’ble STAT by filing MVAA No.29/2018. As per the judgment dated 15.03.2018 in MVAA No.29/2018, the Hon’ble Tribunal had directed this RTA to reconsider the request made by the applicant for granting the permit through Eranhipalam Junction-Nadakkavu-Mavoor Road Jn so as to reach Moffusil bus stand as sought for by the appellant and pass orders on its merit in accordance with law. The modified route was Eranhipalam

Junction-Nadakkavu-Mavoor Road Jn .so as to reach Mooffusil Bus stand the same was rejected since the proposal was in violation of clause Notification G.O(P)No.42/2009/Tran dated 14.07.2009 by RTA , Kozhikkode in the meeting held on 14.08.2018 in item No.01. Against this decision, an appeal was filed before Hon'ble STAT in MVAA No.304/2018. The judgment of the Hon'ble Tribunal dated 20.12.2018 in MVAA 304/2018 directs this RTA to consider the application for fresh regular permit on merits and pass orders with liberty to the applicant to submit a modified application by avoiding overlapping. The present application is filed by the applicant is to operate on the route Kurumpoyil – Koottalida – Balussery – Kozhikkode--Kozhikkode Medical College (via) Kannadipoyil, Arapeedika, Manhapalam, Nanmanda, Eranhipalam, Baby Memorial hospital. There is no overlapping in this proposal. This RTA in its meeting held on 25.01.2000 vide item No.20 had decided all stage carriages having route length more than 50 Km towards Northern side has to traverse through Bye-pass. Though the length of this proposed route is 53.3 Kms, the length of the route towards northern side in this case is only 44Km. The remaining length of this route is on another stretch (ie., from Kozhikkode to Medical College). This authority finds that the intention of the applicant by adding the portion from Kozhikkode to Medical College in the previous proposal is to circumvent the decision of this authority dated 25.01.2000 in item No.20 manage to operate through places which are restricted by this authority to ease traffic congestion in the city. Hence, this application is **rejected**".

Item No.2

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Chathangottunada-Thalassery. This is an application for inter-district permit in which a distance of 8 km lies in Kannur District. Concurrence from Sister RTA, Kannur is necessary for further consideration of the application. Therefore, the decision on the above application is **adjourned** for want of concurrence from Sister RTA, Kannur. Secretary, RTA will seek

concurrence from Sister RTA, Kannur and place the application before this authority”.

Item No: 03

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Kayanna – Perambra (via) Kurikkilekollimukku, Kottappuram, Kalandanmukku, Cherukasi Temple, Kunnoth thazhe Ukkarankandimukku, Unnikulamchal. It is reported that there is a virgin portion of 3.4Km from Kayanna to Marutheri in this proposal. On perusal of the records it is seen that Road Fitness Certificate obtained from the concerned authorities. The Field Officer reported that Medium vehicles are only suitable for this route. Hence, fresh permit is **granted** to a suitable medium stage carriage subject to settlement of timings. The field officer also propose to fix new fare stage on the virgin portion at Kurikkankandimukku. Hence new fare stage fixed at Kurikkankandimukku. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per Rule 159[2] of KMV Rules 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 the applicant. This is an application for fresh regular stage carriage permit to operate on the route Kaivali-Thalassery. This is an application for inter-district permit in which a distance of 8 km lies in Kannur District. Concurrence from Sister RTA, Kannur is necessary for further consideration of the application. Therefore, the decision on the above application is **adjourned** for want of concurrence

from Sister RTA, Kannur. Secretary, RTA will seek concurrence from Sister RTA, Kannur and place the application before this authority.

Item No: 05

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Kumbalachola – Kaivali-Thalassery. This is an application for inter-district permit in which a distance of 8 km lies in Kannur District. Concurrence from Sister RTA, Kannur is necessary for further consideration of the application. Therefore, the decision on the above application is **adjourned** for want of concurrence from Sister RTA, Kannur. Secretary, RTA will seek concurrence from Sister RTA, Kannur and place the application before this authority”.

Item No: 06

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Meppayur – Perambra (via)Janakeeyamukku, Edakkayil, Ravattamangalam, Kalarikandimukku, Akkoopparamba, Mammilikulam. The report of the enquiry officer reveals that the total length of the route is 13.05 Km. There is no overlapping with notified route/approved scheme in this proposal. Hence fresh regular stage carriage permit is **granted** to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per Rule 159[2] of KMV Rules 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 the applicant. This is an application for fresh regular stage carriage permit to operate on the route Balussery-Koorachundu-Perambra-Meppayur (via) Manjapalam, Koottalida, Kelothvayal, Chembra, Akkoopparamba Edakkayil, Ravattamangalam, Muliyangal, Kayanna, Muttamthara and Karikandanpara. The enquiry officer reported that the introduction of new service is beneficial to travelling public. The report of the enquiry officer reveals that the total length of the route is 53 Km. There is no overlapping with notified route/approved scheme in this proposal. Hence fresh regular stage carriage permit is **granted** to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per Rule 159[2] of KMV Rules 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 the applicant. This is an application for fresh regular stage carriage permit to operate on the route Viyyamchira-Muyipoth-Perambra-Vatakara via. Chaniyamkadavu, Thiruvallur. The place Viyyamchira in the route proposed is remote one. Hence as per Sec. 72Sub Sec. 1 of MV Act 1988 the applicant is directed to provide two more trips to Viyyamchira and submit modified time sheet. For compliance of the above direction, decision on the application is **adjourned**”.

