

**MINUTES OF THE MEETING OF THE REGIONAL TRANSPORT  
AUTHORITY, KOTTAYAM  
HELD ON 24/08/2024**

Present

Chairman- Sri.John V. Samuel I.A.S, District Collector, Kottayam

Members

1. Sri. Shahul Hameed A., I.P.S., District Police Chief, Kottayam.
2. Sri. Anoop Varkey, Deputy Transport Commissioner (Law)  
CZ-II, Ernakulam.

**Item.No.1**

**J1/11705/2022/K**

Heard the applicant Sri Amal Kumar, Ettackal House Chirakkadavu P.O through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Ponkunnam – Manimala via Cheruvalli Temple and Pazhayidom as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 2**

**J1/3347/2023/K**

Heard the applicant Sri.Tomin Kuriakose, Alanikkal house, Thidanad P.O., Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kuzhimavu – Erumely via Koruthodu Madukka, Vandanpathan, Mundakkayam, Karinilam, Pulikunnu, Kannimala, Erumely, Murukumvayal, Punchavayal, Kootikkal and Elamkadu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own

imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 3**

**J1/3347/2023/K**

Heard the applicant Smt. Reshmi Shashidharan, KunnathKalathil house, Kumarakam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kumarakam-Vaikom via Kaippuzhamuttu, Bund Road, Edayazham, Kallara,

Kurupanthara, Puthenpally, Ullala, Thalayazham and Ambika Market as ordinary service.

This matter was considered by the RTA on 03.07.2023 but the same was adjourned for want of modification of time schedule. The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

Having regard to the aforesaid provisions of the Act and rules and the forms and in the light of the judgments in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (full bench), 1980 KLT 249), application is **adjourned** until after the applicant has acquired the ownership of a ready vehicle and furnished the registration mark and the relevant particulars thereof before this

authority as prescribed in the form P.St.Sa. under section 70(2) of Motor Vehicle Act.

**Item No. 4**

**J1/5767/2023/K**

Heard the applicant Sri. Mahesh KP, Mahesh Mandhiram, MariyaThuruthu PO, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the routeCherthala-ThalayolaParambu via varanadu,ThannirMukkam, Bund Road, Edayazham, Kallara, Ayamkudy and Ezhumanthuruthuas ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the

grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgment (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Alappuzha.

**Item No. 5**

**J1/5321/2023/K**

The applicant is Sri. Biju V., Kannezhathu house, Vaikom P.O., Kottayam This is the application for the grant of fresh stage carriage permit on the Vaikom – Cherthala – Pala via Varanadu, Kattachira, Bund road, Thalayazham, Vaikom, Edayazham, Kallara, Puthen Pally, Kuruppamthara, Kozha, Marangattupally, Pala Kottaramattom bus stand, Mini Civil Station and old Pala bus stand as ordinary service.

Applicant absent. Hence **Adjourned**.

**Item No. 6**

**J1/5322/2023/K**

The applicant is Sri. Mathew Kurian, Kalappurayil house, Vellassery, Kaduthuruthy P.O, Kottayam. The application is for grant of fresh regular stage carriage permit on the route Vaikom – Cherthala – Pala via Varanadu, Kattachira, Bund road, Thalayazham, Vaikom, Edayazham, Kallara, Puthenpally, Kurupamthara, Kuravilangadu,

Kozha, Marangattupally, Pala Kottramattom bus stand, Mini Civil Station, Pala old bus stand as ordinary service.

Applicant absent. Hence **Adjourned**.

**Item No. 7**

**J1/5326/2023/K**

Heard the applicant Smt.Merin Joseph, Chethipuzha House, Karinilam PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the routeMundakayam-Erumely-Mangapetta-Elamkadu-Kodunga-Pakkanam Via karinilam, pulikunnu, perooorthodu, Erumely, Punchavayal, 504 colony, Mangapetta,chellikuzhy, kootikal, Elamkadu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in

the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

#### **Item No. 8**

**J1/5325/2023/K**

Heard the applicant Sri.Sijomonjose,KaduvaKuzhiyil House, Methiri PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Pala kottamattam bus stand – Thodupuzha Via ChakkampuzhaRamapuramVazhithalaas ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.



This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Idukki.

**Item No. 9**

**J1/5331/2023/K**

Heard the applicant Sri.Jeemon CG, chengottayil House, Perumbaikadu PO. through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Ettumanoor BS – Chavittuvari Via Peroor Kavala, Kandanchira Kavala, Poovathummoodu, Thiruvanchoor and Mascow Kavala as ordinary service.

This matter was considered by the RTA on 03.07.2023 but the same was adjourned for want of a detailed and unambiguous report of enquiry. The Honourable High Court of Kerala had directed this authority to consider the application in accordance with law within a period of one

month. However the applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

However there are strong objections against the terminus at Chavittuvari being fixed since there is no public bus stand or facility for a bus stand. Having regard to the aforesaid fact and circumstances and provisions of the Act and rules and the forms and in the light of the judgments in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (full bench), 1980 KLT 249), application is **adjourned** until after the applicant has acquired the ownership of a ready vehicle and furnished the registration mark and the relevant particulars thereof before this authority as prescribed in the form P.St.Sa. under section 70(2) of Motor Vehicle Act.

**Item No. 10****J1/5332/2023/K**

Heard the applicant Sri.Jomon Gopi, chengottayil House, Perumbaikadu PO. through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Ettumanoor BS – Chavittuvari Via Peroorkavala, Kandanchira Kavala, Poovathummoodu, Thiruvanchoor and Mascow Kavala as ordinary service.

This matter was considered by the RTA on 03.07.2023 but the same was adjourned for want of a detailed and unambiguous report of enquiry. The Honourable High Court of Kerala had directed this authority to consider the application in accordance with law within a period of one month. However the applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the

applicant to procure ownership of a vehicle after the sanction of the application.

However there are strong objections against the terminus at Chavittuvary being fixed since there is no public bus stand or facility for a bus stand. Having regard to the aforesaid fact and circumstances and provisions of the Act and rules and the forms and in the light of the judgments in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (full bench), 1980 KLT 249), application is **adjourned** until after the applicant has acquired the ownership of a ready vehicle and furnished the registration mark and the relevant particulars thereof before this authority as prescribed in the form P.St.Sa. under section 70(2) of Motor Vehicle Act.

#### **Item No. 11**

**J1/5333/2023/K**

Heard the applicant Smt. Sini Shaji, Thekkevayalil House, RPC PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kuzhimavu-Pala Kottaramattom BS via Paschima, Vandanpathal, Mundakayam, Bypass road, Kooramthooku, Koovappally, Pattimattom, Kanjirapally, Thampalakkadu, Pannamattom, Koorali, ponkunnam, Paika, Pala Old BS, Govt hospital Jn., Civil Station, Puthenpallikunnu and RV Junction as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in

Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

## **Item No. 12**

**J1/6013/2023/K**

Heard the applicant Sri.Sijukumar KN, Kothappallil House, Chirakadavu, Centre PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Manimala-Pala Kottaramattom BSVia Manimala, Chamampathal, Chirakadavu Temple, Koorali, Paika, Poovarni, 12<sup>th</sup> Mile, Pala Town BS as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

Heard the applicant Sri. Philip Jose, Manakuzhiyil House, Nariyanani PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Pala Kottaramattom BS - Chenappady Via RV Jn, Pala old BS, Poorali, Ponkunnam, Mannamplavu, Kallarakavu and Vizhikathondu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority,

the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 14**

**J1/E-499645/2023/K**

Heard the applicant Sri.ShafeekBasheer, Kallukombil House, Chirakadavu Po through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the routeManimala-Pala Kottaramattom BSVia,Thekkethukavala,Ponkunnam, Paika, Poovarani as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in



the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

The applicant shall submit a modified time schedule for operation on the route Manimala Pala kottaramattom BS without any cut trips in between.

**Item No. 15**

**J1/E-510502/2023/K**

Heard the applicant Smt. Vidya D, Kadampanat Madam, Chenappadi, Erumeli South through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Mukkada Kanjirapally Via Charuveli, Marootichuvadu, chenapadi, Vizhikkathodu, Mannarakkayamas ordinary service.

This matter was considered on 03/07/2023 but adjourned. The applicant has not furnished any ready vehicle for being issued with a permit. But at the time of hearing today the applicant has offered a vehicle bearing registration number KL-34-D-7906 which did not stand

registered in the name of the applicant or owned by him. The said vehicle is owned by Sri. Sabu Philip, Chethimattathil House, Keerikara PO. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30), 66(1) and the prescribed form P.St. and the judgement in Bhaskaran Vs RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

#### **Item No. 16**

**J1/545588/2023/K**

Heard the applicant Sri.Harilal G, Ettikamuriyil House, Mannarakkayam, PO, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Chunkappara-KanjirapallyViaAlapra, Pulikkallu, Manimala, Pazhyidom, Anjilippa and Mannarakkayam as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle

has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Pathanamthitta and fitness certificate for virgin portion from the appropriate authority.

**Item No. 17**

**J1/541921/2023/K**

Heard the applicant Sri.Lijo K Jose,Kopparambil, Chempu P.O,Kattikunnu,Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit in respect of stage carriage KL-12-C-5355 on the routeVaikom-Kaippuzhamuttu-T V PuramVia Bund Road, Edayazham, Thalayazham, Vaikom and Vaikathupalli as ordinary service.

**Granted** permit subject to settlement of timings and Payment of pending compounding fee and other government dues, if any.

