

REGIONAL TRANSPORT AUTHORITY, VATAKARA DECISION OF RTA Dt. 03.02.2021

- Present:-**
- 1. Sri. S.Sambasiva Rao, IAS,
District Collector and Chairman,
Regional Transport Authority,
Vatakara.**

 - 2. Sri. Dr.Srinivas A. IPS
District Police Chief
Kozhikode (Rural) and Member of
Regional Transport Authority, Vatakara**

 - 3. Sri. K.Padmakumar
Deputy Transport Commissioner,
North Zone, Kozhikode and Member of
Regional Transport Authority, Vatakara.**

Item No.1

“Heard, the applicant. This is an application for fresh regular stage carriage permit to operate on the route Vatakara- Kuttiadi via. Kottappally, Ayancheri, Villiappally, Theekkuni, Kakkattil. 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.2

“Heard, the learned counsel represented the applicant. Perused the Judgment in MVAA No. 216/2019 Dtd. 10.01.2020 of Hon’ble STAT, Ernakulam and discussed the matter in detail.

This is an application for fresh regular stage carriage permit to operate on the route Kurumpoyil – Koottalida – Balussery – Kozhikode--Kozhikode Medical College (via) Kannadipoyil

This application was already rejected by this authority in the meeting held on 10.07.2019 in item No.01. Against this decision, an appeal was filed before Hon'ble STAT in MVAA No.216/2019 Dtd. 10.01.2020. 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 Mooffusil 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 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. The present application is filed by the applicant is to operate on the route Kurumpoyil – Koottalida – Balussery – Kozhikode--Kozhikode 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 Kozhikode to Medical College). This authority finds that the intention of the applicant by adding the portion from Kozhikode to Medical College in the previous proposal is to circumvent the decision of this authority dated 25.01.2000 in item No.20 trying to operate through places which are restricted by this authority to ease traffic congestion in the city. Hence, this application is **rejected**".

Item No.3

“Heard, the learned counsel represented the applicant. Perused the Judgment in WP© No.1121/2020 of Hon'ble High Court of Kerala Dtd. 24.01.2020 and discussed the matter in detail. This is an application for fresh regular stage carriage permit to operate on the route Thurasseri Mukku-Payyoli- Vatakara (via) Panikotty-Palayad-Keezhur-Kurunthodi-Mudapilavil-Bank road. 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.4

“**Heard**, the learned counsel represented the applicant and objector. Perused the Judgment in WP© No.1980/2019 and in WP© No 26436/2020 of Hon’ble High Court of Kerala. This is an application for the issue of fresh stage carriage permit granted to S/C KL 58 L 4785 owned by Sri.Sukumaran to operate on the route Pasukadav - Kuttyadi – Perambra – Kozhikode as LSOS. By circulation of the file dtd. 21.05.2018 by which fresh permit was granted subject to settlement of timings.

The grantee was directed to produce the current records of the vehicle within 30 days from the date of dispatch of the order, within the prescribed time as decided by STA about the age of the vehicle for issue of new stage carriage permit.

After 2 ½ years, the grantee offered a vehicle KL 58 K 4108 stage carriage. On verification it is found that the vehicle is not in his name. The S/C KL 58 K 4108 is owned by another person Smt.Bindu Saji, W/o Saji Sebastian, Njondimakkal House, Chambanoda Po, Kozhikode. The grantee did not complied Sec.71 of MV Act 1988. More over a stay order is still pending against the issue of old permit as per the judgment in WPC No.1980/2020 of Hon’ble High Court of Kerala. Hence the grant of permit to KL 58 L 4785 vide order dated 21/05/2018 is **revoked**.

Item No.5

“Heard. This is an application for temporary stage carriage permit for four months in respect of S/C KL-15- 7119 to operate on the route Vatakara-Palayad-Elambilad via. Panikkotti, Gukamukku_received from MD, KSRTC. Temporary stage carriage permit granted with the proposed timings.