Item No: 09

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Palliyath-Payyoli (via).Avala, Perambra and Meppayur. There are several objections against the applicant alleging that applicant is a trafficker of permits. En-route operators, vehemently objected stating that the route is highly saturated one and cannot afford new stage carriage services further. Secretary is directed to enquire and report the above two aspects and submit a detailed report before this authority in the next meeting. Hence, decision on the application is **adjourned**”.

Item No: 10

“Heard. The learned counsel represented the applicant. This is an application for fresh regular stage carriage permit to operate on the route Palliyath-Perambra-Kuttiadi-Payyoli (via) Avala, Pannimukku, Kadiyangad Bridge, Meppayur and Keezhur. The report of the enquiry officer reveals that the total length of the route is 49 Km. There is no overlapping with notified route/approved scheme in this proposal. Hence fresh regular stage carriage permit is **granted** to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per Rule 159[2] of KMV Rules 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 the applicant. This is an application for fresh regular stage carriage permit to operate on the route Nanmanda-- Balussery via. Ezhukulam, Kariyathankavu, Vattoli Bazar, Arapeedika. The report of the enquiry officer reveals that the total length of the route is 07.5 Km. There is no overlapping with notified route/approved scheme in this proposal. Hence fresh regular stage carriage permit is **granted** to a suitable stage carriage subject to settlement of timings. The grantee of the permit is directed to produce the current records of a suitable stage carriage for endorsing the granted permit as specified in the decision of STA held on 16.01.2019 in Departmental item 1, that the upper age limit for applying and granting fresh regular permit to Ordinary, City/Town and LSOS stage carriage as eight years, within thirty days of communication of this decision as per Rule 159[2] of KMV Rules 1989; failing which the grant of the regular permit will be treated as revoked without further notice”.

Item No: 12

“Heard, this is an application for fresh temporary stage carriage permit to operate on the inter district route Vatakara-Thottilpalam-Mananthavady filed by KSRTC. Since the application is for an inter-district temporary permit, Secretary shall forward the application to NS Thiruvananthapuram under intimation to the applicant”.

Item No: 13

“Heard, this is an application for fresh temporary stage carriage permit to operate on the inter-district route Thottilpalam-Mananthavady via Koorachundu, Balussery, Kozhikode, Vatakara filed by KSRTC. Since the application for an inter-district temporary permit, Secretary shall forward the application to NS Thiruvananthapuram under intimation to the applicant”.

Item No: 14

“Heard. The learned counsel represented the applicant. Perused the order of Hon’ble STAT in MVARP No.32/2019 dated 21.03.2019. This is an application for variation of permit in respect of stage carriage KL 58 D 4899 permitted to operate on the route Kuriyadi beach to Vatakara-Kozhikkode. The proposed variation variations are (1) extension of route from Vatakara to Thiruvallur (2) conversion of service from Ordinary Service to Limited Stop Service. The extension of route from Vatakara to Thiruvallur was already granted by this authority in the meeting held on 26.12.2018 in item No.10. But the request for conversion of nature service from Ordinary to LSOS was rejected finding it was against the interest of public and since not feasible. Against this decision, a Revision Petition was filed before the Hon’ble STAT in MVAP No.32/2019. The order of Hon’ble STAT in MVARP No.32/2019 set aside the above decision of RTA and directed to consider the request of the Revision Petitioner to convert the service from Ordinary to Limited Stop Ordinary Service taking into consideration of the Ext P2 request in MVARP No. 116/2016 and to pass orders.

Perused the Exhibit P2 request in MVARP No.116/2016. The cases pointed out in the request are conversion of Upper Class Vehicles in to LSOS as per the Government order to permit them to continue stage carriage operation. The applicant’s case is for conversion is from Ordinary service to LSOS. The application was considered in the meeting held on 26.12.2018 was by perusing the specific report of another Motor Vehicle Inspector as decided by RTA. KSRTC vehemently objected against allowing this variation, since the major portion of the route between Vatakara and Kozhikkode is in the Notified route. The length of the route is only 49.5 Km. The applicant has also not availed the granted extension of route from Vatakara to Thiruvallur till date. Hence,

- (1) Extension of route from Vatakara to Thiruvallur granted, subject to settlement of timings.
- (2) As per the specific and detailed report submitted by the enquiry officer, there are sufficient LSOS services on the route Kozhikkode-

Vatakara for the conveyance of long distance passengers. At the same time, there are comparatively less number of ordinary stage carriages to cater the travelling needs of students and short distance commuters. Further providing more services on this route is also not feasible considering the increased traffic density. Also the conversion of services from Ordinary to LSOS will create un-healthy competition. In brief, for the above reasons, the application for conversion of service from Ordinary to LSOS is against the interest of students community and short distance passengers, hence **rejected**".