**Item No. 18**

**J1/10016/2023/K**

Heard the applicant Sri.Joseph Mathew, Thadathil House, kulayettikara PO, Ernakulam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the routeVaikom-Pala Via Thalayazham, Edayazham,Kallara, Puthenpally, Kuruppanthara, Kuruvilangadu, Kottaramattom Bus Stand, By-pass, Mini Civil Station and Old Stand as ordinary service.

He has offered a ready vehicle bearing registration number KL-09-Q-8316 owned by him. Permit is **granted** subject to settlement of timings and Payment of pending compounding fee.

**Item No. 19**

**J1/11983/2023/K**

Heard the applicant Sri.Sooraj Soman, Panackalpadath House, Koodamthuruth, Alappuzha through counsel and the objectors. This is the application for the grant of fresh stage carriage permit in respect of

stage carriage KL-08-AG-6996 which stands registered in the name of the applicant itself, on the route Velorvattom Temple-Cherthala-vaikom Via varanadu, Thaneermukkom, Ambika Market, Kudavechoor, Bund Road, Edayazham and Ullala as ordinary service.

A portion of the route applied for lies in Alappuzha district for a distance of 10.5 KMs. The overlapping on the notified route Alleppey-ThanneerMukkam for a distance of 100mts is an inevitable overlapping necessitated by the traffic arrangements in and around ThanneerMukkam. Under the circumstances call for the **prior concurrence** of the RTA Alappuzha. Hence **adjourned**.

#### **Item No. 20**

**J1/623943/2023/K**

Heard the applicant Sri.Radhakrishnan P.G, Panamthottathil House, Vilakkumadam P.O, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Chathankulam-Kunnonni Via Paika, pala, Bharanganam, Erattupeta, Poonjar and Kadaladimattom as ordinary service.

The applicant has not furnished any ready vehicle for being issued with a permit. But at the time of hearing today the applicant has offered a vehicle bearing registration number KL-12-D-6500 which did not stand registered in the name of the applicant or owned by him. The said vehicle is owned by Ragi K, Chappyil House, Perole, Thimiri, Chathamath PO, Kasaragode. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered

owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30), 66(1) and the prescribed form P.St. and the judgement in Bhaskaran Vs RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

**Item No. 21**

**J1/e-536857/2023/K**

Heard the applicant Sri.T K P Reghuraja Menon, Krishnasadanam, Anjilithanam P.O, Pathanamthitta through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Belivers Church Medical College – Changanassery Perunna BS Via Bethel Chruch Jn. And Paippad as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean while call for **prior concurrence** from RTA, Pathanamthitta should be obtained. The applicant shall also specify the route by stating the intermediate places.

#### **Item No. 22**

**J1/12101/2023/K**

Heard the applicant Sri.Rajesh K.K., Kavunkal House, Ramapuram, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Pala Kottaramattom BS-THodupuzha Via RV junction, puthenpallikunnu, civil Station, kurisupallyjn, Stadium Jn, Town BS, Mundupalam, Ezhacheri, Ramapuram, Palachuvadu, Kuninji, Santhigiri College, Kannadikanadam, MarikaKnanayaChurch,Vazhithala, Purappuzha, Nediyasala, KolaniJn, Irakkumpuzha, High range Hotel JN., Gandhi Square, KSRTC jn and St. Mary's JN as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA, Idukki and RTA, Muvattupuzha.



**Item No. 23****J1/12562/2023/K**

Heard the applicant Sri.Anubose KM, Kizhakkepara House Manimala PO, through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Manimala-Kanjirappally Via pazhayidom, Valakkayam and Anjalippa as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority,

the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 24**

**J1/617052/2023/K**

Heard the applicant Sri.Rayeez Ali Rasheed, Thekkeedaparuthiyil House, Karippadom PO, Velloor, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kaippuzhamuttu-Chottanikkara via Vaikom, Palamkadavu, Toll Jn., Brahmamangalam, Neerpara, Kanjiramattom and Mulathuruthy as ordinary service.

The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

The proposed route is hit by the approved scheme and notified route under notification number GO. MS. 13/2023 dated 27/11/2023 in as much as there is an overlapping of 5 Kms from Toll JN to Link Road JN Vaikom on the notified route Ernakulam - Thekkadty

Having regard to the aforesaid provisions of the Act and rules and the forms and in the light of the judgments in NatarajanVs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (full bench), 1980 KLT 249) and objectionable overlapping on notified route. Hence the application is **Rejected**.

**Item No. 25**

**J1/643641/2023/K**

Heard the applicant Sri.Gopidas, Syamalayam House, Kallara PO, through counsel and the objectors. This is the application for the grant of fresh stage carriage permit in respect of stage carriage bearing registration mark KL 17A 9725 on the route Kaippuzhamuttu-Ramapuram Via Bund road, Kallara, Kuruppanthara, Kozha, Mannackanadu, Kurichithanam, Uzhavoor, Koodapulam and Amanakara as ordinary service. Permit is granted subject to settlement of timings. The permit is **granted** to conduct service on the above said route in the entire trips, subject to the settlement of timings.

**Item No. 26**

**J1/615143/2023/K**

Heard the applicant Smt. Merin Joseph, Chethipuzha House, Karinilam PO through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the routeMundakayam-

PlappallyViaKuzhimavu, Kombukuthi, Thalunkal Temple as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 27****J1/615145/2023/K**

Heard the applicant Sri.Suraj V M, Vellilaparambil House, Kuppakkayam PO, Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kombukuty-Munkayam-Kuzhimavu-116 Colony- Kanjirappally-504 Colony-PakkanamViaVarikkaniJn, Vandanpathal, Madukka, Koruthodu, Mundakayam, By-pass road, Chachikavala, Vellanadi, Kooramthooku, Koovappally, Mannarkkayamas ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 28**

**J1/657/2024/K**

Heard the applicant Smt. Ansiyamol P S, Puthuparambil House, Panackachira PO Kottayam through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Mundakayam-KombukuthyViaCosway Jn., Karinilam, Pakkanam, Kuzhimavu, Anakkallu, Manikallu, Chappath and Kokkayar as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Idukki.

**Item No. 29**

**J1/17438/2023/K**

Heard the applicant Sri.Shibu Abraham, Puthenpurackal House, Thrikkodithanam P.O. through counsel and the objectors. This is the application for the grant of fresh stage carriage permit on the route Kunnamthanam-Chaganassery-Perunna BS as ordinary service.

The application for regular stage carriage permit on the route Kunnamthanam-Chaganassery-Perunna BS has been taken up for consideration. The applicant Sri.Shibu Abraham appeared in person and stated that he has not applied for any permit at all and that he is not in need of a stage carriage permit. He has urged this authority to investigate the fraudulent application by some interested parties as though he had applied for a permit. He does not own any stage carriage

and thus it is clear that the application have been filed by some fictitious persons. Therefore the application is **rejected**.

Since the RTA is bound to initiate under such shady circumstances these authority prefers to initiate action under the provisions of BNS. The secretary will initiate action.

### **Item No. 30**

**J1/628/2024/K**

Heard the applicant Sri. Saju Michael, Thokkanattu house, Elikulam P.O., Kottayam through counsel and the objectors. This is an application for the grant of fresh stage carriage permit on the route Ponkunnam – Pala Kottaramattam bus stand as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in



the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 31**

**J1/682424/2024/K**

Heard the applicant Sri. Sandeep Sathyan, Thayamkeri house, Karikkattur P.O., Karimpanakalam, Kottayam. This is an application for the grant of fresh stage carriage permit on the route Kulathoormuzhy– - Pala via Pathanad, Kadanayikadu, Kodungoor as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No. 32**

**J1/17439/2023/K**

Heard the applicant Sri. George Joseph, Ezhaperoor house, Kummannoor, Kidangoor, Kottayam. This is an application for the grant of fresh stage carriage permit on the route Kuravilangad - Paika via Kadaplamattam, Cherpunkal, Kozhuvanal as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

### **Item No. 33**

**J1/627205/2023/K**

Heard the applicant Sri. Antony Francis, Palamootil house, Poovathodu Post, Kottayam through counsel and the objectors. This is an application for the grant of fresh stage carriage inter district permit on the route Kanjirapally – Piravom via Paika, Pala, Marangattupally, Uzhavoor, Piravom as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for

consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time call for **prior concurrence** from RTA Muvattupuzha.

**Item No. 34**

**J1/682408/2023/k**

Heard the applicant Sri. Sajan V. Jose, Vazhayil house, Thekkekara, Poonjar, Kottayam through counsel and the objectors. This is an application for the grant of fresh stage carriage permit on the route Kilikulamkavu (Mannanam) - Pala via Pathampuzha, Erattupetta as ordinary service.

The applicant has not furnished in his application any ready vehicle for being issued with a permit. But at the time of hearing today he has offered a vehicle bearing registration number KL-05-P-7117 which did not stand registered in the name of the applicant or owned by him. The said vehicle is owned by Sri. Thomas, S/o. Ouseph, 269A, Karukaparambil, Karipadam, Velloor, Vaikom. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30), 66(1) and the prescribed form P.St. and the judgment in Bhaskaran vs. RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

**Item No. 35**

**J1/616892/2023/K**

Heard the applicant Sri. Vijayapan Nair A., Anugraha Manthanathu, Chirakkadavu P.O, Ponkunnam, Kottayam through counsel and the objectors. This is an application for the grant of fresh stage carriage permit for on the inter district route Manimala – Vyttila hub via Kodungoor, Pallikathodu, Ayarkunnam, Kidangoor, Maranatupally, Kozha, Neezhoor, Peruva, Piravom, Mulamthuruthy, Kandanadu, Puthiyakavu, Ayurveda hospital, Mekkara, Thripunithura, Maradu and Kundannoor as LSOS.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

A portion of the route lies in Ernakulam district. The Secretary, RTA will call for **prior concurrence** from RTA, Ernakulam and Muvattupuzha.

