ITEM NO.301(PH) COURT NO.6 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.295/2012

S.RAJASEEKARAN **Petitioner(s)**

VERSUS

UNION OF INDIA AND ORS. & ORS. **Respondent(s)**

[HEARD BY : HON. J.B. PARDIWALA AND HON. K.V. VISWANATHAN, JJ.].... [MR. GAURAV AGRAWAL, SENIOR ADVOCATE IS AMICUS CURIAE]..... [ONLY IA NOS. 33035/2021, 278218/2024, 233571/2025 AND 288062/2025 ARE LISTED UNDER THIS ITEM]
(IA No. 288062/2025 - APPROPRIATE ORDERS/DIRECTIONS. IA No. 233571/2025 – CLARIFICATION/DIRECTION, IA No. 33035/2021 – CLARIFICATION/DIRECTION & IA No. 278218/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 28-09-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

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Mr. Sharath Nambiar, Adv.
Mr. T.S. Sabarish, Adv.
Mr. Debojit Borkakati, Adv.
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Ms. Sunita Sharma, Adv.
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Mr. Daniel Stone Lyngdoh, Adv.
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UPON hearing the counsel the Court made the following
O R D E R

1. The first thing that we enquired with the learned Amicus today was whether our directions as contained in paras 40, 41, 42 and 43 respectively issued *vide* our order dated 15th September, 2026 have been complied with or not.

2. In reply to our aforesaid question, the learned Amicus brought to our notice that he has addressed one letter dated 19th September, 2026 to the Chief Secretary, Government of NCT of Delhi bringing to his notice the directions issued by this Court referred to above and for its due compliance. However, according to the learned Amicus, he has not heard anything at the end of the Chief Secretary till this date. We remind the Chief Secretary of our directions. The directions read thus:

> ***"40. The Ld. Amicus brought to our notice that there is a need for taking steps to ensure safe pedestrian crossing on the Mathura Road [Near Delhi High Court Junction and National Zoological Park] as number of officials and litigants approach the Delhi High Court and have to face difficulties while crossing the road. Further, children and parents visit the National Zoological Park.***
>
> ***41. In our order dated 07.10.2025, we had observed as follows:-***
>
> > ***"35.6 The amicus has also submitted that there is a need to assess the requirement of further pedestrian crossings, especially where there is high pedestrian volume crossing the streets. One can give example of the road crossing at the Delhi High Court and the National Zoological Garden on Mathura Road where every day thousands of employees/ litigants/ lawyers/ children/ families cross the road, without any red light or foot over bridge or any traffic calming measure, putting their lives at risk……. We direct that first priority be given to the road crossing at the Delhi High Court and the National Zoological Garden on the Mathura Road. Let the needful be done at the earliest and the work be***

completed within seven months from today."

42. Today, when the matter was taken up, the Ld. Amicus draws our attention to the fact that though one pedestrian crossing red light had been installed, it remains non- functional on various occasions. The Ld. Amicus has also made some suggestions regarding installation of synchronized red lights at two places along with speed limiting measures like rumble strips and electronic enforcement mechanism for safety of pedestrians.

43. We direct the Union of India and the Delhi Government through its Chief Secretary to look into this matter urgently. We direct the Central Government and Delhi Government to nominate expert(s), who can examine the aspects of pedestrian safety on this stretch of the road, and suggest immediate measures. Needful be done within 6 weeks' from today and necessary compliance report be filed by MoRTH and the Chief Secretary, Government of Delhi before the next date of hearing."

3. We direct the Chief Secretary to file a report as regards compliance of the directions contained in our order dated 15th September, 2026 referred to above.

4. If our directions have not been complied with so far, the Chief Secretary still has some time to undertake the necessary action and do the needful failing which he shall personally remain present before us on the next date of hearing.