Item No: 15

"Heard. The learned counsel represented the applicant. Perused the Judgment in WPC No.9609/2019 dtd. 23.05.2019. This is an application for variation of permit in view of the judgement of Hon'ble STAT in 116/2018 dtd. 10.01.2019 in respect of S/C KL 13 U 7070 on the route Villiapally-Vadakara-Kozhikod as Ordinary Service by conversion of service as Limited stop ordinary service. This application for conversion service as LSOS was earlier rejected by this authority in the meeting held on 12.04.2018 vide item No.29 since it was in violation of clause 4(b) of G.O(P)No.8/2017.Hon'ble STAT in the order dated 10.01.2019 in MVARP No.116/2018 set aside the above decision since clause 4 of the above G.O(P)No.8/2017 was quashed by Hon'ble High Court of Kerala and directed this authority to reconsider the application on merits. The route portion from Vatakara to Kozhikode falls under notified route. As per the specific and detailed report submitted by the enquiry officer, there are sufficient LSOS services on the route Kozhikkode-Vatakara for the conveyance of long distance passengers. At the same time, there are comparatively less number of ordinary stage carriages to cater the travelling needs of students and short distance commuters. Further providing more services on this route is also not feasible considering the increased traffic density. Also the conversion of services from Ordinary to LSOS will create un-healthy competition. In brief, for the above reasons, the application for conversion

of service from Ordinary to LSOS is against the interest of students community and short distance passengers, hence **rejected**".

Item No: 16

"Heard. The learned counsel represented the applicant. Perused the judgement of Hon'ble High Court of Kerala dated 27.05.2019 in WP(C) No13121/2019 and order of Hon'ble STAT Dtd. 21.12.2018 in MVARP No. 112/2018. This is a variation of permit and this variation includes both extension and conversion of service from Ordinary service to LSOS.

The proposed extension from Kozhikode to Narikkuni via Bye Pass Kakkodi, Palath and Pullaloor. It is reported by the Enquiry Officer that the sought for extension without changing the existing timings will be beneficial to the travelling public especially in the early morning and late evening hours. Hence extension from Kozhikode to Narikkuni is **granted** subject to settlement of timings. Absence of ordinary services which are comparatively less to occupy the existing passengers especially students. Moreover, the conversion will create unhealthy competition and dangerous situation on the route. Providing more service in this route to accommodate short distance passengers and students from different stops are not feasible considering the traffic density. Further there are objections received from various corners. Hence 2) Conversion from Ordinary Service to LSOS **rejected**".

Item No: 17

"Heard. The learned counsel represented the applicant. Perused the judgment of Hon'ble High Court of Kerala dated 18.01.2019 in WP(C) No.3835/2018 and judgment of Hon'ble STAT in MVAA No.128/2017. This is an application for variation of permit in respect of S/C KL 58 C 9005 on the route Anjampeedika-Kozhikode(via) Arikkulam, Kavumvattam, Muthambi, Koyilandy by 1. Curtailing one trip from Quilandy to Anjampeedika 2. Extension from Kozhikode to Palazhipala via. Pottammal,

Methattuthazham, Cyberpark and Hi Lite mall. This route is Kozhikode-Koyilandy-Kavumvattam-Arikkulam-Anjampeedia and is a saved permit on the notified route Kozhikode – Kannur. The Notification in G.O (P) No.8/2017/Tran Dtd.23.03.2017 prohibited any type of variation vide clause 4.

Earlier this application was rejected by this authority finding that the enquiry report submitted by the field officer is not reliable. While this application is again placed before this authority, no reliable report from the competent officer is submitted and also no such remarks in this regard was mentioned in the notes. Hence, without proper enquiry report, this authority will not be in a position to take a final decision on this application as directed by Hon'ble High Court of Kerala & Hon'ble STAT. Hence, Secretary is directed conduct a detailed enquiry with regard to this application for variation of permit and place the application in the ensuing meeting of RTA without fail. Hence, decision on the application is **adjourned**".

