

DECISIONS OF REGIONAL TRANSPORT AUTHORITY, WAYANAD
IN THE MEETING HELD ON 25.01.2018

Chairman	:	Sri. Suhas IAS, The District Collector, Chairman, Rta Wayanad
Member	:	Dr. Arul R B Krishna IPS, District Police Chief, Wayanad.
Member	:	Dr.P.M.Muhammed Najeeb, Deputy Transport Commissioner-NZ Kozhikkode.

Item No: 01

This is an item to peruse the decision of STA Kerala dated 14/06/2017 and heard, decided to comply the direction in the decision as below.

Perused the judgment in W.P. (C) No.33980 of 2015 (V) dated 15/12/2016, heard the counsel for the applicants and objectors and decided to fix the age limit for the stage carriages in applying and granting fresh regular stage carriage permits as follows.

- a) 8 years for ordinary stage carriages*
- b) 7 years for city/town stage carriages and*
- c) 5 years for LSOS.*

However, the life span of the stage carriages will be the same as per the earlier decision of the STA i.e., 15 years for ordinary city services and 10 years for LSOS.”

Item No: 02

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Sulthan Bathery- Mananthavady via Beenachi, Nadavayal, Panamaram as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 03

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Sulthan Bathery- Mananthavady via Beenachi, Nadavayal, Panamaram as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 04

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Kalpetta- Sulthan Bathery- Mananthavady as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 05

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Kalpetta-Sulthan Bathery- Mananthavady as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 06

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Sulthan Bathery- Mananthavady- Kalpetta as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 07

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Sulthan Bathery- Mananthavady- Kalpetta as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 08

Heard, this is an application for fresh regular stage carriage permit filed by the Managing Director, KSRTC to operate on the intra-district route Mananthavady- Kalpetta-Sulthan Bathery as ordinary service. **Fresh regular permit is granted to suitable stage carriage** subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V).

Item No: 09

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Poolakkund- Kalpetta via Vendola, Cheeral, Madakkara, Chulliyode, Ambalavayal, 54, Meenangadi, Muttil, Viv Hospital, Kainatty, Sulthan Bathery, Pazhoor, Cheeral and Nambiarkunnu as ordinary service filed by sri Jayapraksh P K. Perused the judgment in WP(C) No.21913 of 2017. The proposal is Poolakkundu to Kalpetta via Nambiarkunnu and Sulthan Bathery, the route distance of 71 kms. There is an overlapping of scheme under GO (P) No.42/2009 from Kainatty to Kalpetta 3.4 Kms. The major portion Nambiarkunnu to Sulthan Bathery with a distance of 19 Kms is proposed starting at 06.20 AM from Poolakkundu passing Nambiarkunnu at 06.30AM to Kalpetta. Entire operation from 08.00 AM to 08.15 PM is in between Sulthan Bathery and Kalpetta and the last trip halt only at Poolakkundu via Nambiarkunnu. The major objection was the Poolakkundu and the Nambiarkunnu starting and halt provided only to get over the legal impediments of notified sector only. The actual intention of this route is to operate on Sulthan Bathery- Kalpetta a

nationalized route. KSRTC vehemently objected stating that the permits issued with diversions at Muttill Vivekanda Hospital regularly operating directly on nationalized route. The portion Muttill to Edappetty via Vivekanda Hospital road is very narrow and difficult to facilitate stage carriage operation. Another objection was travelling public on Poolakkundu and Nambiarkunnu require stage carriage facility at morning and evening office time, at present there is very less stage carriage operating on this route. Hence this application is **granted to suitable stage carriage with such modification as provide under section 72(1) of Motor Vehicle Act. One additional trip at 09.10 AM from Sulthan Bathery to Poolakkundu via Nambiarkunnu and back and another trip at 05.40 PM from Sulthan Bathery to Poolakkundu via Nambiarkunnu and back avoiding the corresponding trips to Kalpetta as it is well served sector and Poolakkundu is highly ill served portion**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 10

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Pulpally- Kalpetta- Sulthan Bathery via Eriyappally, Kenichira, Kariambady, Kolavayal, Muttill, Parakkal, Kainatty and Edappetty, Vivekananda Hospital, Meenangady and Chethalayam as ordinary service. Perused the judgment in WP(C) No. 21955 of 2017. In this proposal 1st trip starting from Pulpally at 06.35 AM via Kenichira, Kolavayal and Parakkal fully ill served area to Kalpetta and further the entire operation is concentrated in between Kalpetta and Sulthan Bathery a nationalized sector with deviation at Edappetty to Muttill via Vivekananda Hospital. The sector Pulpally to Kalpetta via Kenichira, Kolavayal and Parakkal is highly ill served are require more stage carriages and Kalpetta to Sulthan Bathery is well served nationalized sector. Major objection was from KSRTC about concentrating operation on Kalpetta to Sulthan Bathery sector and provide only starting and halt to Pulpally to get over the legal impediments of scheme under GO(P) No.42/2009. Hence heard and **granted to suitable stage carriage with such modification as provide in section 72(1) of Motor Vehicle Act, with one additional trip at 08.00 AM from Kalpetta to Pulpally via Kenichira, Kolavayal and Parakkal avoiding the Sulthan Bathery trip and back and another trip from Kalpetta to Pulpally at 05.00 PM avoiding the Sulthan Bathery trip via Kenichira, Kolavayal and Parakkal and back**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 11