**Item No.36****J1/6272/116/2023/K**

Heard the applicant Sri. Suresh George. This is an application for the grant of fresh stage carriage permit on the inter-district route on Puthupally – Adimaly via Manrkdu, Arakkuzha, Muvattupuzha, Kothamangalam Neriamangalam etc. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority,

the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Muvattupuzha and Idukki.

### **Item No.37**

**J1/616976/2023/K**

Heard the applicant Sri. Sobin K.V. This is an application for the grant of fresh stage carriage permit on the inter-district route on Pallickathodu – Vyttila hub via Pala Kurisupally junction, Piravom, Puthiyakavu, Thripunithura etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the



grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Muvattupuzha and Ernakulam.

#### **Item No.38**

**J1/616906/2023/K**

Heard the applicant Sri. Jobish Joshy. This is an application for the grant of fresh stage carriage permit on the inter-district route on Ponkunnam – Ponekkara-Vyttila hub via Pala, Ramapuram, Koothattukuolam, Piravom, Kandanad, Tripunithura, Vyttila hub, Ponnurunni and Elamakkara, as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is adjourned until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Muvattupuzha and Ernakulam.

**Item No.39****J1/583/2024/K**

Heard the applicant Sri. Roy Joseph. This is an application for the grant of fresh stage carriage permit on the intra district route on Kumarakom- Kuravilangadu – Kaduthuruthy market via bund road, Kallara, Kaduthuruthy, Neezhoor, Kuravilanadu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had

offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.40**

**J1/744/2024/K**

Heard the applicant Sri. Sabin George. This is an application for the grant of fresh stage carriage permit on the intra district route on

Ramapuram – Manimala via Vellilapally, Pala, Mutholi junction, Pallikkathodu and Chamampathal as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.41****J1/743/2024/K**

Heard the applicant Sri. Sebastian Shyju. This is an application for the grant of fresh stage carriage permit on the intra district route on Ramapuram – Erattupetta via Ezhachery, Kollapally, Kurumannu, Kayyoor, Plasannal and Panackapalam as ordinary service.

The applicant has not furnished in his application any ready vehicle for being issued with a permit. But at the time of hearing today he has offered a vehicle bearing registration number KL-06-B-8910 which does not stand registered in the name of the applicant or owned by him. The said vehicle is owned by Sri. Thrideepkumar M., S/o. Muraleedharan, Saleena Bhavan, Kollaka P.O., Vadakumthala, Karunagapally, Kollam. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30) and 66(1) and the prescribed form P.St. and the judgment in Bhaskaran vs. RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

**Item No.42****J1/156/2024/K**

Heard the applicant Sri. K.C. Jose. This is an application for the grant of fresh stage carriage permit on the intra district route on

Amanakara –Pala via Velloor, Ramapuram, Pala, Kozhuvanal, Uzhavoor, Veliyannoor, Puthuvvely, Peruva, as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.43****J1/86/2024/K**

Heard the applicant Sri. K.C. Praveen. This is an application for the grant of fresh stage carriage permit on the intra district route on Kodungoor – Pampady – Pallickathodu –Pala (kottaramattam bus stand) via Vattukulam, 58 colony, Chappath, Pallickathodu, Anicadu, Chengalam, 12<sup>th</sup> mile, R.V. Junction etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the

particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time R.T.A Secretary will conduct a detailed enquiry about the virgin portion and will submit a report.

**Item No.44**

**J1/156/2024/K**

Heard the applicant Sri. K.C. Praveen. This is an application for the grant of fresh stage carriage permit on the intra district route on Kodungoor –Pala (kottaramattam bus stand) via Pallickathodu, Chengalam, Mevada, Pala Kurisupally as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the



grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time R.T.A Secretary will conduct a detailed enquiry about the virgin portion and will submit a report.

**Item No.45****J1/e-683810/2024/K**

Heard the applicant Sri. Simon Abraham. This is an application for the grant of fresh stage carriage permit on the intra district route on Achickal- Pala via. Achikal Harijan colony, Valavoor, Mundupalam, Kurisupally kavala, Marangattupally, Kurichithanam junction and Uzhavoor as ordinary service.

The applicant at the time of hearing has offered a ready vehicle bearing No.KL-35-6395 owned by him. There is no violation of any approved schemes. The permit is **granted** subject to settlement of timings.

**Item No.46****J1/914/2024/K**

Heard the applicant Sri. Jessy Saji. This is an application for the grant of fresh stage carriage permit on the inter district route on Cherthala – Teekoy a portion of which lies in Alapuzha district.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Alappuzha.

**Item No.47**

**J1/846/2024/K**

Heard the applicant Sri. Jessy Saji. This is an application for the grant of fresh stage carriage permit on the inter district route on Pampady – Ranni via Koorapara, Puthupally, Karukachal and Mallapally as ordinary service. A portion of the route lies in Pathanamthitta district.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Pathanmathitta.

**Item No.48****J1/580/2024/K**

Heard the applicant Sri. Jessy Saji. This is an application for the grant of fresh stage carriage permit on the inter district route on Erumely - Karukachal via Ponthanpuzha, Chungapara, Kulathoormuzhi, Punnaveli etc.. as ordinary service. A small portion of the route falls in Pathanmathitta district.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the

grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Pathanmathitta.

#### **Item No.49**

**J1/2258/2024/K**

Heard the applicant Smt. Krishna Priya V.S. This is an application for the grant of fresh stage carriage permit on the intra district route on Manimala – Ponkunnam – Pala via Manimala church jn., Cheruvally, Pazhayidom, Thekkethukavala, Ponkunnam, Koorali, Paiga and Chengalam as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.50****J1/2257/2024/K**

Heard the applicant Sri. Subhash K. Vinister. This is an application for the grant of fresh stage carriage permit on the intra district route on Kanjirapally – Pathanadu via Pazhayidam, Manimala, Vellavoor, Vadakara, Mundathanam as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in

Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

#### **Item No.51**

**J1/2866/2024/K**

Heard the applicant Sri. Jomon Jacob. This is an application for the grant of fresh stage carriage permit on the intra district route on Adivaram – Uzhavoor – Parathodukavala via Peringulam, Erattupeta, Barananganam, Pala, Mundupalam, Chethimattam, Uzhavaoor as ordinary service.

The applicant has not furnished in his application any ready vehicle for being issued with a permit. But at the time of hearing today he has

offered a vehicle bearing registration number KL-05-S-9792 which does not stand registered in the name of the applicant or owned by him. The said vehicle is owned by Sri.P. Sreekandan Nair, Possessor, S/o. Parameswaran Nair, Lakshmi vihar, Champakara P.O. from Rintu Antony, Changanassery lease No.CX 807711, Kottayam – 686 539. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30) and 66(1) and the prescribed form P.St. and the judgment in Bhaskaran vs. RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

#### **Item No.52**

**J1/2717/2024/K**

Heard the applicant Sri. Roy P. Babu. This is an application for the grant of fresh stage carriage permit on the inter district route on Marangattupally – Kanjirappally – Pala via 1<sup>st</sup> trip Marangattupally, Kanjirapally, Pala and 2<sup>nd</sup> and 3<sup>rd</sup> trips on Pala, Chungapara, Pala as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for



consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time call for **prior concurrence** from RTA Pathanamthitta. The Secretary will cause a detailed enquiry on the following and report.

The number of routes covered by the proposed route for permit.

The number of termini on the proposed routes

Whether the various routes encompassed in the proposal would serve the convenience of the public at large

The specification of the route by incorporating the important intermediate points in between the termini

**Item No.53****J1/2471/2024/K**

Heard the applicant Sri. Sabu C. Kurian. This is an application for the grant of fresh stage carriage permit on the intra district route on Kooropada – Ettumanoor via Pampady, Pallikkathodu, Kooropada, Pulinchuvadu, Madappad as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the

particulars of vehicle owned by him before the matter is again taken up for final consideration.

The Secretary will submit a detail report of the route specifying the intermediate places.

**Item No.54**

**J1/2819/2024/K**

Heard the applicant Sri. Mathew Jose. This is an application for the grant of fresh stage carriage permit on the intra district route on Kurupaanthara – Manimala via Kuravinlangad bus stand, Kozha, Marangattupally, Paika, Koorali, Ponkunnam etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the

grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.55**

**J1/2878/2024/K**

Heard the applicant Sri. Arun C.S. This is an application for the grant of fresh stage carriage permit on the intra district route on Chenappadi – Manimala via Ponkunnam, Chengalam, Kanjiramattom as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been

granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.56****J1/2047/2024/K**

Heard the applicant Sri. Arun C.S. This is an application for the grant of fresh stage carriage permit on the intra district route on Ettumanoor-Pallickathodu via Madappadu, Ayarkunnam, Amayannoor, Methranchery, Eruthupuzha, Moongakkuzhy, Asramampady etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.57**

**J1/2722/2024/K**

Heard the applicant Sri. Jose K.J. This is an application for the grant of fresh stage carriage permit on the intra district route on Ettumanoor-Peruva via Kuravilangad, Madukka, Kanakkari, etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle

has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.58**

**J1/1339/2024/K**

Heard the applicant Sri. P.T.Aniyan Kunju. This is an application for the grant of fresh stage carriage permit on the intra district route on Nagampadm bus stand – Thiruvalla – Vyttila hub via Kanjikuzhy, Chingavanam, Thengana, Nalukodi, Thiruvalla private bus stand, Thiruvalla town, Payippad, Thrikodithanam, Njaliyakuzhi, Puthupally, Manarkadu kavala, Ayarkunnam, Kidangoor, Marangattupally, Uzhavoor, Monipally, Elenji, Piravom, Mulamthuruthy, Thripunithua bus stand, Maradu, Kundannoor, Vyttila as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. The Secretary will ascertain the route between Mulamthuruthy and Thripoonithura bus stand through which the service is proposed to be operated and also whether there would be any objectionable overlapping on any notified route. In the mean time call for **prior concurrence** from R.T.A, Ernakulam and Pathanamthitta.