Item No: 18

"Heard. The learned counsel represented the applicant .This is an application for variation of permit in respect of S/C KL-56-J-4577 permitted to operate on the route MeppayurKoyilandy-Thamarassery by1) Extending the route from Estatemukku to Rajagiri 1 Kms. 2) Curtailment of one round trip from Meppayur – Koyilandy 3) Reducing of one round trip from Koyilandy to Estatemukku. 4) Change of halting place from Koyilandy to Rajagiri. This application was considered in the RTA held on 26.12.2018 vide item No.9 and decision on the application was adjourned for conduct a detailed enquiry of the route with clear sketch through field officer concerned. The enquiry officer reported that the proposed curtailment of one round trip from Meppayur to Koyilandy will adversely affect the travelling facility since there is no service during this time. Hence, applicant is directed to submit a modified proposal with proposed set of timings by avoiding the curtailment of one round trip from Meppayur to Koyilandy. On receipt of the modified proposal, Secretary shall conduct a detailed enquiry

and place the modified application with enquiry report before this authority for consideration. For compliance of the above directions decision on the application is **adjourned**".

Item No: 19.

"Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-18-U-153 permitted to operate on the route Kokkri - Vatakara – Kuttyadi-Thottilpalam. The proposed variation for additional trip on the notified route from Vatakara to Kainatti is violates clause 19 of G.O. (P) No.42/2009/Trans dated 14.07.2009. Hence, application for variation of permit is **rejected** without looking other merits and demerits of the proposal".

Item No: 20

"Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL 18 M 5009 permitted to operate on the route Vatakkumbad-Vadakara-Ayancheri(via) Kolassery, Thalassery, Mahe, Villiappally, Vallyad, Kottappally, Chemmarathur and Memunda by Deviating the trip from the route Vadakara –Ayanchery(via) Villiappaly-Cheripoyil (12Km) instead of via. Kottappally, Memunda. Enquiry reveals proposed variation Vatakara to Ayancheri via.Villiappally, Cheripoil one way trip was the original route for this permit and later the existing route via.Memunda, Kottappally permitted on request due to the construction work of bridge at Cheripoil at that time. Now the work is already completed and ready for free traffic. Hence variation of permit **granted** subject to settlement of timings".

Item No: 21

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-13-V-3958 permitted to operate on the route Vadakara-Kozhikode as Ordinary service. The variation proposed includes (1) Extending the route from Kozhikode to Narikkuni via. Bypass, Karaparamba, Palath, Pullaloor 2) Change of Halting place from Kozhikode to Narikkuni. 3) Conversion of service to LSOS. KSRTC as well as en-route operators vehemently objected this proposal stating that this is in violation of G.O(P) No.8/2017 and alleged that the requested conversion is against the interest of travelling public and students. Hence, Secretary is directed to conduct a detailed enquiry on the below mentioned aspects and place the application before this authority in the next meeting.

- (1) Distance of overlapping with notified route in the existing route and distance of overlapping after the proposed variation.
- (2) Violation of clause 19 of G.O (P) No.8/2017 in this proposal.
- (3) Number of LSOS stage carriages and Ordinary stage carriages on the requested route.

For compliance of the above directions, decision on the application for variation of permit is **adjourned**”.

Item No: 22

“Heard. The learned counsel represented the applicant. This is a modified application for variation of permit in respect of stage carriage KL 77 1616 operating on the route Perambra-Meppayur-Payyoli, Vadakara,- MalomuKku as ordinary service. The requested variations are (1) extension from Perambra to Chembanoda via Pruvanamuzhi (2) change of halting place from Perambra to Chembanoda. From the existing and proposed time schedule mentioned in the agenda, it is revealed that was change of timings of two trips operating between Vatakara and Malolmuku. An objection was filed against the change of timings of these trips to Malolmuku, by pointing

out it will adversely affect the students and travelling public depending this service on this timings. Hence, Secretary is directed to conduct a detailed enquiry about the change of timings proposed by the applicant and place the application before this authority in the next meeting with specific report. For compliance of the above directions decision on the application for variation of permit is **adjourned**".

Item No.23

"Heard. This is application for variation of permit in respect of stage carriage KL 56 L 3929 operating on the route Kootilada-Amabalmuku-Naduivannur-Ulliueri-Balusseri-Meppayur. Perused the enquiry report and representations. Since the application for variation is filed in the interest of travelling public, variation of permit is **granted**, subject to settlement of timings".

Item No: 24

"Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-56 T 9799 permitted to operate on the route Omassery-Koyilandy via. Koodathai, Thamarassery, Chungam, Poonoor , Balussery by

- 1)Extension from Koyilandy Bus stand to Koyilandy Railway station
- 2)Curtailment of starting trip from Omassery to Thamarasery (5.00 AM)
- 3)Curtailment of halting trip from Thamaraseryto Omassery (8.55 PM)
- 4)Change of Halting place from Omassery to Thamarassery

KSRTC objected this application stating that there is violation of clause 19 of G.O(P)No.8/2017 in the proposal for extension of service from Koyilandy Bus Stand to Koilandy Railway Station. Secretary is directed to conduct specific enquiry on the objection raised by KSRTC regarding the above violation of Notification and submit a detailed report and place the

application in the next meeting of RTA. For compliance of the above directions, decision on the application is **adjourned**".