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Mananthavady- Dasanakkara- Pulpally- Indiranagar- Kenichira- Kalpetta via Dasanakkara, Punchavayal, Nadavayal, Mullankolly, Manalvayal, Kariampady, Kolavayal, Muttill and Kainatty as ordinary service. Perused the judgment in WP(C) No. 22986 of 2017. In this application the applicant requested Mananthavady, Pulpally, Indiranagar, Kenichira and Kalpetta and starting trip and halt at Mananthavady and only one trip at early morning and night provided to Indiranagar. All other trip are concentrated to operate Pulpally- Kalpetta which include nationalised sector 3.4 Kms under GO(P) No. 8/2017. This proposal was objected by KSRTC and other operators stating that Pulpally- Mananthavady and Pulpally- Indiranagar provided only to get over the

legal impediments and the intention of the applicant is to operate on Pulpally- Kalpetta route only. In this proposal Pulpally to Indiranagar via Mullankolly is an ill served and remote tribal area requiring more transport facility. But the proposal includes one trip at 05.35 AM and another trip at 07.30 PM only. Hence heretofore and **granted to suitable stage carriage subject to decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) with such modification as provided under section 72(1) of Motor Vehicle Act subject to settlement of timing. One additional trip at 07.00 AM to Indiranagar and back to Pulpally at 07.45 AM avoiding corresponding Kalpetta trip. And another trip at 05.00 PM from Pulpally to Indiranagar avoiding corresponding Kalpetta trip and back to provide travelling facility for most needy ill served tribal area.** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 12

Heard, this is an adjourned application for fresh regular permit in respect of Stage Carriage KL-12-D-7576 to operate on the route Kolavally-Kalpetta via Seethamound, Paadichira, Pulpally, Irulam, Bathery, Meenangady, Muttill, Vivekanda Hospital, Edappetty and Kainatty. **Fresh permit granted to suitable stage carriage with modified set of timings** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 13

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Mananthavady- Thirunelly via Ondayangadi, Kartikulam, Kolichuvad, Panavalli, Sarvany and Puthumoola as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 14

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Mananthavady- Thirunelly via Ondayangadi, Kartikulam, Panavalli, Sarvany and Puthumoola as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 15

Heard, this is an adjourned application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Kolavally-Kalpetta via Seethamound, Padichira, Pulpally, Irulam, Sulthan Bathery, Meenangady, Muttill, Vivekanda Hospital, Edappetty and Kainatty. **Fresh permit granted to suitable stage carriage with modified set of timings,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 16

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Marakkadavu- Pulpally- Seethamount- Panamaram via Padichira, Mullankolly, Pulpally, Madal, Chelur, Marakkadavu church, Veliyambam, Naikkuppa and Nadavayal as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 17

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Kolavally- Pulpally- Sulthan bathery via Padichira, Mullankolly, Kappiset, Valiyakuris and Kalanadikkolly as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 18

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Marakkadavu- Pulpally- Sethamount- Panamaram via Kabanigiri, Indiranagar, Padichira, Mullankolly, Veliyambam, Naikkuppa, Nadavayal as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 19

Heard, this is an application for fresh regular permit in respect of Stage Carriage KL-57/A 3825 to operate on the route Kambalakkad- Padinharathara- Kalpetta via Pallikkunnu, Venniyode, Valal, Arambattakunnu, Kavumannam and Pinangode as ordinary service. In this proposal the applicant was absent hence **rejected**.

Item No: 20

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Kolavally- Pulpally- Seethamount- Chekady- Marakkadavu- Sulthan Bathery as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 21

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Korom- Mananthavady- Puthussery via Pandikkadavu, Kallody, Thettamala, Makkiyady, Kanjirangadu and Valavu as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 22

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Mananthavady- Makkimala via Kaniyaram, Thalappuzha 44, Kaithakkolly as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 23

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Padinjarathara- Kalpetta- Panamaram- Kambalakkad- Meenangadi via Venniyode, Kottathara, Munderi, Pallikkunnu, Eachome, Neerattadi, Paralikkunnu, Kallanchira and Karani as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 24

Heard, this is an application for fresh regular permit in respect of Stage Carriage KL-18/D-2736 to operate on the route Mananthavady- Makkimala via Thalappuzha 44 as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 25

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Karachal LPS- Mananthavady- Puthusseri via Pandikkadavu, Kallody, Moolithode, Thettamala, Makkiyadu, Kanhirangad Valavu and Valery as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 25

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Karachal LPS- Mananthavady- Puthusseri via Pandikkadavu, Kallody, Moolithode, Thettamala, Makkiyadu, Kanhirangad Valavu and Valery as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 26

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Palukunnu- Kambalakkad- Paamaram- Mananthavady via Varummalkkadavu, Vilambukandam, Anjukunnu, 6th mile Mosque, Kundala Kurishinkal, Koyilery and Valliyoorkkavu as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 27

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Kalpetta- Padinjarathara- Mananthavady via Kavumannam, Panthipoyil, Bappanam, Pulinjal, Vellamunda, Thettamala and Pandikkadavu as ordinary service. **Fresh regular permit is granted to suitable stage carriage**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 28

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Pollampara- Puthussery- Mananthavady via Valery, Moolithode, Kallody and Pandikadavu as ordinary service. **Fresh regular permit is granted to suitable stage carriage**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 29

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Sulthan Bathery- Abalavayal- Papplassery- Vadakkanad via Poomala, Malavayal, Ambukuthy, Edakkal, Beenachi, Pazhupathur, Vakeri, Kallurkunnu, Kuppady, Pazhery as ordinary service. **Fresh regular permit is granted to suitable stage carriage**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 30

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Kolavally- Pulpally- Seethamound- Marakkadavu via Padichira, Mullankolly as ordinary service. **Fresh regular permit is granted to suitable stage carriage**, subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 31

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Palukunnu- Panamaram- Klapetta via Nerrattady, Kaippattukunnu, Vilambukandam, Eachome, Pallikkunnu, Onnam mile, Vandiyambetta, Maniyamkode and Mundry as ordinary service. The proposed route traverses through Maniyancode to Onnam mile for a distance of 7 Km, which is a virgin. Secretary is directed to obtain road fitness certificate from the concerned road authority for the above virgin portion and place the application before RTA. For compliance of the above direction **decision on the application for fresh regular permit is adjourned.**

Item No: 32

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Marakkadavu- Sulthan Bathery via Kabanigiri, Indiranagar, Seethamount, Pulpally, Kalanadikolly as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 33