**Item No.59****J1/1340/2024/K**

Heard the applicant Sri. P.T.Aniyan Kunju. This is an application for the grant of fresh stage carriage permit on the intra district route on Nagampadm bus stand – Thiruvalla – Vyttila hub via Kanjikuzhy, Chingavanam, Thengana, Nalukodi, Thiruvalla private bus stand, Thiruvalla town, Payippad, Thrikodithanam, Njaliyakuzhi, Puthupally, Manarkadu kavala, Ayarkunnam, Kidangoor, Marangattupally, Uzhavoor, Monipally, Elenji, Piravom, Mulamthuruthy, Thripoonithura bus stand, Maradu, Kundannoor, Vyttila as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. The Secretary will ascertain the route between Mulamthuruthy and Thripoonithura bus stand through which the service is proposed to be operated and also whether there would be any objectionable overlapping on any notified route. In the mean time call for **prior concurrence** from R.T,A, Ernakulam and Pathanamthitta.

#### **Item No.60**

**J1/2225/2024/K**

Heard the applicant Sri. Raju Joseph, Thekkeparambil, Ettumanoor East P.O, Kottayam. This is an application for the grant of fresh stage carriage permit on the intra district route on Kuravilangadu – Lakkattoor-Kuruppanthara (Semi Circular service) via Nechimattom, Madakkunnu, Vayala, Koodalloor, Vallikkadu Jn, Thavalakkuzhi, Ettumanoor, Madappadu, Arumanoor, Ayarkkunnam, Thalikallu, Chennamattom (and back to) Ettumanoor ITI, Kottamuri, Onamthruruthy, Moozhikuolangara, Parelpally, Chamakkal, Manjoor south, Kuruppanthara and Thottuva as ordinary service.

At the time of application itself the applicant has submitted the details of a stage carriage owned by him bearing No. KL-03-N-9923. Certain objections were raised before this authority as to the extent of overlapping on various notified routes. This authority satisfied that there is no overlapping on any of the notified routes beyond the extent

permitted by the schemes. Hence permit is **granted** subject to settlement of timings.

**Item No.61****J1/2046/2024/K**

Heard the applicant Sri. Shijo Mampuzhakkal Abraham. This is an application for the grant of fresh stage carriage permit on the intra district route on Manimala – Ettumanoor via Chamapathal, Kodngoor, Pallickathodu, Kooropada, Oravakkal, Amayannoor, Ayarkunnam, Aruymanoor and Madappadu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the

grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.62**

**J1/2877/2024/K**

Heard the applicant Sri. Joseph C. John. This is an application for the grant of fresh stage carriage permit on the intra district route on Pampady – Kottayam via Pampady, Kalachanda, Munidyackal, Payyapadi, Paloorppadi as ordinary service.

The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A or even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

Having regard to the aforesaid provisions of the Act and rules and the forms and in the light of the judgments in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (Full Bench), 1980 KLT 249) and the objectionable overlapping for a distance of 2.5 kms from Kanjikuzhy to Gandhi Square the application is **rejected**.

#### **Item No.63**

**J1/2423/2024/K**

This item has been supplied with some corrections and included in the agendas against erratum item No.1.

#### **Item No.64**

**J1/2832/2024/K**

Heard the applicant Sri. Jayashankar T. This is an application for the grant of fresh stage carriage permit on the intra district route on Malarickal – Kottayam –15<sup>th</sup> Kadavu via Kanjiram, Illickal, Thiruvathuckal, Karappuzha as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

**Item No.65**

**J1/2184/2024/K**

Heard the applicant Sri. Baby Jacob. This is an application for the grant of fresh stage carriage permit on the intra district route on Ettumanoor – Koodalloor – Neezhoor via bypass, Vallikkad, Kurvilangad, Thevarthumala, Mukkathykavala, Vattakkunnu, Vadakkenirappu, Bhajanamadam as ordinary service.

The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A or even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

Having regard to the aforesaid provisions of the Act and rules and the forms and in the light of the judgments in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (Full Bench), 1980 KLT 249) and the violation of the approved scheme ( G.O(P) No 13/2023/Trans. Dated 03/05/2023) in as much as it overlaps

for a distance of 2.7 kms from Kuriam to Kuravilangadu of the notified route Kottayam – Kozhikode, the application is **rejected**.

**Item No.66****J1/1358/2024/K**

Heard the applicant Sri. Subash K. Vinister. This is an application for the grant of fresh stage carriage permit on the inter district route on Kanjirapally – Mallapally via Anchilipa, Mannarkayam, Pazhayidom, Manimala, Vadakara, Kulathoormoozhy, Vaipur and Murany as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the



grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time call for the **prior concurrence** from R.T.A., Pathanamthitta.

#### **Item No.67**

**J1/e683879/2024/K**

Heard the applicant Sri. Nebu Lukose. This is an application for the grant of fresh stage carriage permit on the intra district route on Pravattom – Changanacherry via Malikakadavu, Vakathanam, Puthupally, Manarcadu and Ettumanoor as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time Secretary, R.T.A will call for a modified time schedule from the applicant with specific intermediate points.

**Item No.68****J1/e683865/2024/K**

Heard the applicant Sri. Nithin Lukose. This is an application for the grant of fresh stage carriage permit on the intra district route on Pravattom – Changanacherry via Malikakadavu, Vakathanam, Puthupally, Manarcadu and Ettumanoor as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle

has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time Secretary, R.T.A will call for a modified time schedule from the applicant with specific intermediate points.

**Item No.69**

**J1/167/2024/K**

Heard the applicant Sri. Raveendran B, Gowri Sankara Bhavana,T.V Puram P.O, Vaikom. This is an application for the grant of fresh stage carriage permit on the intra district route on Toll JN – T.V. Puram via Maravanthuruthu, Palamkadavu, Thalayolaparambu, Korickal, Pazhampady, Vazhamana, Vaikom Vaikathupally as ordinary service.

The applicant has not furnished in his application any ready vehicle for being issued with a permit. But at the time of hearing today he has offered a vehicle bearing registration number KL-16-A-6768 which does not stand registered in the name of the applicant or owned by him. The said vehicle is owned by Sri. Vinod Kumar V.M, S/o. Madanan, Kuriyadiathu, Vadukunnapuzha, Peruva P.O., Mulakulam, Kottayam – 686 610. The applicant has not produced any proof of his ownership or possession of the vehicle at the time of hearing. A combined reading of section 2(30) and section 66(1) would suggest that a permit can be granted to none other than the registered owner of the vehicle. Section 66(1) having inserted the expression “permit authorizing him to use the vehicle” would make it certain that the owner, much less the registered owner of the vehicle alone is entitled to a permit under section 66(1) of the Act. Having regard to the revised provisions of sections 2(30) and 66(1) and the prescribed form P.St. and the judgment in Bhaskaran vs. RTA, Alleppey (2003(1)KLT 106) the application is **rejected**.

**Item No.70**

**J1/e617002/2024/K**

Heard the applicant Sri. Jikku Jacob. This is an application for the grant of fresh stage carriage permit on the inter district route on Kanjirapally – Chunkapara via Anjalippa, Mannamplavu, Pazhayidom, Marottichuvadu, Karikkattoor centre, Charuveli, Ponthanpuzha, Melekavu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a ‘suitable vehicle’ that had no existence outside his own

imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the meantime call for **prior concurrence** from R.T.A, Pathanamthitta.

**Item No.71**

**J1/196/2024/K**

Heard the applicant Smt. Anjani Sathyan. This is an application for the grant of fresh stage carriage permit on the intra district route on

Kottachira – Piravom via Moothedathukavu, Vaikom, Poothotta, Kanjiramattom and Arakunnam as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration. In the mean time call for prior concurrence from R.T.A, Ernakulam. Further the R.T.A Secretary will conduct a detailed route enquiry and submit report.

**Item No.72****J1/e545614/2024/K**

This item has been supplied with some corrections and included in the agendas against erratum item No.2.

Heard the applicant Smt. Manju Gopi. This is an application for the grant of fresh stage carriage permit on the inter district route on Thannermukkom- Vaikom via bund road, Ullala, Thalayzham, Vaikom, Moothedathukavu and St. Xaviers colleges with circular trip via Moothedathukavu and Thalayazham and back as ordinary service. On perusal of the matter this authority has perceived that this item will consider as erratum No.2 in this sitting of this authority. Hence this item is hereby disposed.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been

granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the mean time **prior concurrence** shall also be called for from the R.T.A, Alappuzha.

### **Item No.73**

**J1/3493/2024/K**

Heard the applicant Sri. Jiss Jose. This is an application for the grant of fresh stage carriage permit on the inter district route on Mundakkayam – Erumely via Karinilam, Pulikkunnu, Kannimala, Peroorthodu as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakulam (AIR 1999 (KER) 207) also.