Item No: 25

"Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-13-N 308 permitted to operate on the route Vatakara- Thottilppalam via Nadapuram, Villiappally by

- 1) Reducing of two round trip from Vykkilassery to Chelakkad
- 2) Extending from Kallachi to Chuzhali via. Valayam
- 3) Extending from Vykkilassery road to Orkkatteri via. Kurikkilad.

Representation received from various corners reveals that extension from Kallachi to Chuzhali via. Valayam and from Vykkilassery road to Orkkatteri via. Kurikkilad are beneficial to the travelling public. Report of the Enquiry Officer reveals that trip curtailment from Vykkilassery to Chelakkad is affecting the travelling public. Hence variation of permit is **granted without curtailment of trips** from Vykkilassery to Chelakkad and subject to settlement of timings".

Item No: 26

"Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-56 B 5666 permitted to operate on the route Vatakara-Panoor-Kuthuparamba-Koyilandy-Kakkattil-Thanneerpanthal . The report of the field officer reveals that the portion of the route from Purameri to Villiyapalli(6.5 Km) is ill-served and withdrawal of trips through this portion will adversely affect the travelling public. Hence, Secretary is directed to conduct specific enquiry and report whether the proposed variation is curtailing the route portion from Purameri to Villiyappalli (6.5 Km) or only trips through this sector is proposed to curtail. Hence, decision on the application for variation of permit is **adjourned** with direction to re-submit the application before this authority in the next meeting with detailed report".

Item No: 27

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-18-H-1600 permitted to operate on the route Thiruvallur –Vatakara –Nadapuram –Kakkattil - Kumbalachola-Kuttiadi-Chathankottunada by including one additional round trip from Kakkattil to Chathangottunada. Enquiry Officer reported that the proposed additional trip is beneficial to the travelling public. The overall variation is found beneficial to travelling public. Hence Variation **granted** subject to settlement of timings”.

Item No: 28

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/CKL-56 M 6399 permitted to operate on the route Naduvannur –Perambra-Ullyeri-Atholi- Pavangad-Kozhikode-Koyilandy-Vatakara-Kannur as LSOS by curtailing the portion from Purakkattiri to Naduvannur. The Inspecting Officer proposed that the curtailment will affect the travelling public. Hence, application for variation of permit is **rejected**”.

Item No: 29

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-18 K 1161 permitted to operate on the route Kozhikode - Ullyeri - Perambra - Kuttyadi - Nadapuram - Kainatty - Vatakara - Koyilandy - Kozhikode (Circular Route) as LSOS by One additional trip from Kuttiadi –Kozhikode (via) Perambra, Ullyeri, Atholi, Pavangad on morning time. KSRTC raised objection against this application alleging that the proposed variation is in violation of clause 19 of G.O(P)No.8/2017/Tran dated 23.03.2017. Secretary is directed to conduct specific enquiry regarding the violation of clause 19 of the above Notification and submit report before this authority in the next meeting. Hence, decision on the application is **adjourned**”.

Item No: 30.

“Heard. The learned counsel represented the applicant This is an application for variation of permit in respect of S/C KL-56-2338 Balussery-Koyilandy-via. Manhapalam, Kuttiyekkini Master road, 11th kandy,Naduvannur, Mannankavu, Muthambi by 1) Adding of one round trip from Naduvannur to Koyilandy via. Mannankavu,Urallur,Muthambi. 2) Reducing one round trip from Naduvannur to Balussery via 11th kandy, Kuttiakkini Master road, Manjapalam. The enquiry officer reported that the curtailment of trips from Naduvannur to Balussery at 1.35 pm will adversely affect the travelling public since there is no other stage carriages operating on the route Naduvannur-Balussery via 11th Kandy, Kuttiakkini, Mater Road. Hence, applicant is directed to submit a modified proposal by avoiding the proposed curtailment of trips. On receipt of the modified application, Secretary shall conduct an enquiry and along with specific report, the application shall be submitted before this authority for consideration. Hence, decision on the application is **adjourned**”.

Item No: 31

“Heard. The learned counsel represented the applicant This is an application for variation of permit in respect of S/C KL-58-N-4041 permitted to operate on the route Vatakara –Kozhikode Medical College as LSOS. The proposed variation for one additional round trip from Kozhikode to Kozhikode Medical college. Enquiry reveals that the proposed variation is beneficial to the travelling public from Vatakara to Kozhikode Medical College. Hence variation of permit is **granted** subject to settlement of timings”.

Item No: 32

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-77-1616 permitted to operate on the route Perambra-Meppayur-Payyoli-Vatakara-Malolmukku as intra district service. The regular permit No.18/454/2004 valid up to 08.06.2019 and permit renewal application received from the applicant on 13.06.2019 after expiry of the permit. The delay occurred in submitting the application was condoned and the renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realisation of compounding fee for permitless operation”.