5. We have been monitoring this litigation by now over a period of almost 14 years. This Writ Petition is of the year 2012. This very Bench has been hearing this matter for almost over a period of one year by now. During this interregnum period of one year, we have issued slew of directions for meaningful and effective implementation of various provisions of the Motor Vehicles Act, 1988 (for short, "the Act, 1988") and the Central Motor Vehicles Rules, 1989 (for short, "the Rules, 1989") framed therein. We have devoted our precious judicial time only keeping in mind the interest and safety of the citizens of this country. We had to put a very unusual question to the learned Amicus. We enquired with the learned Amicus whether the effort which we all have put in so far has yielded any positive results or not. We want to know from the learned Amicus as to what is the position at the ground level. We

may keep issuing directions for an indefinite period of time, but if all these directions are going to remain on paper and ultimately not going to be implemented by the authorities, then one fine day, we may have to take some stern action which may not be liked by the authorities.

6. In view of the aforesaid, we request the learned Amicus to provide us with the following information:-

(i) the Chart setting out the nature of directions issued ever since this Bench started monitoring the matter;

(ii) The chart should include the date of making of the direction; the time given for implementation of the said direction, the current status as to whether the directions stand implemented, and the last column for remarks of the amicus.

7. The learned Amicus is requested to call for the necessary information in the form of interrogatories from the State counsel. The State counsel shall respond to all the questions appropriately that the Amicus may put to him.

IA No.33035 of 2021:-

1. In this application, the learned Amicus has prayed for the following:-

> *"i) Pass an appropriate writ or order or direction to the Union of India through its Secretary, Ministry of Road, Transport and Highways, New Delhi [MoRTH) including National Highways Authority of India (NHAI) for the electronic monitoring and enforcement of road safety on the National Highways (NHs) of the country.*
>
> *ii) Pass an appropriate writ or order or direction to the Union of India through its Secretary, MoRTH including NHAI for including:-*
>
> > *-the work of installation and maintenance of the "electronic monitoring system" as a condition of the concession agreements with the concessioners (the private partner) by the NHAI for Nhs.*
> >
> > *and also to require the concessioners to provide the complete information of the traffic violations with its complete assistance for the necessary follow-up action by the concerned authorities.*
>
> *Pass an appropriate writ or order or direction to the State Governments (Respondent Nos.3 to 30) for the electronic monitoring and enforcement of road safety on the State Highways SHs), prominent corridors and main roads in the*

cities within the State with the necessary follow up action for the traffic violations."

2. Section 136A of the Motor Vehicles Act, 1988 provides for electronic monitoring and enforcement of road safety.

3. Section 136A reads thus:-

"136A. Electronic monitoring and enforcement of road safety.

(1) The State Government shall ensure electronic monitoring and enforcement of road safety in the manner provided under sub- section (2) on national highways, state highways, roads or in any urban city within a State which has a population up to such limits as may be prescribed by the Central Government.

2) The Central Government shall make rules for the electronic monitoring and enforcement of road safety including speed cameras, closed-circuit television cameras, speed guns, body wearable cameras and such other technology."

4. The learned Amicus brought to our notice the Order passed by this Court dated 2nd September, 2024 and 20th January, 2025 respectively. The learned Amicus also brought to our notice the affidavit filed by MoRTH dated 13th February, 2026. In the application, information has been furnished as regards the accident statistics contained in the MoRTH Report "Road Accidents in India 2024".

5. In the aforesaid context, we direct all the States/Union Territories to forthwith implement the Standard Operating Procedure (SOP) dated 28th October, 2025 prepared by the Ministry of Road Transport and Highways, Government of India (for short, "the MoRTH). We direct the States/UTs to ensure due compliance of Section 136A of the Act, 1988 read with Rule 167A of the Rules, 1989. We also direct MoRTH to file their affidavit indicating due compliance, how they propose to duly comply with the provisions of Section 136A and in this regard the Authority shall also provide a specific time-line. We also direct the States/ UTs to implement the SOP and notify E-Enforcement Sites as mandated by the S.O.P., finalize device procurement, deployment and calibration arrangements.