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Pulpally- Pulpally (Circular) via Kolarattukunnu, Kappikunnu, Moozhimala as ordinary service. The proposed route traverses through Thazheyangadi to Ancheri Jn for a distance of 1.5Kms and Kolarttukunnu to Kappikunnu for a distance of 1.4 Km, which are virgin. Secretary is directed to obtain road fitness certificate from the concerned road authority for the above virgin portion and place the application before RTA. For compliance of the above direction **decision on the application for fresh regular permit is adjourned.**

Item No: 34

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Sulthan Bathery- Meenangadi via Kolagappara and Krishnagiri as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 35

Heard, this is an application for fresh regular permit in respect of New or suitable Stage Carriage to operate on the route Madappallikunnu- Pulpally via Parakkadavu, Kaapiset and Chetappalam as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Item No: 36

Heard, this is an application for regular variation of permit in respect of stage carriage KL-35/A 4639 (KL-12/K 3824) operating on the route Nellarachal- S. Bathery- Vaduvanchal via Manjappara, Ambalavayal and Kolagappara as ordinary service. Perused the judgment in MVAA No. 14/2015 and heard all the parties. This proposal is to curtaile entire six trips from Vaduvanchal to Nellarachal, an ill served interior portion and operate from Vaduvanchal to Sulthan Bathery a well served portion. This proposal is depriving the limited stage carriage facility to Nellarachal. There is no change in any circumstances to consider this application. Hence **rejected.**

Item No: 37

Heard, this is an application for regular variation of permit in respect of stage carriage KL-12/B 3171 operating on the route Cheeral- Sulthan Bathery-Nambiarkunnu as ordinary service. **Variation of permit is granted,** subject to settlement of timings.

Item No: 38

Heard, this is an application for regular variation of permit in respect of stage carriage KL-10/Z 6003 operating on the route route Ambalavayal-Meenangadi via Pothuketty, Kumbalери and Mepperikunnu as ordinary service. The primary permit of the vehicle has been surrendered and not valid. Hence the application for variation cannot be considered. Hence rejected.

Item No: 39

Heard, this is an adjourned application for regular variation of permit in respect of stage carriage KL-02/W 5956 operating on the route Sulthan Bathery-Vaduvanchal- Nambiarkunnu-Kalloor as ordinary service. The field officer reported there is no violation of scheme and this proposal is beneficial to travelling public. KSRTC objected on time clash. Hence **Variation of permit is granted**, subject to settlement of timings.

Item No: 40

Heard, this is an application for regular variation of permit in respect of stage carriage KL-72/A-9385 operating on the route Vellamunda 8/4 Padinjarathara Panamaram-Mananthavady- (via) Mothakkara, Panthippoyil, munda, Kuppadithara, Cheriyaankolly, Vilambukandam, Palukunnu, Anjukunnu, 6th mile Kundala, Kammana, Karinthirikkadavu as ordinary service. The enquiry officer reported that the proposed variation is beneficial to the travelling Public. KSRTC objected on time clash. Hence **Variation of permit is granted**, subject to settlement of timings.

Item No: 41

Heard, this is an application for regular variation of permit in respect of stage carriage KL-73/A-8989 operating on the route Meenangadi-S.Bathery-Pulpally-Pathiry-Kenichira-Kalpetta Vai Kolagappara, Irulam, Mullankolly, Manalvayal, Kariambady, Kolavayal, Muttil, and Last trip via 56 mile and Appad as ordinary service. The enquiry officer reported that the proposed variation is beneficial to the travelling Public. KSRTC objected on time clash. Hence **Variation of permit is granted**, subject to settlement of timings.

Item No: 42

Heard, this is an application for regular variation of permit in respect of stage carriage KL-12/C-2777 operating on the route Cheeral-perikalloor-(via)madakkara-s,Bathery-Eriyappally-and Pulpally as ordinary service. **Applicant has not pressed the application. Hence rejected**

Item No: 43

Heard, this is an application for regular variation of permit in respect of stage carriage KL-73/A-9464 operating on the route Perikkallur-S.Bathery Via Pulpally,Kalanadikolly,Irulam And Chethalayam, Kappiset,Valiyakurissu as ordinary service. The enquiry officer reported that the proposed variation is beneficial to the travelling Public. KSRTC objected on time clash. Hence **Variation of permit is granted**, subject to settlement of timings.

Item No: 44

This is an application for regular variation of permit in respect of stage carriage KL-30/A-7385 operating on the route Seethamound-Perikkallur-Pulpally-S.Bathery Via Mullankolly-Irulamchethalayam as ordinary service. Heard and found the proposed variation is an extension from Seethamound to Kolavally is beneficial to the travelling Public. KSRTC objected on time clash. Hence **Variation of permit is granted**, subject to settlement of timings.

Item No: 45

Heard, re-considered the application for renewal of permit in respect of stage carriage KL 12/J 9199 operating on the inter-district route Nellarachal- Kozhikkode- Sulthan Bathery. Delay condoned. **Renewal of permit granted as LSOS**, subject to production of No Objection Certificate from the financier, if applicable.

Item No: 46

Heard, considered the application for renewal of permit in respect of stage carriage KL 58/H 976 operating on the inter-district route Kalpetta- Mananthavady -Kannur. **Decision on the application is adjourned** with direction to Secretary to seek concurrence for renewal of permit from the concerned sister RTA and place the application before RTA after ascertaining exact length of the route and class of permit.

Item No: 47

Heard, considered the belated application for renewal of permit in respect of stage carriage KL 12/C 6500 operating on the route route Kalpetta-Pozhuthana-Idiyamvayal-Kavummannam via Chundale, Vaithiri Panchayath Office Jn, 12th Bridge. Delay condoned. **Renewal of permit granted**, subject to production of No Objection Certificate from the financier, if applicable.