Item No: 33

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-18 S 3434 permitted to operate on the route Mullambath-Kozhikode via. Kuttiadi - Vatakara as intra district service. The regular permit valid up to 16.06.2019 and permit renewal application received from the applicant on 17.06.2019 after expiry of the permit. Delay condoned and renewal of permit is granted, subject to clearance of all government dues and production of NOC from the HP Co, if applicable. Secretary RTA is permitted to endorse renewal from the date of application for renewal of permit , subject to realization of compounding fee for permitless operation”.

Item No: 34

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL 07 AS 3592 permitted to operate on the route Kurinhaliyode- Vatakara as intra district service. The regular permit valid up to 25.03.2019 and permit renewal application received from the applicant on 10.05.2019 after expiry of the permit. The delay occurred in submitting the application was condoned and the renewal of permit **granted**

subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable. Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realisation of compounding fee for permitless operation”.

Item No: 35

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-12-G-6966 permitted to operate on the route Ayancheri- Vatakara -Thanneerpanthal-Kadamari as intra district service. The regular permit valid up to 06.06.2019 and permit renewal application received from the applicant on 15.06.2019 after expiry of the permit. The delay occurred in submitting the application was condoned and the renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realisation of compounding fee for permitless operation”.

Item No: 36

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-56-T-8289 permitted to operate on the route Kozhikode-Theruvathkadavu-Naduvannur as intra district service. The regular permit valid up to 19.05.2019 and permit renewal application received from the applicant on 17.05.2019 which is only 02 days before the expiry of permit. The delay occurred in submitting the application was condoned and the renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable”.

Item No: 37

“Heard. This is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-13 U 8692 permitted to operate on the route Sand bank- Thalassery as inter district service. The regular permit valid up to 14.04.2019 and permit renewal application received from the applicant on 18.05.2019 after expiry of the permit. The delay occurred in submitting the application was condoned and the renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable. Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realisation of compounding fee for permitless operation”.

Item No: 38

“Heard. This is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-R-4380 as inter district service to operate on the route Lokanarkavu temple –Thalassery as inter district service. The regular permit valid up to 14.04.2019 and permit renewal application received from the applicant on 12.03.2019 which is in time. The renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier”.

Item No: 39

“Heard. This is an application for renewal of stage carriage permit in respect of S/C KL-18-K-5009 as inter district service to operate on the route inter district route Maniyur – Thurasserikadvu-Thalassery. The regular permit valid up to 30.07.2019 and the permit renewal application received from the applicant on 03.05.2019 which is in time. The renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier”.

Item No: 40

“**Heard.** This is an application for renewal of stage carriage permit in respect of S/C KL-56 N 6199 to operate on the route inter district route Thalassery- Kozhikode as LSOS. The regular permit valid up to 28.02.2019 and the permit renewal application received from the applicant on 24.01.2019 which is in time. The renewal of permit **granted** subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable”.

Item No.41

“Heard, these are applications for renewal of permit in respect of stage carriage S/C KL 58 E 2599 replaced by S/C KL-13-AG-3141 on the inter-district route Parassinikadavu Temple-Kozhikkode as LSOS for renewal of permits for 5 year period w.e.f 09.04.2014 and 09.04.2019. Secretary is directed to submit detailed report on the action taken on the file from the date of application filed for renewal of permit during 2014. The applications above shall be placed before this authority in the next meeting with detailed report and with notice to the applicant. Hence, decision on the applications are **adjourned**”.

Item No: 42

“Heard. This is an application for renewal of permit No. 18/1/1999 valid up to 01.02.2019 in respect of S/C KL-58 P 9671 to operate on the route inter district route Kozhikode-Kannur as LSOS for a further period of 5 years from 02.02.2019. The renewal of permit **granted** for a further period of 5 years, subject to clearance of all government dues and production of No Objection Certificate from the financier”.

Item No: 43

“Heard. This is an application for renewal of permit No. 18/27/1994 valid up to 16.06.2019 in respect of S/CKL 13 AE 9898 to operate on the inter district route Kannur-Thalassery-Vatakara – Koyilandy- Kozhikode as (LSOS)for a further period of 5 years from 17.06.2019. The renewal of permit **granted** for a further period of 5 years, subject to clearance of all government dues and production of No Objection Certificate from the financier”.

Item No: 44

“Heard. This is an application for renewal of permit No. 18/06/1990 valid up to 19.09.2019 in respect of S/CKL 57 K 4786 to operate on the inter district route Kottakkal-Thalassery (Via)Mahe Palam, Vatakara for a further period of 5 years from 20.09.2019.The renewal of permit **granted** for a further period of 5 years, subject to clearance of all government dues and production of No Objection Certificate from the financier”.