This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

#### **Item No.74**

**J1/3492/2024/K**

Heard the applicant Sri. Jewalmon George, S/o.George Joseph, Memana,Naduvilamakkal, Ramapuram P.O., Kottayam. This is an application for the grant of fresh stage carriage permit on the intra district route on Anichuvadu – Pampady via Kudappulam, Kondadu, Ramapuram, Chakkampuzha, Mundupalam, Kurisupally Jn., stadium jn., Pala old bus stand, Kottaramattom bus stand, Hospital junction, 12<sup>th</sup> mile, Panthathala, Mevida, Kozhuvanal, Poovathilappu, Pallickathodu, Aravinda school, Mukkali, 58 Colony, SN Puram temple, Panappally, Chennamattam, Makkapady, Pampady as ordinary service.

The applicant at the time of hearing has offered a ready vehicle bearing No.KL-05-W-7799 owned by him. The permit is **granted** subject to settlement of timings.

**Item No.75****J1/2616/2024/K**

Heard the applicant Sri. Anoop Kumaran. This is an application for the grant of fresh stage carriage permit on the inter district route on Pala – Thodupuzha via Pala Kottaramattom bus stand, Puthenpalikkara, Neediyasal, Kolani etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a `suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the

grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

The Secretary will call **prior concurrence** from R.T.A, Idukki.

**Item No.76**

**J1/2426/2024/K**

Heard the applicant Sri. Simon Abraham. This is an application for the grant of fresh stage carriage permit on the inter district route on Piravom – Monipally – pala via Elanji, Mukkada jn, Uzhavoor, Chethimatom Jn, Valavoor, Mundupalam Jn, Pallikkaval etc.. as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

The Secretary will call **prior concurrence** from R.T.A, Muvattupuzha.

**Item No.77**

**J1/12964/2023/K**

Heard. The proposal seems to be a curtailment of the existing route for a distance of 22 k.m from Ponkunnam to Manarcadu. Concurrence is **granted**.

**Item No.78**

**J1/4978/2023/K**

Heard. The variation sought for is to extend second and fourth trips and change of termini from Veloor HPC to Veloor bus stand. Concurrence is **granted**.

**Item No.79****J1/e-688411/2024/K**

Heard. The concurrence **granted** to operate the vehicle for a distance of 19.4 k.m from Palachuvadu to Pala via Ramapuram, Chakampuzha, as requested.

**ItemNo.80****J3/592/2024/K**

Pursuant to the representation before the *Navakerala Sadhas* and the demand of the Traffic Advisory Committee, variation of the route so as to touch the Pala old bus stand, is **granted** subject to settlement of timings. The objection against the grant of variation is overruled in view of the aforesaid demands.

**Item No.81****J3/234/2024/K**

This is an application for variation of route by curtailment and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of

the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional convenience to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route.

Having regard to the aforesaid facts and circumstances and the change of timings the application for variation is **rejected**.

**Item No.82****J3/346/2024/K**

Heard. The variation applied for **granted**.

**Item No.83****J3/17739/2023/K**

**Adjourned** for want of a detailed report on the variation of the route. So also fitness certificate in respect of the virgin portion, from competent authority, i.e. awaited.

**Item No.84****J3/10189/2023/K**

This is an application for variation of route by curtailment and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. The intention behind the application is only to dislodge the existing schedule of time on an experimental basis for enhancing his daily income at any cost of the commuters' inconvenience.

Having regard to the aforesaid facts and circumstances the application for various is **rejected**.

**Item No.85****J3/14851/2023/K**

This is an application for variation of route by extension and change of starting place and halting place. A new set of timing entirely different from the old one has been proposed by the applicant.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is

likely to cause inconvenience and hardship to the commuters on the permitted route.

Having regard to the aforesaid facts and circumstances the application for variation is **rejected**.

**Item No.86**

**J3/10632/2023/K**

This is an application for variation of route by curtailment and extension.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional convenience to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route.

Having regard to the aforesaid facts and circumstances the application for variation is **rejected**.

**Item No.87**

**J3/1759/2024/K**

Heard. Variation applied for is **granted**.



**Item No.88****J4/7297/2024/K**

Heard. Variation **granted**.

**Item No.89****J4/620/2024/K**

Heard. The variation **granted**.

**Item No.90****J4/92/2024/K**

The permit in respect of stage carriage KL 10 AY 4404 on the route Kottayam – Kadapoor has expired on 06/04/2021. Now the said vehicle is covered by a temporary permit only. There is no provision for seeking or for granting variation of temporary permit. Hence **rejected**.

**Item No.91****J4/3312/2024/K**

Heard. Variation **granted**.

**Item No.92****J4/1618/2024/K**

The permit in respect of stage carriage KL 36 E 4141 on the route Kottayam– Vaikom has expired on 19/09/2021. Now the said vehicle is covered by a temporary permit only. There is no provision for seeking or for granting variation of temporary permit as per section 80 (3) of the Motor Vehicle Act. Hence **rejected**.

**Item No.93****J4/7931/2023/K**

This is an application for variation of route by curtailment and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.94****J5/17440/2023/K**

This item has been supplied with some corrections and include in the agenda against erratum item No.3.

**Item No.95****J5/e692577/2024/K**

This is an application for variation of route by curtailment and change of termini.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route.

Having regard to the aforesaid facts and circumstances the application for variation is **rejected**.

**Item No.96**

**J5/7298/2023/K**

Heard. Variation is **granted**.

**Item No.97**

**J5/624/2024/K**

This is an application for variation of route by curtailment and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route.

Having regard to the aforesaid facts and circumstances the application for variation is **rejected**.

**Item No.98****J5/e682414/2024/K**

This is an application for extension of route accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is

likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.99****J5/KL05AV8260/2024/K**

Heard. Variation **granted**.

**Item No.100****J5/2267/2024/K**

This is an application for variation of route by curtailment, extension of route and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.101****J5/2762/2024/K**

This is an application for variation of route by curtailment and change of termini.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.102****J5/1612/2024/K**

This is an application for variation of route by curtailment and change of termini.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is

likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.103****J6/202/2024/K**

Heard. Variation **granted**.

**Item No.104****J6/17437/2024/K**

Heard. Variation **granted**.

**Item No.105****J6/9121/2024/K**

The permit in respect of stage carriage KL 5 AM 8100 on the route Vaikom - Kottayam has expired on 02/05/2020. Now the said vehicle is covered by a temporary permit only. There is no provision for seeking or for granting variation of temporary permit as per the provisions of section 80 (3) of the Motor Vehicle Act. Hence **rejected**.

**Item No.106****J6/8290/2024/K**

This is an application for variation of route by curtailment, change of termini, extension of time accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would provide any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

**Item No.107****J6/7997/2024/K**

Request for withdrawal of application **allowed**.

**Item No.108****J6/633/2024/K**

The permit in respect of stage carriage KL 33 8191 on the route Thiruvarpur–Medical college has expired on 16/06/2021. Now the said vehicle is covered by a temporary permit only. There is no provision for seeking or for granting variation of temporary permit under section 80 (3) of the Motor Vehicle Act. Hence **rejected**.

**Item No.109****J3/13290/2023/K**

Heard. Variation **granted**.

**Item No.110****J4/1618/2024/K**

Heard. Variation **granted** subject to settlement of timing.



**Item No.111****J1/KL505AY9037/2024/K**

This is only a **duplication** of Item No. 104.

**Item No.112****J3/9656/2024/K**

This item has been supplied with some corrections and include in the agenda against erratum item No.4.

**Item No.113****J3/1905/2024/K**

This item has been supplied with some corrections and include in the agenda against erratum item No.5.

**Item No.114****J3/7332/2023/K**

There is a delay of 6 days for submitting the application for renewal. But the application has been received before the date of expiry of the permit. The delay is negligible and condoned even without any application. Renewal is **granted**.

**Item No.115****J3/938/2023/K**

This item has been supplied with some corrections and include in the agenda against erratum item No.6.

**Item No.116****J4/512/2023/K**

There is a delay of 8 days for submitting the application for renewal. But the application has been received before the date of expiry of the permit. The delay is negligible and condoned even without any application. Renewal is **granted**.

**Item No.117****J4/13261/2024/K**

There is a delay of 17 days for submitting the application for renewal. Since the delay is negligible and the applicant has requested for condonation of delay. Delay **condoned** and renewal **granted**.

**Item No.118****J6/610/2023/K**

Unlike stated in the agenda there is no objectionable overlapping on the notified route Ernakulam – Thekkady. Renewal **granted**.

**Item No.119****J4/13789/2024/K**

There is a delay of 4 days for submitting the application for renewal. Since the delay is negligible and the applicant has requested for condonation of delay, delay is condoned and renewal is **granted**.

**Item No.120****J5/12237/2022/K**

Unlike stated in the Agenda there is no objectionable overlapping on any notified route. Renewal is **granted**.

**Item No.121****J5/13860/2023/K**

The delay in submitting the application is negligible. The applicant has requested for condoning the delay furnishing reasons therefore delay is condoned and renewal is **granted**.

**Item No.122****J5/1750/2024/K**

The application is belated by 16 days. The applicant has applied for condoning the delay. Delay **condoned** and renewal **granted**.

**Item No.123****J5/PRA6535/2024/K**

The permit expired on 12/10/2023. The applicant has applied for renewal of the permit on 10/06/2024 only, i.e. after the lapse of 8 months. The reason for the inordinate delay has not been explained satisfactorily. This authority feels that the applicant was not prevented by any good or sufficient reason from making the application for renewal within the specified period. Hence **rejected**.

**Item No.124****J5/38/2024/K**

There is a delay of 4 days in making the application for renewal. Unlike stated in the Agenda there is no objectionable overlapping on any notified route. The delay is **condoned** and renewal is **granted**.