Item No: 48

Heard, considered the belated application for renewal of permit in respect of stage carriage KL 12/D 9333 operating on the route route Onneyar- Vaduvanchal- S.Bathery via Manjappara, Ambalavayal, Kolagappara. Delay condoned. **Renewal of permit granted**, subject to production of No Objection Certificate from the financier, if applicable.

Item No: 49

Heard, **transfer of permit in respect of stage carriage KL 57/B 4492 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 50

Heard, **transfer of permit in respect of stage carriage KL 12/D 2772 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 51

Heard the legal heirs , **transfer of permit in respect of stage carriage KL 12/D 9333 allowed** from the name of deceased person to the name of legal heir, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 52

Heard, **transfer of permit in respect of stage carriage KL 12/D 1934 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 53

Heard, **transfer of permit in respect of stage carriage KL 59/B 4779 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 54

Heard, **transfer of permit in respect of stage carriage KL 12/D 1600 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 55

Heard, **transfer of permit in respect of stage carriage KL 12/D 6777 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 56

Heard, **transfer of permit in respect of stage carriage KL 11/X 3699 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 57

Heard, **transfer of permit in respect of stage carriage KL 12/C 2829 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 58

Heard, **transfer of permit in respect of stage carriage KL 12/G 1009 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 59

Heard, **transfer of permit in respect of stage carriage KL 12/L 540 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 60

Heard, **transfer of permit in respect of stage carriage KL 30/A 7385 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Item No: 61

This is an item to review the decision taken vide item no. 67(3), 67(8), supplementary item 7(4) and supplementary item 7(6) in the RTA meeting held on 17/05/2017. The basis of application is the fact that the applicants in the above item were owned auto rickshaws in Sulthan Bathery Municipal are who sold it out and purchased new auto rickshaws and obtained new permits in municipality with order of Hon'ble High Court of Kerala. The Joint Regional Transport Officer conducted meeting of various auto rickshaw employees' organizations who were on strong protest against issue of new permits or variations in Sulthan Bathery Municipal area. In their meeting it was decided to take necessary steps to cancel the permits of the persons who had sold the permit having halting place at Sulthan Bathery and obtained permit again.

Heard, all objections in detail and found the major objection is some of the grantees of the permits in the RTA meeting held on 17/05/2017 was actually sold out their auto rickshaws with Sulthan Bathery permit for high premium and again obtained permit through court order. This movement causing unbearable increase of number of auto rickshaws in Sulthan Bathery, consequently affecting the viability of auto rickshaw operator and employee.

The learned council for the owners of auto rickshaws granted the permit vide items 67 (3), 67(8), supplementary item 7(4) and supplementary item 7(6) in compliances with order of Hon'ble High Court of Kerala in WP(C)s No. 10359/2017, 9589/2017, 11435/2017 and 15409/2017 argued that 1) RTA can't review its own decision in any circumstances, State Transport Applet Tribunal or Hon'ble High Court can only consider review or appeal in this case. Hence the first question to answer is the sustainability of this application before this RTA. Section 141 of Kerala motor Vehicle Rule prescribes that the appeal or the revision under section 87 or 90 shall be presented to State Transport Applet Tribunal. There are no provisions in Motor Vehicle Act 1988 or Rules made there under to review order of RTA by the same RTA in any circumstances. There are various orders of the Hon'ble High Court and Hon'ble Supreme Court of India also decided this. Hence this application is not maintainable before this RTA for

consideration. Hence the petition for cancellation of permits already vide items 67 (3), 67(8), supplementary item 7(4) and supplementary item 7(6) of RTA dated 17/05/2017, dismissed.

Item No: 62

This is an item to consideration of applications for fresh permit or variation of permits in respect of below mentioned 43 auto rickshaws.

Sl No.	Reg. Mark & Permit details	Name & address of applicant	Judgment details If any	remarks
1	KL 73 A 9539- Application for variation of permit	Rajesh,S/o Raghavan Kattayad House Poomala Post Chettimoola Sulthan bathery,Wayanad	WP(C) No. 18273/2017(H) dated 01/06/2017	Seeking halting place From Chappakolly to Sulthan Bathery Muncipal limit
2	KL 73 A 9531 Application for variation of permit	Haridas K U S/o Unnikrishnan K Kottilinkil House Poomala Post,Chettimoola Sulthan Bathery,Wayanad	WP(C) No. 18273/2017(H) dated 01/06/2017	Seeking halting place From Chappakolly to Sulthan Bathery Muncipal limit
3	KL 12 D 5864- Application for variation of permit	Eldho P C,S/o Chacko Palakkuzhiyil House Sulthan bathery Thirunelly,Wayanad	WP(C) No. 22345/2017(P) dated 24/07/2017	Seeking halting place from Karuvallikunnu to Sulthan Bathery Muncipal limit
4	KL 73 B 1486 Application for fresh permit	Manoj.T.P,S/o T.P. Damodaran Thazhathapurakkal House Valluvady Post Odappallam Sulthan Bathery,Wayanad	WP(C) No. 22237/2017(D) dated 05/07/2017	Halting place at Sulthan Bathery Muncipal limit
5	KL 73 A 9270 Application for variation of permit	Bijosh M,S/oChandran Melekalathil House Mankombu, Nenmeni Ambalavayal,Wayanad	WP(C) No. 26894/2017(J) dated 14/08/2017	Seeking halting place from Kolagappara to Sulthan Bathery Muncipal limit
6	KL 12 H 949 Application for variation of permit	Illyas,S/o Nabeesa Pulikkal House Kolagappara Post Ambalavayal,Wayanad	WP(C) No. 26894/2017(J) dated 14/08/2017	Seeking halting place from Kolagappara to Sulthan Bathery Muncipal limit
7	KL 12 D 2560 Application for variation of permit	Ashraf,S/o Hasainar Kunnakkara House Kolagappara Sulthan bathery,Wayanad	WP(C) No. 26894/2017(J) dated 14/08/2017	Seeking halting place from Kolagappara to Sulthan Bathery Muncipal limit
8	KL 73 749 Application for variation of permit	Anoop,S/oAyyappan 3/303 Chengara Parambil House Kolagappara Post Mattappara,Wayanad	WP(C) No. 26894/2017(J) dated 14/08/2017	Seeking halting place from Kolagappara to Sulthan Bathery Muncipal limit
9	KL 73 1449 Application for variation of permit	Thomas.A.J, S/o.Ulahannan Alappoykayil House Pazhuppathur Post Arivayal, Krishnagiri	WP(C) No. 18231/2017(D) dated 01/06/2017	Seeking halting place to Sulthan Bathery Muncipal limit from various places