Item No: 45

Heard and perused the judgment of Hon’ble High Court of Kerala dated 19.03.2019 in WP(C)No.5246 of 2019. This is an application for renewal of permit valid up to 31.10.2014 in respect of stage carriage KL 11 AX 1476 to operate on the route Palappally-Ollur-Thrissur-Kunamkulam-Edappal-Kuttippuram-Kottakkal-University-Feroke NB, Kozhikkode- Kannur as LSFP. The request of the applicant is to renew the permit as such by converting the nature of service. As per Rule 2(ob) of KMV Rules, 1989, Ordinary Limited Stop Service means a service which is operating on a route having a distance not more than 140 Kms. The length of the route in this case is 246 Km. As per G.O(p) No.73/2013/Tran dated 16.07.2013, the right to operate any upper class service is exclusively reserved to State Transport Undertaking. Since the applicant has not opted to restrict the route length of his permit within 140 Km, this application cannot be

considered by this authority for renewal. Hence, decision on this application for renewal of permit is **adjourned** by offering option to the applicant to file application for variation of permit by restricting the route length up to 140 Km”.

Item No: 46

“Heard. This is an application for renewal of inter district permit No.18/24/2004 valid up to 31.10.2014 in respect of S/CKL-08- BH-1841 which was issued prior to 14.07.2009 to operate on the route Thalassery-Kozhikode-Thrissur via.Mahe, Vatakara, Faroke NB,University,kakkad, Changaramkulam, Kadavallur, Kunnamkulam, Poonkunnam as super fast. The request of the applicant is to renew the permit as such by converting the nature of service. As per Rule 2(ob) of KMV Rules, 1989, Ordinary Limited Stop Service means a service which is operating on a route having a distance not more than 140 Kms. The length of the route in this case is 198 Km. As per G.O(p) No.73/2013/Tran DATED 16.07.2013, the right to operate any upper class service is exclusively reserved to State Transport Undertaking. Since the applicant has not opted to restrict the route length of his permit within 140 Km, this application cannot be considered by this authority for renewal. Hence, decision on this application for renewal of permit is **adjourned** by offering option to the applicant to file application for variation of permit by restricting the route length up to 140 Km”.

Item No:47

“**Heard, transfer of permit is allowed**, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:48

“**Heard, transfer of permit is allowed**, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable_”.

Item No:49

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:50

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:51

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:52

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:53

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:54

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:55

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:56

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:57

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:58

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:59

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:60

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:61

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:62

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:63

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:64

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:65

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:66

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:67

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:68

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:69

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:70

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:71

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:72

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:73

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:74

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:75

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:76

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:77

“Heard, transfer of permit is allowed, subject to clearance of Govt dues, if any, and production of NOC from HP Co. if applicable”.

Item No:78

“Heard the counsel for the permit holder and perused the judgment of Hon’ble STAT dated 18.08.2018 in MVAA No.287/2013. Permit of stage carriage KL 11 AG 1818 was revoked subsequent to an accident caused by this stage carriage resulted in the death of 3 persons as per the decision of this Authority dated 20.06.2013 (Order No.C3/1405/2008/V). This appeal is filed before the Hon’ble Tribunal Challenging the decision of RTA. The judgment set aside the decision of revocation and directs to furnish copies of the report relied by this authority in arriving at the above decision of revocation of permit, to the permit holder and also to offer opportunity to the permit holder to controvert that reports and to pass orders in accordance with law after hearing the applicant. Secretary shall provide copies of the above reports to the permit holder on proper acknowledgment

and place the matter before this authority in the next meeting by issuing proper notice to the permit holder as directed by the Hon'ble Tribunal in the judgment. Hence, decision on this matter is **adjourned**".

Item No.79

The applicant is absent. Secretary is directed to issue proper notice to the grantee of variation of permit and place the matter before this authority in the next meeting. Hence, **adjourned**".

Item No.80

"Heard, since the report called for regarding the availability of parking places in the Vadakara Municipal area for autorickshaws is yet to receive from the concerned authorities, the decisions on the applications for variation of permits are **adjourned**, with direction to Secretary, RTA, Vadakara to follow up for reports".

Item No.81

"Heard, since the report called for regarding the availability of parking places in the Vadakara Municipal area for autorickshaws is yet to receive from the concerned authorities, the decision on the application for permit in with parking place in Vatakara Municipality is **adjourned**, with direction to Secretary, RTA, Vadakara to follow up for report".

Item No.82

"Heard the concerned and perused judgments of Hon'ble High Court of Kerala and the Letter of District Collector, Kozhikkode. Secretary is directed to report whether there is adequate space for accommodating further permits in Vatakara Municipal area for autorickhaws. Hence, decisions on the applications are **adjourned**".

Item No.83

“Heard, this is a belated application for renewal of permit in respect of stage carriage KL 57 L 3864. The permit in respect of this vehicle on the intra district route Narikkuni-Balusseri-Cheekilode-Karakkunnu-Nanmanda is valid up to 01.01.2019. The application for renewal of permit was filed on 14.01.2019(after expiry of permit). Delay in filing the application for renewal of permit is condoned. Renewal of permit is **granted** from the date of application, subject to remittance of compounding fee for permit less operation, clearance of Govt.dues and production of NOC from the HP Co., if applicable”.