**Item No.125****J5/PRA7161/2024/K**

The application is in time. NOC from the financier has been produced. Renewal **granted**.

**Item No.126****J6/610/2023/K**

There is no objectionable overlapping on any notified route. Hence renewal is **granted**.

**Item No.127****J6/16296/2024/K**

Heard. Renewal is **granted**.

**Item No.128****J3/12558/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.129****J3/1414/2024/K**

**Adjourned** until the permit is renewed.

**Item No.130****J3/1906/2024/K**

**Adjourned** until the permit is renewed.

**Item No.131**

**J3/1017/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.132**

**J3/1726/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.133**

**J3/681/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.134**

**J3/17446/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.135**

**J3/16608/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.136**

**J3/8517/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.137**

**J3/126/2023/K**

**Adjourned** for want of renewal of permit.

**Item No.138** **J3/14952/2023/K**

**Adjourned** until the permit is renewed.

**Item No.139** **J3/15388/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.140** **J3/15006/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.141** **J3/12558/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.142** **J3/1761/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.143** **J3/10003/2023/K**

**Adjourned** until the permit is renewed.

**Item No.144** **J3/16122/2023/K**

**Adjourned** until the permit is renewed.

**Item No.145** **J3/313/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.146** **J3/17435/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.147**

**J3/1209/2024/K**

Applicant absent. **Adjourned.**

**Item No.148**

**J3/1007/2024/K**

Applicant absent. **Adjourned.**

**Item No.149**

**J3/313/2023/K**

**Adjourned** until the permit is renewed.

**Item No.150**

**J3/54/2024/K**

The transfer of permit applied for is **permitted.**

**Item No.151**

**J3/14537/2023/K**

**Adjourned** until the permit is renewed.

**Item No.152**

**J3/8517/2023/K**

**Adjourned** until the permit is renewed.

**Item No.154**

**J3/16089/2023/K**

The transfer of permit (death) applied for is **permitted.**

**Item No.155**

**J4/650/2024/K**

The transfer of permit applied for is **permitted.**

**Item No.156**

**J4/636/2024/K**

The transfer of permit applied for is **permitted.**

**Item No.157**

**J4/1980/2024/K**

**Adjourned** until the permit is renewed.

**Item No.158**

**J4/2888/2024/K**

**Adjourned** until the permit is renewed.

**Item No.159**

**J4/3091/2024/K**

**Adjourned** until the permit is renewed.

**Item No.160**

**J4/636/2024/K**

**Adjourned** until the permit is renewed.

**Item No.161**

**J4/8383/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.162**

**J4/8766/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.163**

**J4/8970/2024/K**



Applicant absent. **Adjourned**

**Item No.164**

**J4/11074/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.165**

**J4/13715/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.166**

**J4/13030/2023/K**

The renewal of permit is **granted**. Transfer of permit (death) is also **permitted**.

**Item No.167**

**J4/1062/2024/K**

**Adjourned** until the permit is renewed.

**Item No.168**

**J4/2613/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.169**

**J4/1469/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.170**

The transfer of permit applied for is **permitted**.

**Item No.171**

**J4/12563/2024/K**

**Adjourned** until the permit is renewed.

**Item No.172**

**J4/11985/2024/K**

**Adjourned** until the permit is renewed.

**Item No.173**

**J4/635/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.174**

**J4/649/2024/K**

**Adjourned** until the permit is renewed.

**Item No.175**

**J4/11984/2024/K**

**Adjourned** until the permit is renewed.

**Item No.176**

**J4/3977/2024/K**

**Adjourned** until the permit is renewed.

**Item No.177****J4/3759/2024/K**

Heard. The 1<sup>st</sup> applicant has stated in person before this authority that he was not a party to the joint application considered. The transferor has objected to transfer the permit saying that he was unaware of the consequences of such a transfer though he signed the documents. The transferee is new entrant in the field of transport service and the transaction between the transferor and transferee seems to be a trafficking in permit dealt with in Rule 175 of the KMV Rules. The Secretary will cause a detailed enquiry based on the said Rule. However the permit is no longer valid from 14/05/2020. The said permit is pending renewal and the matter boarded on the agenda with enquiry report.

**Item No.178****J4/KL05T2699/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.179****J4/3051/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.180****J4/4987/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.181****J4/13739/2023/K**

The transfer of permit (death) applied for is **permitted**.

**Item No.182**

**J5/12559/2023/K**

**Adjourned** until the permit is renewed.

**Item No.183**

**J5/828/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.184**

**J5/9473/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.185**

**J5/9686/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.186**

**J5/15254/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.187**

**J5/15324/2023/K**

The transfer of permit applied for is **permitted**.

**Item No.188**

**J5/120/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.189**

**J5/407/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.190**

**J5/15954/2023/K**

**Adjourned** until the permit is renewed.

**Item No.191**

**J5/148/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.192**

**J5/10219/2023/K**

**Adjourned** until the permit is renewed.

**Item No.193**

**J5/17955/2023/K**

**Adjourned** until the permit is renewed.

**Item No.194**

**J5/652/2024/K**

The transfer of permit applied for seems to have involved in trafficking in permit. The vehicle KL 17G 6566 is a leased vehicle from

its registered owner Sri.Sabu and operating on the strength of the permit. The proposal to transfer the permit to Sri.George does not appear to be with the concurrence or consent of the registered owner. However, the ownership of the vehicle cannot be transferred into the name of Sri.George unless the same is sold out or leased out in the name of Sri.George. The matter requires a detailed enquiry by the Secretary of the R.T.O in terms of Rule 178 of the KMV Rules. The matter is **adjourned**.

**Item No.195**

**J5/3252/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.196**

**J5/KL 03 Q 6145/2024/K**

**Adjourned** until the permit is renewed.

**Item No.197**

**J5/1772/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.198**

**J5/581/2023/K**

**Adjourned** till the disposal of the pending cases. In the meantime the Secretary will cause an enquiry whether the vehicle is still operating the stage carriage service on the route. No person other than the rightful

claimant is entitled to conduct the service after the lapse of three months from the date of the death of the permit holder. Secretary will take appropriate action in this regard.

**Item No.199****J5/580/2023/K**

**Adjourned** till the disposal of the pending cases. In the meantime the Secretary will cause an enquiry whether the vehicle is still operating the stage carriage service on the route. No person other than the rightful claimant is entitled to conduct the service after the lapse of three months from the date of the death of the permit holder. Secretary will take appropriate action in this regard.

**Item No.200****J5/9688/2023/K**

The transfer of permit (death) applied for is **permitted**.

**Item No.201****J5/1802/2024/K**

The transfer of permit (death) applied for is **permitted**.

**Item No.202****J5/2785/2024/K**

Applicant absent. **Adjourned**.

**Item No.203****J5/2876/2024/K**

**Adjourned** until the permit is renewed.

**Item No.204****J5/725/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.205****J5/2333/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.206****J5/3053/2024/K**

The route permit expired 20/06/2021 and it was not renewed for want of N.O.C. The transfer of permit allowed by the R.T.A on 29/11/2022 is revoked. The application jointly preferred by Sri.Tom Augustine and Sri.Saju Joseph is not maintainable since the permit is not in existence at present. Hence **rejected.Item**

**No.207****J5/2246/2024/K**

**Adjourned** on the request of the applicant.

**Item No.208****J5/2617/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.209****J6/15907/2024/K**



The transfer of permit applied for is **permitted**.

**Item No.210**

**J6/15404/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.211**

**J6/10292/2024/K**

Applicant absent. **Adjourned**.

**Item No.212**

**J6/15356/2024/K**

The transfer of permit applied for is **permitted**.

**Item No.213**

**J6/731/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle bearing No. KL 38 K 8789 which is valid till 12/11/2027 on the route Kanjirapally- Thodupuzha. Joint application was received in the prescribed manner. The 2<sup>nd</sup> applicant Sri.Mujeeb Basheer for reasons known to him only, moved the Honourable High Court of Kerala for quick disposal of the application for transfer of permit. The Honourable High Court directed the R.T.A to hear the necessary parties and dispose of the matter within two months. The Secretary, R.T.A heard in person the necessary parties. The 1<sup>st</sup> applicant Sri. Salim O.K. objected to the transfer of permit for his own reasons which does not appear to be genuine. The 2<sup>nd</sup> party Sri.Mujeeb Basheer disclosed that Sri.Salim O.K. is an enlisted criminal in connection with the murder of

the brother of the 2<sup>nd</sup> party Sri.Mujeeb Basheer and he has been pursuing the Sri. Mujeeb Basheer to facilitate the removal of his name from the party array. But the former declined such demand and seems to be the 1<sup>st</sup> applicant Sri.Salim O.M is objecting to the transfer of permit. The objection is overruled and transfer of permit is **permitted**.

**Item No.214****J4/1469/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle bearing No. KL 5X 8851 which is valid till 20/05/2022 on the route Pullrikkunnu - Ettumanoor.

**Adjourned** until the permit is renewed.

**Item No.215****J6/734/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle bearing No. KL 59 D 8135 which is valid till 19/02/2027 on the route Thoudupuzha -Pala

The transfer of permit applied for is **permitted**.

**Item No.216****J6/345/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle registration mark KL 29 V 8200 which is valid till 23/01/2023 on the route Kayamkulam - Kottayam

**Adjourned** until the permit is renewed.

**Item No.217****J6/732/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle registration mark KL 36 E 7533 which is valid till 02/11/2021 on the route Kaipuzhamuttu – Ernakulam.

**Adjourned** until the permit is renewed.

**Item No.218****J6/9298/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle registration mark No. KL 67 9 298 which is valid till 21/05/2025 on the route Pala – Thodupuzha.