		Wayanad		
10	KL 73 A 7954 Application for variation of permit	Ashraf, S/oHamsa Mangalam House Cheeral Post Kudukki,Wayanad	WP(C) No. 18231/2017(D) dated 01/06/2017	Seeking halting place to Sulthan Bathery Muncipal limit from various places
11	KL 12 D 2948 Application for variation of permit	Abdul Rasak.K S/oMuhammedkutty Kondanath House Beenachi Post Sulthan Bathery, Wayanad	WP(C) No. 18231/2017(D) dated 01/06/2017	Seeking halting place to Sulthan Bathery Muncipal limit from various places
12	KL 73 A 9385 Application for variation of permit	Rajesh K, S/o Kuttan K Cherukara Veedu Puthankunnu Post Noolpuzha Wayanad	WP(C) No. 18231/2017(D) dated 01/06/2017	Seeking halting place to Sulthan Bathery Muncipal limit from various places
13	KL 73 A 7510	Nishi Jacob, S/o Stephen Plavila Puthan Veed Poomala Post Sulthan Bathery Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Application not submitted
14	KL 73 A 9534 Application for variation of permit	Arif, S/o Sulaiman Pottachola House Poomala Post Poothikade Sulthan bathery,Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Chappakolly to Sulthan Bathery Muncipal limit
15	KL 73 2351 Application for variation of permit	Abdul Gafoor,S/o Abdu Kulukkanpara House Chethalayam Post,Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from 6 th mile to Sulthan Bathery Muncipal limit
16	KL 73 A 9601 Application for variation of permit	Ali.P.M,S/o Beeran Vattakkatt Puthanpurayil House Chethalayam Post Sulthan Bathery,Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Chenad to Sulthan Bathery Muncipal limit
17	KL 73 A 7048 Application for variation of permit	Aneesh.P.R,S/o Raghavan.P Puthiyedath padippura House Chethalayam Post Sulthan Bathery,Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from 6 th mile to Sulthan Bathery Muncipal limit
18	KL 12 H 1232 Application for variation of permit	Suresh Otahliyel ,S/o Sedharan Othaliyel House Amarakuni Post Pulpally, Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Pulpally to Sulthan Bathery Muncipal limit
19	KL 12 G 2610 Application for variation of permit	Gopi, S/o Ittimakkotha Puthankudiyil House Kaippanchery P.O, Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Chappakolly to Sulthan Bathery Muncipal limit
20	KL 73 B 23 Application for variation of permit	Pratheesh T.B, S/o Balan Thathoor House Chethalayam Post Kidanganad, Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Chenad to Sulthan Bathery Muncipal limit
21	KL 12 F 7531 Application for variation of permit	Aneesh Issac, S/O Issac.V.T Veliyathkudy House Poomala Post Sulthan Bathery, Wayanad	WP(C) No. 18301/2017(K) dated 01/06/2017	Seeking halting place from Kolagappara to Sulthan Bathery Muncipal limit
22	Application for variation of	Vinu Raj P.B, S/o Bhaskaran Padippura House	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place to Sulthan Bathery Muncipal limit

	permit	Chethalayam Post Kidanganad, Wayanad		
23	KL 73 A 9773 Application for variation of permit	Shino P.M, S/o Chinamma Parakkal House Chethalayam Post Chenad, Sulthan Bathery Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Chenad to Sulthan Bathery Municipal limit
24	KL 12 B 706 Application for variation of permit	Noushad, S/o Hamsa Kalapurakkal House Pazhupathur Sulthan Bathery, Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Pazhupathoor to Sulthan Bathery Municipal limit
25	KL 12 F 1421 Application for variation of permit	Bineesh Thankachan S/oThankachan K.V Kanimangalath House Koliyadi, Sulthan Bathery Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Puthenkunnu to Sulthan Bathery Municipal limit
2	KL 12 G 9833 Application for variation of permit	Muhammad Musthafa s/o Chekkunni Kallai, Kallai House Nenmeni Post Ammaipalam, Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Madakkara to Sulthan Bathery Municipal limit
27	KL 12 A 4228 Application for variation of permit	Ratheesh Ravi S/o Ravi Thangummottil House Pazhupathur Post Sulthan Bathery, Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Chapakolly to Sulthan Bathery Municipal limit
28	KL 73 A 3373 Application for variation of permit	Thomas M.V S/o Varghese M.T Mundackal House Thovarimala Kunthani , Nenmeni Wayanad	WP(C) No.22176/2017(V) dated 05/07/2017	Seeking halting place from Koliyadi to Sulthan Bathery Municipal limit
29	New Vehicle	Shameer S/o.K.Aboobacker KiliyakkalHouse Kuppadi Post Kadamanchira Sulthan Bathery, Wayanad	WP (C)No.15390/2017(W) dated 05/05/2017	Seeking halting place to Sulthan bathery.
30	New Vehicle	Sharfuddeen A S/o Kunhimammed Alungal House Moolankave Post Sulthan Bathery Wayanad	WP (C)No.17900/2017(W) dated 30/05/2017	Seeking halting place to Sulthan bathery.
31	New Vehicle	Firoz.K M, S/oK.M.Majeed Kurungattil House Chethalayam PO Sulthan Bathery Wayanad	WP (C)No.17974/2017(W) dated 30/05/2017	Seeking halting place to Sulthan bathery.
32	New Vehicle	Hamza, S/oMoidu Alikkattil House Kuppadi post Sulthan Bathery Wayanad	WP (C)No.16818/2017(B) dated 23/05/2017	Seeking halting place to Sulthan bathery.
33	New Vehicle	Jose.T.M S/oT.K.Mathew Tharappattu Moolayil House Moolankave Post Sulthan Bathery,Wayanad	WP (C)No.15416/2017(B) dated 05/05/2017	Seeking halting place to Sulthan bathery.