Item No.6

“Heard. The learned counsel represented the applicant. Perused the judgment in WP(c) No. 13053/2020 dtd. 01.07.2020 of Hon’ble High Court of Kerala. This is an application for variation of permit in respect of S/C KL-77-1616 permitted to operate on the route Perambra-Meppayur-Payyoli-Vatakara-

Malolmukku as ordinary service by 1) Extension from Perambra to Chambanode via.Peruvannamuzhi. 2) Change of halting place from Perambra to Chambanoda. This matter was considered in the meeting 20.11.2019 of this authority. Vide decision item No.14 of the RTA dated 20.11.2019, adjourned with direction to the Secretary to furnish a detailed report on the impact of curtailment of evening trip to Malolmukku. The enquiry revealed that revised time schedule without curtailing trip from Vatakara to Malolmukku at 5.37 pm from Vatakara to Malolmkku and arriving at 5.57 pm. This time slot changed to 11.00 from Vatakara to 11.20 arrival to Malolmukku will be beneficial to the travelling public in that area. In the evening 5.37 will not affect travelling public since a S/C KL 07 AS 3592 conducting service from Vatakara to Malolmukku at 5.40 pm. Extension of trip from Chembanoda to Perambra in the early morning and one trip from Perambra to Chembanoda in the night via.Peruvannamuzhi will be beneficial to the travelling public in that area since it is a moderately served sector. Hence Variation is **granted** subject to settlement of timings.

Item No.7

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of S/C KL-18 A 4446 permitted to operate on the route Vatakara- Panoor- Kuthuparamba- Koyilandy- Kakkattil- Thanneerpanthal by additional one trip from Vatakara to Theekkuni via.Villiappally, Cheripoil, Valliyad and Ayanchery. 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.8

“Heard, the learned counsel represented the applicant. Perused the Judgment in MVAA No.36/2020 Dt. 11.09.2020 of Hon’ble STAT, Ernakulam. This is an application for variation of permit in view of the judgment of Hon’ble STAT, Ernakulam in respect of S/C KL 56 V 1987 on the route Vadakara - Kozhikode as Ordinary Service by 1) Extending the route from Kozhikode to Narikkuni via. Bypass, Karaparamba, Palath, Pullaloor, 2) Change of Halting place from Kozhikode to Narikkuni and conversion of service as Limited stop ordinary service.

The extension of route from Kozhikode-Narikkuni (via) Bypass, karaparamba, Palath, Pullaloor was already granted by this authority in the meeting held on 20.11.2019 in item No.07. But the request for conversion of

nature service from Ordinary to LSOS was rejected KSRTC vehemently objected allowing the conversion of service from ordinary to LSOS.

Against this decision, the applicant filed petition before the Hon'ble STAT and Hon'ble STAT in its judgment in MVAA No.36/2020 Dt.11.09.2020 directs the RTA to reconsider the application for conversion of service as LSOS in view of the enquiry report and also taking in to consideration of other relevant aspects and pass orders.

Perused the in MVAA No.36/2020. The cases pointed out in the request is for conversion is from Ordinary service to LSOS. In view of the report submitted by the enquiry officer, there are sufficient LSOS services on the route Kozhikode-Vatakara for the conveyance of long distance passengers. At the same time, there are comparatively less number of ordinary stage carriages to cater to the travelling needs of students and short distance commuters. KSRTC vehemently objected allowing the conversion of service from ordinary to LSOS. 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.9

"Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL-11 AD 5733 permitted to operate on the route Kozhikode-Thaliparamba as LSOS via Vatakara-Thalassery-Kannur by curtailing the portion from Kannur to Thaliparamba on the existing route. The enquiry revealed that the proposed variation overlaps notified routes, hence clause 4 of the notification No.G.O(p) No.8/2017/Trans is violated. More over there is no specific necessity for any curtailment under rule 145(6) of KMVR. Curtailment of trip adversely affect the travelling public of that route. Hence, application for variation of permit is **rejected** ".

Item No.10

"Heard. The learned counsel represented the applicant. Perused the judgment of Hon'ble STAT in MVAA No.72/2020 Dtd. 03.07.2020. This is an application for variation of permit in respect of S/C KL-37-C-6004 permitted to operate on the route Vatakara-Koyilandy-Thorayikadavu so as to change starting place and halting place from Thorayikadavu to Payyoli.

This application was already rejected by this authority in the meeting held on 20.11.2019 in item No.12. Against this decision, an appeal was filed before Hon'ble STAT in No.72/2020 Dtd. 03.07.202. Tribunal had directed this RTA to reconsider the application for variation after giving copy of the field officers report to the appellant and pass order on merits.