The transfer of permit applied for is **permitted**.

**Item No.219****J6/9449/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 36 9449 which is valid till 22/05/2028 on the route Colony - Kottayam

**Adjourned** until the 1<sup>st</sup> applicant clears the benefit due to the employees.

**Item No.220****J6/10156/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 D 9729 which is valid till 09/08/2024 on the route Kottayam – Colony.

**Adjourned** until the 1<sup>st</sup> applicant clears the benefit due to the employees and till the permit is renewed.

**Item No.221****J6/15445/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark No. KL 5W 7799 which is valid till 13/03/2023 on the route Ponkunnam - Kottayam.

**Adjourned** until the permit is renewed.

**Item No.222****J4/5163/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 V 358 which is valid till 03/09/2026 on the route Kottayam - Karipakkal.

The transfer of permit sought for is **permitted**.

**Item No.223****J6/345/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 5 AJ 9344 which is valid till 23/01/2026 on the route Kottayam -Anthiyalan.

The transfer of permit sought for is **permitted**.

**Item No.224****J6/345/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 G 9014 which is valid till 12/07/2019 on the route Kottayam - Ernakulam.

**Adjourned** until the permit is renewed.

**Item No.225**

**J3/2057/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 13 AE 9687 which is valid till 22/04/2028 on the route Kozhenchery - Kottayam.

The transfer of permit sought for is **permitted**.

**Item No.226**

**J3/9917/2023/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 D 9917 which is valid till 11/12/2026 on the route Changanassery - Kottayam.

The transfer of permit sought for is **permitted**.

**Item No.227**

**J5/7176/2023/K**

Applicant absent. **Adjourned**.

**Item No.228**

**J5/2079/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 5 AV 7893 which is valid till 30/10/2020 on the route Kallara - Kottayam.

**Adjourned** until the permit is renewed.

**Item No.229**

**J3/1017/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 Q 2363 which is valid till 19/06/2025 on the route Changanssery - Thiruvalla.

The transfer of permit sought for is **permitted**.

**Item No.230**

**J3/819/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 35 819 which is valid till 24/06/2025 on the route Manimala - Pala.

The transfer of permit sought for is **permitted**.

**Item No.231**

**Ratified.**

**Item No.232**

**J1/9465/2024/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of the vehicle with registration mark KL 17 C 3133. The permit was granted way back on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired.

The request for further extension of time is **rejected**. The grant of permit is revoked under the provisions of sub rule 2 of Rule 159 of the KMV Rules.

**Item No.233****J1/13203/2022/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of the vehicle with registration mark KL 36 2912. The permit was granted way back on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired.

The request for further extension of time is rejected. The grant of permit is revoked under the provisions of Sub Rule 2 of Rule 159 of the KMV Rules.

**Item No.234****J1/13204/2022/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of the vehicle with registration mark KL 5X 1125. The permit was granted way back on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired.

The request for further extension of time is rejected. The grant of permit is revoked under the provisions of Sub Rule 2 of Rule 159 of the KMV Rules.

**Item No.235****J1/345/2023/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of suitable vehicle. The permit was granted on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired. The applicant has produced the particulars of a vehicle bearing No. KL 6 C 1769 for making necessary endorsement in the permit. But such production of particulars of vehicle is belated and hence cannot be considered.

The request for further extension of time is rejected. The grant of permit is revoked under the provisions of sub rule 2 of Rule 159 of KMV Rules.

**Item No.236****J1/1692/2023/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of suitable vehicle. The permit was granted on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired. There is no justification for seeking further time for production of registration certificates. The applicant has produced the particulars of a vehicle bearing No. KL 2 BH 7670 for



making necessary endorsement in the permit. But such production of particulars of vehicle is belated and hence cannot be considered.

The request for further extension of time is rejected. The grant of permit is revoked under the provisions of sub rule 2 of Rule 159 of the KMV Rules.

**Item No.237****J1/4463/2023/K**

This is an application to allow maximum time prescribed under rule 159 (2) of the KMV Rules for production of registration certificate of suitable vehicle. The permit was granted on 03/07/2023. The maximum time allowable for production of registration certificate was only four months, which had already expired.

The request for further extension of time is **rejected** on the face of the grantees' failure to produce the records even after the lapse of one and half years. The grant of permit is revoked under the provisions of sub rule 2 of Rule 159 of the KMV Rules.

**Item No.238****J5/9798/2023/K**

The alleged irregularities were well founded and duly detected by the officers of the department. The offences were charge sheeted and e-challaned. Hence no further action is necessary unless the offence is detected again.

**Item No.239****J5/7321/2024/K**

Stage carriage permit issued in respect of bus KL 39 N 7321 which

was a leased out vehicle and not owned by the permit holder Smt.Nisha Thomas, Parayil, Edamarku P.O., Pala was valid up to 16/10/2023.

Pursuant to orders of the appropriate forum the said vehicle was detached from the permit and issued a with a clearance certificate to the registered owner of the vehicle. Though an application for renewal of permit was pending consideration the permit has been surrendered and therefore the renewal application deserves no consideration unless the permit holder offers a ready vehicle owned by the permit holder which has not been done so far.

As per the provisions of the approved scheme notified under G.O(P)No.13/2023/Trans. Dated 03/05/2023 the permit holder is not entitled to operate a service unless the route length is reduced below 140 kms. No such variation of permit suggesting such reduction in route length has been preferred by the permit holder. Under the circumstances, the authority is satisfied that the permit holder has ceased to own the vehicle KL 39 N 7321 and therefore the permit is deemed to be **invalid** under the provisions of Section 86 (1) © of the MV Act.

**Item No.240****J5/7101/2024/K**

The permit was issued in respect of a stage carrier bearing No. KL 16 J 7101. The permit was surrendered on 16/08/2023 and clearance certificate was issued for the purpose of transferring the ownership of the vehicle. Therefore at present there does not exist any valid permit. The request for issuing the clearance certificate without the permit being surrendered has become **in fructuous**.

**Item No.241****J5/16776/2023/K**

The application for replacement of vehicle is **rejected** since the material difference between the primary vehicle and the incoming vehicle exceeds 25% in terms of Rule 174 of the KMV Rules.

**Item No.242****J3/17775/2023/K**

The permit held by the applicant for operation on the route Manimala-Pala Kottaramattom bus stand has expired on 05/03/2019. The permit holder had ceased to be the owner of the vehicle from 30/01/2015 consequent to the issue of clearance certificate and surrender of permit. The vehicle covered by the permit itself was not owned by the permit holder. The permit holder has not complied with the direction dated 09/12/2014 in W.P(C) No. 32937/2014 in as much as he did not produce a ready vehicle within four months. Therefore the permit stands cancelled under the provisions of section 86 (1) © of the Act. The said permit **cannot be revived** as sought for.

**Item No.243****J4/3627/2024/K**

State carriage permit issued to vehicle bearing No. KL 5 W 3627 on the route Mangalagiri – Pala was valid from 05/02/2015 to 05/02/2020. The permit holder had failed to operate the vehicle from 01/01/2016 on account of his own reasons. He had promptly applied for renewal of permit from 2020. He has also applied for replacement of the vehicle by another vehicle bearing registration No. KL 57 3789 the possession of which has been taken over by the permit holder by virtue of a lease agreement. That is to say, that the said vehicle is not owned by the permit holder. The Honourable High Court of Kerala held in

Bhaskaran V. R.T.A, Aleppey (2003 KHC 13) that a lease agreement does not entitle a person to have a permit in respect of the vehicle held on the strength of lease. In views of this judgment the replacement applied for is **rejected**.

The application for renewal of permit is also rejected for want of no objection certificate from the financier.

**Item No.244**

**J4/8805/2024/K**

The permit held by the applicant for operation on the route Thulapally – Ernakulam has expired on 18/08/2012. He filed a renewal application in time. But it was rejected by R.T.A dated 15/12/2012. The permit holder had ceased to be the owner of the vehicle from 06/08/2015 as he has sold out the vehicle to another person and the vehicle was replaced to another permit on the route Boys estate – Ernakulam. As per Section 86(1) (c) the applicant ceased to be the owner of the vehicle as he had sold out the same.

Under these circumstances the application for revival of permit is **declined**

**.Item No.245**

**V8/6451/2023/K**

Delay **condoned**. The transfer of permit (death) applied for is **permitted**.

**Item No.246**

**J1/em981/2024/K**

The request is to consider the application for sanction of a bus stop and construction of waiting shed. The application considered and request **granted**.

**Item No.247****J1/14040/2023/K**

The request is to consider the application for sanction of a bus stop for LSOS in front of DIET, Pampady, NH 183. **Sanction accorded**.

**DEPARTMENTAL ITEMS****Item No.1**

No items permitted by the Honourable Chairman placed on the board.

**Item No.2**

Erratum items considered separately in this agenda

**Item No.3**

The next meeting of the R.T.A, Kottayam is fixed on .....

**SUPPLEMENTARY AGENDA****Item No.1****J1/986/2024/K**

Heard the applicant Sri.Justin Jolly, Kollamparambil house, Anicadu east, through counsel and the objectors. This is an application for the grant of fresh stage carriage permit on the inter district route Mallapally – Ponkunnam via Pathanadu, Chamapathal, Ponkunnam, Kodungoor, Manimala as ordinary service.