34	New Vehicle	Jijo.P.I,S/OAprem Pulinattu House Valluvady Post Sulthan Bathery' Wayanad	WP (C)No.15418/2017(B) dated 05/05/2017	Seeking halting place to Sulthan bathery.
35	New Vehicle	Ajeesh Kumar.K.G S/o K.Gangadharan Thazhathe Veedu Kuppadi post Sulthan Bathery, Wayanad	WP (C)No.27359/2017(T) dated 18/08/2017	Seeking halting place to Sulthan bathery.
36	Application for fresh permit	Ummer.K,S/o Abdulla K Kallidumban House Kuppadi Post Sulthan Bathery, Wayanad	WP (C)No.35896/2017(J) dated 09/11/2017	Seeking halting place to Sulthan Bathery
37	Application for fresh permit	Sasi.C.G S/o Gopalan Chempakapali House Kuppadi Post Sulthan Bathery, Wayanad	WP (C)No.35862/2017(G) dated 09/11/2017	Seeking halting place to Sulthan Bathery
38	Application for fresh permit	Ummer U, S/o Usman Laksham Veedu Kuppadi Post' Wayanad	WP (C)No.35965/2017(U) dated 09/11/2017	Seeking halting place to Sulthan Bathery
39	Application for fresh permit	Abdul Salim.K, S/o Shoukathali Kalabanal House Kuppadi Post Sulthan Bathery' Wayanad	WP (C)No.35964/2017(U) dated 09/11/2017	Seeking halting place to Sulthan Bathery
40	Application for fresh permit	Jamal.C S/o Muhammed C.P Chembrayoor puthen Peedikayil House Poomala Post Poothikkadu Sulthan Bathery' Wayanad	WP (C)No.37088/2017(I) dated 17/11/2017	Seeking halting place to Sulthan Bathery
41	KL 73 B 1763 Application for fresh permit	Faisal.C.P s/o Abdu Vengatharammal House Poomala Post Sulthan Bathery' Wayanad	WP (C)No.37063/2017(G) dated 17/11/2017	Seeking halting place to Sulthan Bathery
42	KL 73 B 1070 Application for fresh permit	Francis.P S/oAugustine Palayil House Kuppadi SulthanBathery' Wayanad	WP (C)No.17695/17 dated 29/05/2017	Halting place at Sulthan Bathery Muncipal limit.
43	KL 73 B 1056 Application for fresh permit	Shymon.K.E S/o Karunakaran Onassery House Kuppadi Post Sulthan Bathery' Wayanad	WP (C)No.17957 dated 30/05/2017	Halting place at Sulthan Bathery Muncipal limit.

All this applicants approached Hon'ble High Court of Kerala and obtained order for considering their applications and pass orders according to law on their applications.

Their applications are for contract carriage permit for their auto rickshaws in Sulthan Bathery municipal area. In this municipal area no restrictions having regard to the number of vehicles, road condition and other relevant matters by notification of the state government provided in sec

74(3)(a) of Motor vehicle Act. In this circumstances Secretary RTA, cannot restrict the applications of auto rickshaw owners for permit or variations of permit to operate in Municipal area.

The objectors in this application was existing auto rickshaw drivers associations and unions. Their grievance is the financial viability of the existing operators will seriously affect the introduction of new permit and they also submitted that even today they are struggling for their daily living from the income of about Rs.300/-per day from operation of auto rickshaw and there are shortage of parking place for auto rickshaw in Sulthan Bathery also a serious problem.

The problems raised by the objectors are factually correct and uncontrolled increase of auto rickshaws may create various problems in Sulthan Bathery but the right of applicants for permits for their auto rickshaw in Sulthan Bathery is legal. Hence the RTA is being a legal body responsible to function according to the provisions of Motor Vehicles Act and Rule made by there under cannot deny the right of applicants for permit under sec.74 of Motor Vehicles Act. Hence granted permit to all applicants. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. The objector can prefer their appeal under sec89 of Motor Vehicles Act before the State Transport Applet Tribunal.

Item No: 63

Heard, this applications for grant of contract carriage permit with halting place at Sulthan Bathery Municipality in respect of auto rickshaw KL 12 B 706. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a) of Motor Vehicle Act. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted.

Item No: 64

Heard, this applications for grant of contract carriage permit with halting place at Sulthan Bathery Municipality in respect of auto rickshaw KL 73 A 619. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a) of Motor Vehicle Act. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted.

Item No: 65

This is an application for Stage carriage bus stop at 5th mile junction, Kellur. The enquiry officer reported that the stop will be beneficial to travelling public. KSRTC objected this stop stating that they are not amenable to provisions of Motor Vehicle Act except Chapter 6 and Super Class vehicles cannot be made to stop in short distance. Hence a stage carriage stop granted at 5th mile junction, Kellur for Ordinary, LSOS and Fast Passenger buses including KSRTC.

Item No: 66

This is an application for Stage carriage bus stop at GHS Periya. The enquiry officer reported that the stop will be beneficial to travelling public. KSRTC objected this stop stating that they

are not amenable to provisions of Motor Vehicle Act except Chapter 6 and Super Class vehicles cannot be made to stop in short distance. Hence a stage carriage stop granted at GHS Periya for Ordinary, LSOS and Fast Passenger buses including KSRTC.

Item No: 67

Ratified

Item No: 68

Nil.