The Field Officer reported that the proposed trip curtailment from Koyilandy to Thorayikkadavu during night time will adversely affect the commuters on the sector. Need for a variation of permit is not established under Rules 145 of Kerala Motor Vehicles Rules 1989. Hence the application for variation of permit is **rejected**.

Item No.11

“Heard. The learned counsel represented the applicant. This is an application for variation of permit in respect of KL 58 C 9005 permitted to operate on the route Anjampeedika-Kozhikode(via) Arikkulam, Kavumvattam, Muthambi, Koyilandy by

1. Curtailing one trip from Quilandy to Anjampeedika and
2. Extension from Kozhikode Palazhipala via. Pottammal, Methattuthazham,

Cyber park and Hi Lite mall. This matter was considered in the meeting dated 20.11.2019 of this authority. Vide decision item No.19 the RTA, adjourned the matter with direction to the Secretary to furnish a detailed report. The enquiry revealed that No overlapping on Notified sector on this extension route. Commercially important place like Hi Light Mall, Cyber park and Metro hospital are on en route or nearby, hence it is beneficial to the general publics. The curtailment of one trip on the route Koyilandy Anchampeedika will not adversely affect the travelling prospects of the public residing in this area. Hence variation of permit is **granted**, subject to settlement of timings”.

Item No.12

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-A-0306 as inter district service to operate on the route Ayancheri- Vadakara – Panoor. 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, if applicable”.

Item No.13

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-08-AQ-0010 as inter district service to operate on the route Kuthuparamba-Thalassery Vatakara-Kottakkal. 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, if applicable”.

Item No.14

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-L-0969 as inter district service to operate on the route Thiruthimukku-Kuttyady-Thalassery(Via)Vatakara-Mahipalam-Vatakara-Peringathoor (Via) Orkattery, Kunnummakkara, Kariyad. 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, if applicable”.

Item No.15

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-L-1500 as inter district service to operate on the route Thiruthimukku-Kuttyady-Thalassery(Via)Vatakara-Mahi palam. 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, if applicable”.

Item No.16

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-56-N-1119 as inter district service to operate on the route Ferok- Kannur (Via)Kozhikode as LSOS. 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, if applicable”.

Item No.17

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-13 AG 1899 as inter district service to operate on the route Thottilppalam-Kuttiadi-Nadapuram- Peringathur-Thalassery. 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, if applicable”.

Item No.18

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-13-AB-2529 as inter district service to operate on the route Thalassery - Kozhikode-as LSOS (Via) Vatakara. 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, if applicable”.

Item No.19

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-59 J 2797 as inter district service to operate on the route Thalassery - Kozhikode-as LSOS (Via) Vatakara. 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, if applicable”.

Item No.20

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-59 D 3498 as inter district service to operate on the route Attakundukadavu- Vatakara-Thalassery. 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, if applicable”.

Item No.21

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-11-BG-4599 as inter district service to operate on the route Kozhikode – Parassinikkadavu as LSOS(Via) Vatakara-Thalassery. 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, if applicable”.

Item No.22

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-W-7007 as inter district service to operate on the route Perincherikkadavu -Thalassery (Via) Thiruvallur -Vatakara . 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, if applicable”.

Item No.23

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-13-S-7835 as inter district service to operate on the route Thanneerpanthal -Thalassery (Via) Vatakara. 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, if applicable”.

Item No.24

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-32-H-7979 as inter district service to operate on the route Thalassery -Vatakara. 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, if applicable”.

Item No.25

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-56-M-6399 as inter district service to operate on the route Naduvannur- Kannur (LSOS) (Via) Ulliyeri-Atholi-Pavangad-Kozhikode-Koyilandy-Vatakara-Mahe-Thalassery. 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, if applicable”.

Item No.26

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-W-5009 as inter district service to operate on the route Thalassery -Vatakara. 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, if applicable”.

Item No.27

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-56-M-6199 as inter district service to operate on the route Chethullapoyil – Kozhikode- Thalassery as LSOS. 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, if applicable”.

Item No.28

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-18-F-7299 as inter district service to operate on the route Thalassery –Kozhikode (Via) Mahe- Vatakara as LSOS. 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, if applicable”.