Item No: 84

“Heard and perused the order of Hon’ble STAT dated 28.06.2019 in MVARP No.39/2019. This is an application for variation of permit in respect of stage carriage KL 56 A 4464 operating on the route Vatakara-Kozhikkode as ordinary service. The requested variations are (1) Extension of route from Vatakara to Thiruvallur (2) conversion of nature of service from ordinary to LSOS. There is an ambiguity regarding the distance of overlapping with notified route in the proposed extension from Vatakara to Thiruvallur. It is mentioned in the agenda that there is overlapping with notified route from Vatakara New Bus stand to Nut street while vehicle proceeding to Thiruvallur from Vatakara. Hence, Secretary is directed to conduct specific enquiry in this regard and report whether there is any overlapping portion with notified route in the case of extension proposed. For compliance of the above direction, decision on the application is **adjourned**”.

Item No: 85

“Heard, the counsel for the applicant. Perused the judgment of Hon’ble STAT dated 27.06.2019 in MVARP No.147/2018. This is an application for variation permit in respect of stage carriage KL 58 B 189 operating on the route Ayancheri-Vatakara-Kozhikode for conversion of service from Ordinary to LSOS. This application was three times rejected by this authority in the meetings held on 16.02.2016(decision in item No.71), 23.06.2016(decision in item No.51) and 12.04.2018(decision in item No.25). By challenging the last decision of this authority, the Revision Petition is filed before the Hon’ble STAT in MVARP No.147/2018. This application was rejected during 2018 by finding that that the proposal is in violation of clause 4(b) of G.O(P)_No.8/2017. By pointing out that the clause 4 of the above Notification was already set aside by the Hon’ble High Court of Kerala, the decision of this authority is now set aside by Hon’ble Tribunal in the order dated 27.06.2019 in MVARP No.147/2018. The order of this Tribunal further directs to reconsider the application for variation of permit filed by the Revision Petitioner for conversion of service on merits and pass orders in accordance with law. The report of the enquiry officer reveals that there is no necessity for variation of permit as required under Rule 145(6) of KMV Rules, 1989. There was vehement objection from public against allowing this conversion as LSOS. It is also noticed that there is sufficient number of LSOS on the sector and ordinary services are comparatively less in number to cater the travelling need of the public as well as students. The grant of conversion would only make isolated islands of places having less commuters and education institutions. In short, the application for variation of permit for conversion of service is against the interest of short distance travelling public and students. Hence, the application for variation of permit is **rejected**”.

Item No: 86

“Heard, the counsel for the applicant. Perused the judgment of Hon’ble STAT dated 27.06.2019 in MVARP No.148/2018. This is an application for variation permit in respect of stage carriage KL 56 1989 operating on the route Kolavipalam-Vatakara-Kozhikkode for conversion of service from Ordinary to LSOS. This application was three times rejected by this authority in the meetings held on 16.02.2016(decision in item No.80), 23.06.2016(decision in item No.52) and 12.04.2018(decision in item No.26). By challenging the last decision of this authority, the Revision Petition is filed before the Hon’ble STAT in MVARP No.148/2018. This application was rejected during 2018 by finding that that the proposal is in violation of clause 4(b) of G.O (P)_No.8/2017. By pointing out that the clause 4 of the above Notification was already set aside by the Hon’ble High Court of Kerala, the decision of this authority is now set aside by Hon’ble Tribunal in the order dated 27.06.2019 in MVARP No.148/2018. The order of this Tribunal further directs to reconsider the application for variation of permit filed by the Revision Petitioner for conversion of service on merits and pass orders in accordance with law. The report of the enquiry officer reveals that there is no necessity for variation of permit as required under Rule 145(6) of KMV Rules, 1989. There was vehement objection from public against allowing this conversion as LSOS. It is also noticed that there is sufficient number of LSOS on the sector and ordinary services are comparatively less in number to cater the travelling need of the public as well as students. The grant of conversion would only make isolated islands of places having less commuters and education institutions. In short, the application for variation of permit for conversion of service is against the interest of short distance travelling public and students. Hence, the application for variation of permit is **rejected**”.

Item No: 87

“Heard, Bus stop is allowed in front of Civil Station Permabra for ordinary stage carriages, subject to marking of bus bays by the road authority on both sides of the road with enough distance to avoid traffic block.

Item No.88

Specific action of Secretary is not mentioned seeking ratification.

Item No.89

No other items permitted by Chairman

Item No.90

Next date for the meeting of RTA will be fixed later.

***1. Sri.Seeram Sambasiva Rao, IAS,
District Collector and Chairman,
Regional Transport Authority,
Vatakara.***

***2. Sri.T.C.Vinesh
Deputy Transport Commissioner,
North Zone, Kozhikode and
Member, RTA, Vatakara.***