Item No: 68

Will be fixed

Supplementary item No.01

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Chellankode- Kalpetta- Venniyode via Vaduvanchal, Nedumkarana, DM WIMS, Meppadi, Kunnamngalam Vayal, Kappamkolly, Munderi and Kottathara as ordinary service. There is only one trip proposed to Venniyode in the time-schedule, which is a comparatively ill-served area, as per section 72(1) of Motor Vehicle Act, 1988, Secretary is directed to submit a modified time schedule by providing two more trips starting from/reaching at Venniyode and obtain road fitness certificate from concerned authority. Secretary is directed to place the application before RTA in the next meeting with modified time schedule and report as above. For compliance of the above directions, **decision on the application for fresh regular stage carriage permit is adjourned.**

Supplementary item No.02

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Chellankode- Kalpetta- Venniyode via Vaduvanchal, DM WIMS, Meppadi, Kunnamngalam Vayal, Kappamkolly, Munderi and Kottathara as ordinary service. There is only one trip proposed to Venniyode in the time-schedule, which is a comparatively ill-served area, as per section 72(1) of Motor Vehicle Act, 1988, Secretary is directed to submit a modified time schedule by providing two more trips starting from/reaching at Venniyode and obtain road fitness certificate from concerned authority. Secretary is directed to place the application before RTA in the next meeting with modified time schedule and report as above. For compliance of the above directions, **decision on the application for fresh regular stage carriage permit is adjourned.**

Supplementary item No.03

Heard, this is an application for fresh regular stage carriage permit to operate on the intra-district route Thovarimala- Sulthan Bathery- Cheeral via Chulliyode, Madakkara, Koliyadi, Cherumad, Kallumukku, Nambikolly and Block office as ordinary service. There is only one trip proposed to Kazhambu in the time-schedule, which is a comparatively ill-served area, as per section 72(1) of Motor Vehicle Act, 1988, Secretary is directed to submit a modified time schedule by providing two more trips starting from/reaching at Kazhambu and obtain road fitness certificate from concerned authority. Secretary is directed to place the application before RTA in the next

meeting with modified time schedule and report as above. For compliance of the above directions, **decision on the application for fresh regular stage carriage permit is adjourned.**

Supplementary item No.04

Heard, this is an application for fresh regular permit in respect of New or Suitable Stage Carriage to operate on the route Thaloor- Thovarimala- Sulthan Bathery- Cheeral-Nambiarkunnu via Chulliyode, Madakkara, Koliyadi, Cherumad, and Vendola as ordinary service. **Fresh regular permit is granted to suitable stage carriage,** subject to the decision of STA dated 14/06/2017 and WP(C) No.33980 of 2015(V) and settlement of timings.

Supplementary item No.05

Heard, this is an application for regular variation of permit in respect of stage carriage KL-12/C.1112 (KL 12 L 3400) operating on the route Mukkamkunnu – Kalpetta – Meppady - Meenangady as ordinary service. This an application for variation with curtailment of a round trip to Meenangadi from Mukkamkunnu and this trip from Meenangadi to Mukkamkunnu at 04.40PM is the only transport facility to students of GHSS Kakkavayal and students of this school represented through Headmaster and PTA president against this curtailment. Heard the petitioner and other objectors. Applicant submitted a proposal with curtailment of one round trip from Mukkamkunnu to Kalpetta in the morning which is also highly disadvantages to travelling public from this ill served remote are. Intention of the applicant is to avoid trips with lower financial benefit and operate best portion only. This is fully disregarding the benefit of travelling public and depriving their minimum available facility. There are no changes in circumstances requiring this variation and hence rejected.

Supplementary item No.06

Heard, this is an application for regular variation of permit in respect of stage carriage KL-12/D 6996 operating on the inter district route S Bathery- Kannur(Via) Beenachi, Meeangadi, Kaniyambetta, Panamaram, Koilery, Mananthavady, Nedumpoyil, Koothuparamba, Mamabaram And Chala And Down Trip From Kannur To S Bathery (Via) Edakkad, Thallassery, Nedumpoyil, Mananthavady, Panamaram, Kaniyambetta, Meeangadi and Beenachi as ordinary service. This is an application for variation with deviation of return trip from Kannur to Kuthuparamba via Chala, Mamabaram instead of Thalassery, Kathiroor. This variation for complying the restriction of route length to maximum 140 Kms vide GO (P) No. 8/2017 Trans. Heard and granted, subject to settlement of timings.

Supplementary item No.07

Heard, re-considered the application for renewal of permit in respect of stage carriage KL 11/AE 8577 operating on the inter district route Thalassery-Vaduvanchal. **Renewal of permit granted as LSOS,** subject to production of No Objection Certificate from the financier, if applicable.

Supplementary item No.08

Heard, re-considered the application for renewal of permit in respect of stage carriage KL-12/D 6996 operating on the inter district route S Bathery- Kannur. **Renewal of permit granted**, subject to production of No Objection Certificate from the financier, if applicable.

Supplementary item No.09

Heard, re-considered the application for renewal of permit in respect of stage carriage KL-72/A 2975 operating on the inter district route Thirunelly- Kannur NBS. **Renewal of permit granted**, subject to production of No Objection Certificate from the financier, if applicable.

Supplementary item No.10

Heard, **transfer of permit in respect of stage carriage KL 37-753 (KL 73B 1162) allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Supplementary item No.11

Heard, **transfer of permit in respect of stage carriage KL 12/L 3760 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Supplementary item No.12

This is an application of transfer of permit in respect of stage carriage KL 12/C 1144. The applicant No.1 is absent hence, **adjourned**.

Supplementary item No.13

This is an application of transfer of permit in respect of stage carriage KL 13/R 4796. The applicant No.1 is absent hence, **adjourned**.