Item No.29

“**Heard**, this is to consider the 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 Ulliyeri-Thalassery (Via) Koyilandi- Vatakara . 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, if applicable”.

Item No.30

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-56-B-6336 as inter district service to operate on the route Perambra-Thalassery (Via) Payyoli,Vatakara,.Mahe palam. 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, if applicable”.

Item No.31

“**Heard**, this is to consider the belated application for renewal of stage carriage permit in respect of S/C KL-58-D-7604 permitted to operate on the route Maniyoor Dispensary-Thalassery (Via) Vatakara(Ordinary as inter district service. The regular permit valid up to 11.09.2019 and permit renewal application received from the applicant on 14.11.2019 after expiry of the

permit. The delay occurred in submitting the application is 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 and Secretary RTA is permitted to endorse renewal from the date of application for renewal subject to realization of compounding fee for permit less operation, if any detected”.

Item No.32

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-11 Z 6116 as inter district service to operate on the route Kozhikode –Kannur as LSOS. 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, if applicable”.

Item No.33

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-13 L 6255 as inter district service to operate on the route Malol mukku-Pazhankavu – Vatakara-Thalassery. 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, if applicable”.

Item No.34

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-56 U 5155 as inter district service to operate on the route Kuttikkattur-Kozhikode-Vatakara-Thalassery-Kannur as LSOS. 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, if applicable”.

Item No.35

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 58 T 8127 as inter district service to operate on the route Kallanode-Thalassery-Via – Koorachundu, Perambra, Kuttiadi, Nadapuram and Peringathur as OS. 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, if applicable”.

Item No.36

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 18 X 8528 as inter district service to operate on the route Vatakkumpad-Vatakara –Ayanchery (Via) Kolassery, Thalassery, Mahe, Villiappally as OS. 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, if applicable”.

Item No.37

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 13 AH 8545 as inter district service to operate on the route Parassinikadavu Temple-Kozhikode (Via) Thalassery, Mahe and Koyilandy . 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, if applicable”.

Item No.38

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 11 BR 8917 as inter district service to operate on the route Kozhikode -Kannur Via Thalassery, Mahe and Koyilandy as LSOS. 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, if applicable”.

Item No.39

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 57 D 9094 as inter district service to operate on the route Koorachundu - Thalassery- – Via Perambra - Vatakara. 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, if applicable”.

Item No.40

“**Heard**, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 56 M 9027 as inter district service to operate on the route Kozhikode - Kannur (Via)Thalassery- Vatakara -Koyilandy as LSOS. 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, if applicable”.

Item No.41

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL-58 R 7297 as inter district service to operate on the route Panoor-Monthalkadavu-Kunnummakkara-Orkkattery-Kainatty-Vatakara. 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, if applicable”.

Item No.42

“Heard, this is to consider the application for renewal of stage carriage permit in respect of S/C KL 13 Y 7299 as inter district service to operate on the route Vatakara- Thalassery. 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, if applicable”.

Item No.43

“Heard perused the judgment in WPC No.645/2020 of Hon’ble High Court Of Kerala Dtd. 13.01.2020. This is to consider the application for renewal of permit in respect of S/C KL-18 -5853 and replacement of existing permit by a later model S/C bearing registration No. KL 11 X 6525 owned by the permit holder to operate on the route Muthukad-Chambanoda-Peruvannamuzhi-Perambra-Vatakara. The renewal of permit and replacement **granted**, subject to clearance of all government dues and production of No Objection Certificate from the financier, if applicable”.

Item No.44

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

Item No.45

Applicants absent. Adjourned

Item No.46

“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.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

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Item No.50

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Item No.51

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Item No.52

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Item No.57

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Item No.58

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Item No.59

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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. Perused the judgment of Hon’ble High Court in WPC Nos. 29322/18 Dt. 23/10/2018, 28196/18 DT 12/09/2018, 28238/18 DT 12/09/2018, 30790/2018 DT 12/09/2018, 30721/18, DT12/10/2018.

These are application for variation of permits in respect of Auto rickshaws. So as to change the parking place to Vadakara Municipality. The petitioners are Sri. K.P.Balan, Sri. Ajish.P.K. and sent sadiya.P.O, Sri. Biju and 2 others, sri. Muhammed Kalathil and saseendran Punathummal, Sri Kaippally satheesan and 5 others.