The applicant had not, in his application, furnished the registration mark and other particulars of the vehicle offered by him. Instead he had offered a 'suitable vehicle' that had no existence outside his own imagination. The applicant is legally bound to furnish before this authority, the particulars of vehicle before the matter is taken up for consideration as held by the Honourable High Court of Kerala in Narayanan V. R.T.A, Thrissur (1980 KLT 249 (FB). The same principle has been drawn in Natarajan V. STAT, Ernakualm (AIR 1999 (KER) 207) also.

This authority is under no legal obligation to grant permit to a nonexistent vehicle. Grant of permit to a nonexistent vehicle would not serve any public purpose. It will only promote trafficking in permit.

The time limit prescribed in KMV Rule 159 (2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted, if any, for the purpose of making entry of registration mark in the permit in terms of Section 85 of the Act and not for facilitating the grantee to procure the ownership of any vehicle after the sanctioning of the permit.

Having regard to the aforesaid facts and circumstances and provisions of law and in the light of the judgments (supra) the matter is **adjourned** until after the applicant has furnished before this authority, the particulars of vehicle owned by him before the matter is again taken up for final consideration.

In the meant time the R.T.A Secretary will call for **prior concurrence** from R.T.A, Pathanamthitta.

## **Item No.2**

**J3/866/2024/K**

This is an application for variation of route by curtailment and change of termini accompanied by a new set of timings.

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Application **rejected**.

Having regard to the aforesaid facts and circumstances the application for variation is rejected.

**Item No.3****J3/866/2024/K**

This is an application for variation of route by curtailment and change of terminus accompanied by a new set of timings. Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Hence **rejected**.

Having regard to the aforesaid facts and circumstances the application for variation is rejected.

**Item No.4****J3/885/2024/K**

The application was to consider the renewal of regular permit vide No. 5/1586/2014 in respect of stage carriage bearing registration mark KL 6 D 882 on the route Kombuthi – Thekkemala.

As there was is no objectionable overlapping on any notified route renewal is **granted**.

**Item No.5****J5/5173/2024/K**



The application was to consider the belated application for renewal of regular permit vide No. KL 55/40/1999 in respect of stage carriage bearing registration mark KL 5T 5173 on the route Parippu – Manianparambu. The route portion traverses through Kottayam – Neendur complete exclusion scheme. Application for renewal of permit awaits Government decision. Hence delay in submitting permit renewal application is **condoned** and the application for renewal of regular permit is **adjourned**.

#### **Item No.6**

**J5/5552/2024/K**

The application was to consider the renewal of regular permit vide No. KL 55/100004/2005 in respect of stage carriage bearing registration mark KL 28 B 5552 on the route Pala–Kottayam.

The route portion traverses through Kottayam – Neendur complete exclusion scheme. Application for renewal of permit awaits Government decision. Hence delay in submitting permit renewal application is **condoned** and the application for renewal of regular permit is **adjourned**.

#### **Item No.7**

**J5/741/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 D 7535 which is valid till 15/02/2029 on the route Pala – Ponkunnam.

The transfer of permit sought for is **permitted**.

**Item No.8****J5/12559/2023/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 5 AP 7598 which is valid till 05/05/2022 on the route Ponkunnam – Medical college.

The transfer of permit sought for is **rejected** since the permit holder is not willing to transfer the permit. Moreover it is a clear case of trafficking in permit.

**Item No.9****J4/1369/2024/K**

This is a matter in connection with the transfer of permit in respect of the vehicle with registration mark KL 33 H 8613 which is valid till 01/03/2029 on the route Kottayam – Ranni.

The transfer of permit sought for is **permitted**.

**Item No.10****J4/em-210/2024/K**

The request was to consider the application for replacement of stage carriage bearing registration mark KL 05 T 9333 covered by permit No. 05/101043/2006, which is valid up to 27/05/2025 on the route Pala – Kodungoor with later model vehicle KL 34 D 4240.

On 16/09/2020 the R.T.A Secretary allowed replacement on this permit from KL 38 G 9896 which was 38 seater stage carriage to KL 5T 9333 with seating capacity of 48 in all. Now the registered owner applied for replacement with later model vehicle KL 34 D 4240 with same seating capacity, 48 in all.

Even though there is material difference exceeds when comparing with the primary vehicle since the travelling public is enjoying new facilities and operation of the vehicle was there from 16/09/2020 the authority satisfied to **allow the replacement**. It would not cause any loss to the exchequer as well.

### **SUPPLEMENTARY DEPARTMENTAL ITEM**

#### **Item No.1**

All action taken by the Secretary, R.T.A, Kottayam under delegated powers are ratified.

### **ADDITIONAL SUPPLEMENTARY AGENDA**

**(Permitted by the Honourable Chairman)**

#### **Item No.1**

**J1/3671/2024/K**

Heard. The concurrence **granted** to operate the vehicle for a distance of 1.6 k.m from Keezhdadi to Bathal padi, which falls in Kottayam district, as requested.

#### **Item No.2**

**J1/3668/2024/K**

Heard. The concurrence **granted** to operate the vehicle for a distance of 1.6 k.m from Keezhdadi to Bathal padi, which falls in Kottayam district, as requested.

## **ERRATUM OF REGIONAL TRANSPORT AUTHORITY, KOTTAYAM**

### **Item No.1**

**J1/2423/2024/K**

Heard the applicant Sri. Mohan Koshy. This is an application for the grant of fresh stage carriage permit on the intra district route on 15<sup>th</sup> Kadavu – Kottayam via Illickal, Karappuzha, Thirvathukkal as ordinary service (item No. 63)

The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A or even at the time of hearing today. Instead he has offered a “**suitable vehicle**” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in

terms of section 85 of the Motor Vehicle Act and not for facilitating the applicant to procure ownership of a vehicle after the sanction of the application.

Having regard to the aforesaid provisions of the Act and rules and the forms and in the light of the judgments down in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (Full Bench), 1980 KLT 249) and the objectionable overlapping for a distance of 750 mtrs from central Junction to Nehru Stadium junction the application is **rejected**.

## **Item No.2**

**J1/e545614/2024/K**

Heard the applicant Smt. Manju Gopi. This is an application for the grant of fresh stage carriage permit on the inter district route on Thannermukkom- Vaikom via bund road, Ullala, Thalayzham, Vaikom, Moothedathukavu and St. Xaviers colleges with circular trip via Moothedathukavu and Thalayazham and back as ordinary service. (Item No.72)

The applicant has not furnished the registration mark and other relevant particulars of any vehicle owned by him in the application in form P.St.S.A or even at the time of hearing today. Instead he has offered a “suitable vehicle” that has no existence outside his own imagination. This authority is under no legal obligation to grant permit to a non-existent vehicle. The suitability or otherwise of a vehicle is a matter to be determined by this authority and therefore the availability of a ready vehicle is a relevant consideration for the grant of permit. The grant of permit to a non-existent vehicle would not serve any public purpose. On the other hand, it will only help promote illegal sale and trafficking in permit.

The time limit prescribed in KMV Rule 159(2) is to produce the registration certificate of the vehicle in favour of which a permit has been granted if any, for the purpose of making entry in the permit in terms of section 85 of the Motor Vehicle Act and not for facilitating the

applicant to procure ownership of a vehicle after the sanction of the application.

Having regard to the aforesaid provisions of the Act and rules and the forms and in the principles laid down in Natarajan Vs STAT (AIR 1999 Kerala, 207) and Narayanan Vs RTA, Thrissur (AIR 1980 KER 115 (full bench), 1980 KLT 249) application is **adjourned** until after the applicant has acquired the ownership of a ready vehicle and furnished the registration mark and the relevant particulars thereof before this authority before the matter is taken up for final consideration. **Prior concurrence** shall also be called for from the R.T.A, Alappuzha.

**Item No.3 (item No.94)**

**J5/17440/2023/K**

The permit in respect of stage carriage KL 5 AU 7362 on the route Kainadi – Medical College, Kottayam has expired on 10/07/2020. Now the said vehicle is covered by a temporary permit only. There is no provision for seeking or for granting variation of a temporary permit as per the provisions of section 80 (3) of the Motor Vehicle Act. Hence **rejected**.

**Item No.4 (item No.112)**

**J3/9656/2024/K**

The vehicle KL 5S 9569 plying is covered by a temporary permit for four months on the route Thiruvapur – Medical college. There is no provision for seeking or for granting variation of a temporary permit as per the provisions of section 80 (3) of the Motor Vehicle Act. Hence **rejected**.

**Item No.4**

**J3/1905/2024/K**

This is an application for variation of route by curtailment and deviation and with an entirely different set of timings. (item No. 113).

Heard the applicant in detail. The applicant has not furnished any cogent reasons for variation of permit either in his application or at the time of hearing.

The enquiry report does not reveal that the said variation is in public interest. No new circumstances contemplated in Rule 145 (6) of the KMV Rules have arisen after the grant of the existing permit necessitating change in the route or variation in timings. There is no substance to show that the proposed variation would serve any additional benefits to the public. On the other hand, the said variation is likely to cause inconvenience and hardship to the commuters on the permitted route. Nothing prevents this authority from giving new permits on the portions covered by the new proposal, if expedient to do so.

Having regard to the aforesaid facts and circumstances the application for variation is **rejected**.

**Item No.6 (item No.115)**

**J3/938/2023/K**

There is a delay of 16 days for submitting the application for renewal. The delay is negligible and condoned even without application. Renewal is **granted**.

**Sri.John V. Samuel I.A.S,  
District Collector & Chairman, R.T.A, Kotayam**

**Sri. Shahul Hameed A., I.P.S.,  
District Police Chief & Member R.T.A, Kottayam.**

**Sri. Anoop Varkey, Deputy Transport Commissioner (Law)  
CZ-II, Ernakulam & Member R.T.A, Kottayam.**