Supplementary item No.14

Heard, **transfer of permit in respect of stage carriage KL 13/V 5758 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Supplementary item No.15

Heard, **transfer of permit in respect of stage carriage KL 45 250 allowed** from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Supplementary item No.16

Heard, transfer of permit in respect of stage carriage KL 12/D 4800 allowed from the name of applicant No.1 to the name of applicant No.2, subject to clearance of motor vehicle tax and Government dues if any and production of NOC from the financier, if applicable.

Supplementary item No.17

This is an item to review the decision taken vide item no. 66 in the RTA meeting held on 17/05/2017. The basis of application is the fact that the applicants in the above item were owned auto rickshaws in Kalpetta Municipal area who sold it out and purchased new auto rickshaws and obtained new permits in municipality with order of Hon'ble High Court of Kerala and Kerala State SC/ST Commission. The Regional Transport Officer conducted meeting of various auto rickshaw employees organizations who were on strong protest against issue of new permits or variations in Kalpetta Municipal area. In their meeting it was decided to take necessary steps to cancel the permits of the persons who had sold the permit having halting place at Kalpetta and obtained permit again. Heard all objections in detail and found the major objection is some of the grantees of the permits in the RTA meeting held on 17/05/2017 were actually sold out their auto rickshaws with Kalpetta permit for high premium and again obtained permit through court order. This movement causing unbearable increase of number of auto rickshaws in Kalpetta, consequently affecting the viability of auto rickshaw operator and employee.

The learned council for the owner of auto rickshaws granted the permit vide items 66 in compliances with order of Hon'ble High Court of Kerala in WP(C)s No. 33066/2016, 31413/2015, 34692/2015, 35566/2016, Kerala State SC/ST Commission Ltr.No.7341/B2/2015 argued that 1) RTA can't review its own decision in any circumstances, State Transport Applet Tribunal or Hon'ble High Court can only consider review or appeal in this case. Hence the first question to answer is the sustainability of this application before this RTA. Section 141 of Kerala motor Vehicle Rule prescribes that the appeal or the revision under section 87 or 90 shall be presented to State Transport Applet Tribunal. There are no provisions in Motor Vehicle Act 1988 or Rules made there under to review order of RTA by the same RTA in any circumstances. There are various orders of the Hon'ble High Court and Hon'ble Supreme Court of India also decided this. Hence this application is not maintainable before this RTA for consideration. Hence the petition for cancellation of permits (serial number 1 to 51) already vide items 66 of RTA dated 17/05/2017 is dismissed.

The applications are for contract carriage permit for their auto rickshaws in Kalpetta municipal area. In this municipal area no restrictions having regard to the number of vehicles, road condition and other relevant matters by notification of the state government provided in sec 74(3)(a) of Motor vehicle Act. In this circumstances Secretary RTA, cannot restrict the applications of auto rickshaw owners for permit or variations of permit to operate in Municipal area.

The objector in this application was existing auto rickshaw drivers association and unions. Their grievance is the financial viability of the existing operators will seriously affect the introduction of new permit and they also submitted that even today they are struggling for

their daily living from the income of about Rs.300/-per day from operation of auto rickshaw there are shortage of parking place for auto rickshaw in Kalpetta also a serious problem.

The problems raised by the objectors are factually correct and uncontrolled increase of auto rickshaws may create various problems in Kalpetta but the right of applicants for permits for their auto rickshaw in Kalpetta is legal. Hence the RTA is being a legal body responsible to function according to the provisions of Motor Vehicles Act and Rule made by there under cannot deny the right of applicants for permit under sec.74 of Motor Vehicles Act. Hence granted permit to all applicants. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. The objector can prefer their appeal under Section 89 of Motor Vehicles Act before the State Transport Applet Tribunal. Regional Transport Officer can consider the seniority on reasonable criteria.

Supplementary item No.18

This is an item to consider the representation received from Vythiri Grama Panchayat and Muttill Grama Panchayat for limiting the auto rickshaw permits in the place Vythiri and Muttill. In this places no restrictions having regard to the number of vehicles, road condition and other relevant matters by notification of the state government provided in sec 74(3)(a) of Motor vehicle Act. In this circumstances Secretary RTA, cannot restrict the applications of auto rickshaw owners for permit or variations of permit to operate. Hence the RTA is being a legal body responsible to function according to the provisions of Motor Vehicles Act and Rule made by there under cannot deny the right of applicants for permit under sec.74 of Motor Vehicles Act. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Government of Kerala can only limit the number of Auto rickshaws under Section 74(3) (a) of Motor Vehicle Act.Hence, rejected.

Supplementary item No.19

Heard, this application for grant of contract carriage permit with halting place at Sulthan Bathery Municipality in respect of auto rickshaw KL 12/H 5974. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a). The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted

Supplementary item No.20

Heard, these applications for grant of contract carriage permit with halting place at Sulthan bathery Municipality in respect of auto rickshaw. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a) of Motor Vehicle Act. The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted who own an auto rickshaw in his name and legally eligible for a permit.

Supplementary item No.21

Heard, this application for grant of contract carriage permit with halting place at Sulthan Bathery Municipality in respect of auto rickshaw. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a). The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted

Supplementary item No.22

Heard, this application for grant of contract carriage permit with halting place at Kalpetta Municipality in respect of auto rickshaw KL 12/J 8161. So far there is no legal restrictions having regard to number of permit in Kalpetta under section 74(3) (a). The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted

Supplementary item No.23

Heard, this application for grant of contract carriage permit with halting place at Sulthan Bathery Municipality in respect of auto rickshaws. So far there is no legal restrictions having regard to number of permit in Sulthan Bathery under section 74(3) (a). The responsibility of providing suitable parking place for contract carriage has been vested with local self government. Hence application granted who own an auto rickshaw in his name and legally eligible for a permit.

Supplementary item No.24

This application is for getting temporary job as Road Volunteer at Kozhikode- Wayanad ghat road. This area includes in Kozhikode district and hence forwarded to Secretary RTA Kozhikode for consideration.

Sd/
Chairman & Members.