Perused the connected files. The petitioners in the writ petition are permit holders of auto rickshaws with parking places at their own choices. They have filed application to change the existing parking place to Vadakara Municipality. Hon'ble High Court had directed to consider the applications.

Reconsidered the applications on merits.

At present more than two thousand auto rickshaws have been issued with permits having parking place within Vadakara Municipality. These auto rickshaws are choosing the town limits for their operation resulting in acute traffic congestion in the town beyond the control of enforcement agencies. The Municipal authorities have intimated that there is no suitable parking place for all the auto rickshaws which had been granted with permits to operate within town limit and further grant of permit will aggravate the traffic congestion. The auto rickshaws are being parked on the side margin of roads and footpaths and the pedestrian are forced to walk thorough the road, endangering their life. The direction of Hon'ble Courts to allow parking 2.5 meters away from the road margin could not be complied in most of the parking places.

RTA should take into account the need for public transport number of roads and condition of the said roads, the traffic congestion caused by indiscriminate parking and so on and so far, while considering application for contract carriage permits. Considering the present traffic scenario, this authority feels that there is no need to grant further permits with parking place in Vadakara town limits. The application are devoid of merits and stands rejected.

Item No.64

Heard. Perused the order of Hon'ble Human Right Commission in HRMP 9374/ 2018 dtd 17.01.2019. This is an application for fresh contract carriage permit filed by Sri. Pradeep with parking place in Vadakara Municipality.

Reconsidered the applications on merits.

At present more than two thousand auto rickshaws have been issued with permits having parking place within Vadakara Municipality. These auto rickshaws are choosing the town limits for their operation resulting in acute traffic congestion in the town beyond the control of enforcement agencies. The Municipal authorities have intimated that there is no suitable parking place for all the auto rickshaws which had been granted with permits to operate within town limit and further grant of permit will aggravate the traffic congestion. The auto rickshaws are being parked on the side margin of roads and footpaths and the pedestrian are forced to walk through the road, endangering their life.

The direction of Hon'ble Courts to allow parking 2.5 meters away from the road margin could not be complied in most of the parking places.

RTA should take into account the need for public transport number of roads and condition of the said roads, the traffic congestion caused by indiscriminate parking and so on and so far, while considering application for contract carriage permits. Considering the present traffic scenario, this authority feels that there is no need to grant further permits with parking place in Vadakara town limits. The application are devoid of merits and stands rejected.

Item No.65

Heard. Perused the judgments of Hon'ble High Court in WP(C) 28465/18, 13191/19 and 12994/19.

These are application for variation of permits in respect of auto rickshaws so as to change the parking place to Vadakara Municipality. The petitioners are sent Reena and 2 others, (S/1) Sri pradeepan.P.K and 22 others (S/2), Sri. Jagadish and 10 others (S/3). The other applications filed by Sri.M.M.Gangadharan through Chairman RTA (S/No. 4)

Perused the connected files. The petitioners in the writ petition are permit holders of auto rickshaws with parking places at their own choices. They have filed application to change the existing parking place to Vadakara Municipality. Hon'ble High Court had directed to consider the applications.

Reconsidered the applications on merits.

At present more than two thousand auto rickshaws have been issued with permits having parking place within Vadakara Municipality. These auto rickshaws are choosing the town limits for their operation resulting in acute traffic congestion in the town beyond the control of enforcement agencies. The Municipal authorities have intimated that there is no suitable parking place for all the auto rickshaws which had been granted with permits to operate within town limit and further grant of permit will aggravate the traffic congestion. The auto rickshaws are being parked on the side margin of roads and footpaths and the pedestrian are forced to walk through the road, endangering their life. The direction of Hon'ble Courts to allow parking 2.5 meters away from the road margin could not be complied in most of the parking places.

RTA should take into account the need for public transport number of roads and condition of the said roads, the traffic congestion caused by indiscriminate parking and so on and so far, while considering application for contract carriage permits. Considering the present traffic scenario, this

authority feels that there is no need to grant further permits with parking place in Vadakara town limits. The application are devoid of merits and stands rejected.

Item No.66

Heard. Perused the judgments of Hon'ble High Court in WP(C) 27470/19 filed by Sri. Pradeepan. T and 13 others and WP (C) 27478/2019 filed by Sri.Manaf.V. and 13 others.

These are application for variation of permits in respect of auto rickshaws, so as to change the parking place to vatakara Municipality.

Perused the connected files. The petitioners in the writ petition are permit holders of auto rickshaws with parking places at their own choices. They have filed application to change the existing parking place to Vadakara Municipality. Hon'ble High Court had directed to consider the applications.

Reconsidered the applications on merits.

At present more than two thousand auto rickshaws have been issued with permits having parking place within Vadakara Municipality. These auto rickshaws are choosing the town limits for their operation resulting in acute traffic congestion in the town beyond the control of enforcement agencies. The Muncipal authorities have intimated that there is no suitable parking place for all the auto rickshaws which had been granted with permits to operate within town limit and further grant of permit will aggravate the traffic congestion. The auto rickshaws are being parked on the side margin pf roads and footpaths and the pedestrian are forced to walk through the road, endangering their life. The direction of Hon'ble Courts to allow parking 2.5 meters away from the road margin could not be complied in most of the parking places.

RTA should take into account the need for public transport number of roads and condition of the said roads, the traffic congestion caused by indiscriminate parking and so on and so far, while considering application for contract carriage permits. Considering the present traffic scenario, this authority feels that there is no need to grant further permits with parking place in Vadakara town limits. The application are devoid of merits and stands rejected.

Item No.67

1. Perused the judgments of Hon'ble High Court in WP(C) 35084/2019, 28467/2019 and 34410/19.

2. These are application for variation of permit in respect of auto rickshaws so as to change the parking place to Vadakara Municipality. The petitioners are Sri. Baburajan.T.K (Sl.No1), Sri.K.Hamza and 5 others (Sl.No2) and Sri. Jidhin.P.K.and 16 others (Sl.No3) .

Perused the connected files. The petitioners in the writ petition are permit holders of auto rickshaws with parking places at their own choices. They have filed application to change the existing parking place to Vadakara Municipality. Hon'ble High Court had directed to consider the applications.

Reconsidered the applications on merits.

At present more than two thousand auto rickshaws have been issued with permits having parking place within Vadakara Municipality. These auto rickshaws are choosing the town limits for their operation resulting in acute traffic congestion in the town beyond the control of enforcement agencies. The Municipal authorities have intimated that there is no suitable parking place for all the auto rickshaws which had been granted with permits to operate within town limit and further grant of permit will aggravate the traffic congestion. The auto rickshaws are being parked on the side margin of roads and footpaths and the pedestrian are forced to walk through the road, endangering their life. The direction of Hon'ble Courts to allow parking 2.5 meters away from the road margin could not be complied in most of the parking places.

RTA should take into account the need for public transport number of roads and condition of the said roads, the traffic congestion caused by indiscriminate parking and so on and so far, while considering application for contract carriage permits. Considering the present traffic scenario, this authority feels that there is no need to grant further permits with parking place in Vadakara town limits. The application are devoid of merits and stands rejected.

Item No.68

1) perused the Judgment of the Hon'ble High Court in WP(c) No.36331/2017 dt. 23.10.2019.

Heard all parties. Discussed the matter in detail. As per the decision of the Traffic Advisory Committee Koyilandy dtd. 09.01.2020, checked first 250 Koyilandy Municipality permits and revealed that 25 permits among them are now vacant and not operating. 25 operators not produced vehicle and permits, hence assumed they are vacant. 19 applicants appeared for hearing. Hence 19 fresh application for Koyilandy Municipality permit **granted** in the existing vacancy for complying the judgment of the Hon'ble High Court of Kerala.

The Joint RTO Koyilandy is allowed to grant 19 municipal auto rickshaw permit(KM permit) for the applicants with compliance of following conditions and subject to the direction of High Court regarding the halting/stationing of auto rickshaws.

Item No. 69

There is no item for ratification.

Item No. 70

No other items permitted by Chairman

Item No. 71

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

Supplementary Item No.1.

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

S. Item No.2.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL 58 B 189 permitted to operate Ayancheri – Vatakara – Kozhikode as ordinary service for

1) Extension from Ayancheri to Kadameri 2 Kms

2. Conversion of service to LSOS. In view of the enquiry report, extension of service from Ayancheri to Kadameri is **granted**, subject to settlement of timings. But KSRTC vehemently objected allowing the conversion of service from ordinary to LSOS. There are comparatively less number of stage carriages to cater to 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 service 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**.

S. Item No.3.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL-56-1989 permitted to operate on the route Kolavipalam - Vatakara – Kozhikode (via) Koyilandy and Elathur for 1)Extension from Kolavipalam to Payyoli South Rly Gate

2) Conversion of service to LSOS.

The enquiry revealed that the extended portion from Kolavipalam to Payyoli South Rly Gate there is no virgin portion or notified sector and beneficial to the travelling publics. Hence variation of permit is **granted**, subject to settlement of timings. The enquiry revealed that there are sufficient LSOS service on the route for the use of long distance passengers at the same time ordinary services are comparatively less to occupy the existing passengers especially students. Vatakara –Kozhikode route is well served. The conversion of LSOS will create unhealthy competition and dangerous situation on the route. KSRTC vehemently objected this variation. 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**.

S. Item No.4.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL 56 A 4464 permitted to operate on the route Vatakara- Kozhikode as Ordinary Service for

1. Extension from Vatakara to Thanneerpanthal
2. Conversion of service to LSOS.

The enquiry revealed that the extended portion from Vatakara to Thanneerpanthal there is no virgin portion or notified sector. No change in halting place. Sec.80 (3) of MV Act is not violated. Providing more services on Villiappally to Thanneerpanthal is beneficial to the travelling purpose of existing passengers especially students. Hence variation of permit is **granted**, subject to settlement of timings. Vatakara –Kozhikode route is well served. The conversion of LSOS will create unhealthy competition and dangerous situation on the route. KSRTC vehemently objected this variation. 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**.

S. Item No.5.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL 13 U 7070 permitted to operate on the route Villiapally- Vadakara-Kozhikod as Ordinary Service for

1. Extension from Villiapally to Thanneerpanthal 6 kms
2. Conversion of service to LSOS

The enquiry revealed that the extended portion from Villiapally to Thanneerpanthal there is no virgin portion or notified sector. No change in halting place. Sec.80 (3) of MV Act is not violated. Providing more services on Villiapally to Thanneerpanthal is beneficial to the travelling purpose of existing passengers especially students. Hence variation of permit is **granted**, subject to settlement of timings. The conversion of service as LSOS will create un-healthy competition. KSRTC vehemently objected this variation. There are comparatively less number of stage carriages to cater to 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 service 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**.

S. Item No.6.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL 58 R 7389 permitted to operate on the route Kuriyadi beach – Vatakara – Kozhikode as Ordinary Service for

- 1) Extension of the route from Vatakara to Kanninada 9 Kms
- 2) Conversion of the service from OS to LSOS.

The enquiry revealed that the extended portion from Vatakara to Kanninada there is no virgin portion or notified sector. No change in halting place. Sec.80 (3) of MV Act is not violated. Providing more services on Vatakara to Kanninada is beneficial to the travelling purpose of existing passengers especially students. Hence variation of permit is **granted**, subject to settlement of timings. The conversion of service as LSOS will create un-healthy competition. KSRTC vehemently objected this variation. There are comparatively less number of stage carriages to cater to 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 service 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**.

S. Item No.7.

“Heard. The learned counsel represented the applicant. This is a application for variation of permit in respect of S/C KL-58-B-9169 permitted to operate on the route Vatakara – Kozhikode Ordinary Service for route extension from Kozhikode to Cherukulam in the morning hours. It is reported that there is no sufficient stage carriage service from cherukulam to Moffissil Bus stand in the morning hours and is beneficial to the travelling public including students.

Hence, variation of permit is **granted**. Subject to settlement of timings.

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

2. **Sri.Dr.Srinivas A. IPS
District Police Chief Kozhikode (Rural) and
Member of Regional Transport Authority, Vatakara**

3. **Sri. K.Padmakumar
Deputy Transport Commissioner,
North Zone, Kozhikode and
Member of Regional Transport Authority, Vatakara**