6. The National Road Safety Board (for short, "the NRSB") constituted under Section 215B of the Act, 1988 is also directed to

monitor the E-enforcement. We want to convey something to the States/UTs/Authorities in a plain and simple manner. It is not just sufficient to keep issuing e-challans to the person who is alleged to have violated the provisions of the Act. Police may issue thousands and lakhs of such e-challans but the question is how do you recover the fine as sought to be imposed by way of those e-challans. We are informed by the learned amicus as well as the applicant appearing-in-person Mr. K.C. Jain that the States/UTs have to recover Rs.49,194.05 Crore approximately towards the e-challans issued over a period of time. We are also informed that so far an amount of Rs.26,175.05 Crore has been recovered. What we want to convey in simple words is that the Authorities need to work at the ground level having regard to the ground realities.

7. Ordinarily, once an e-challan is issued, the same is sent to the concerned territorial Court for recovery of the fine. The person against whom e-challan is issued has to appear and he makes the payment of the fine in the Court concerned. There are e-courts also in this regard.

8. However, what is expected of the Authorities insofar as effective implementation of recovery of fine etc. is concerned is to freeze the online services for vehicles which have outstanding amounts. The Authorities shall bar from renewing registration certificate, issuing duplicate registration certificate and also shall not entertain any request for updating owner's address etc. The authorities shall also deny fitness certificate until all pending traffic fines are entirely cleared and further there should be blacklisting of the vehicle concerned on the Parivahan Portal. This will come in the way of the person concerned if he wants to sell his vehicle. The authorities should also proceed to block ownership transfer. For multiple violations, the driving license shall be suspended from renewal and measures shall also be taken to suspend the driving license which may be in force. What is most important is that no Center should be permitted to issue PUC certificate.

9. We invite the attention of the authorities to the amended Rule 21(25) of the Rules, 1989. This amended Rule has been brought into force with effect from 2026. It provides that the acts by a holder of a driving licence shall constitute nuisance or danger to the public, namely commission of five or more offences or contraventions of the provisions of the Act or these rules, in a period of one year commencing on and from the 1st January, 2026 provided that no offence or contravention recorded in any previous one year period shall be taken into account for determining offences or contravention in any subsequent one year period.

10. We also direct that let there be random checking of the vehicles and if it is found that the e-challan issued has not been abided or honored, necessary steps shall be taken to impound the vehicle itself.

11. The States/Union Territories/Authorities shall also take into consideration the following suggestions of the applicant appearing in person:-

> ***"(i) Compliance with Rule 167A(3) of the CMVR: The States/UTs, NHAI and other concerned Road Owning Agencies may be directed to ensure that installed electronic enforcement systems are AI enabled and capable of detecting twelve categories of traffic violations/offences specified in Rule 167A(3) of the CMVR (including lane driving; stopping or parking vehicle at unauthorized location), followed by generation of e-challans in accordance with law across the country;***
>
> ***(ii) Consideration and integration of the NCRB Concept Paper with the SOP: While implementing the SOP dated 28.10.2025, MoRTH may be directed to examine and place before this Hon'ble Court, within a stipulated period, a supplementary action plan indicating how the recommendations of the NCRB Concept Paper/Plan (October 2023), which are not presently covered by the SOP, are proposed to be incorporated into and used for strengthening the nationwide implementation of Section 136A, particularly:***
>
> > ***(a) establishment of the proposed 'National Road Safety System' (NRSS), including an appropriate Central/State institutional and funding mechanism for nationwide electronic enforcement:***
> >
> > ***(b) integration and interoperable use of VAHAN-4, SARATHI, e- Challan, e-DAR. IRAD and State/Central Traffic Control Rooms for seamless and real-time exchange of enforcement and road-safety data;***

(c) an effective Central and State-level monitoring mechanism. with measurable implementation milestones;

(d) measures for effective recovery and disposal of unpaid e-challans and such legal/administrative changes as may be required; and

(e) a sustainable financial model for installation, operation, maintenance and continuous technological upgradation of the electronic enforcement system.

(f) The action plan may indicate recommendation-wise details of the Concept Paper which are proposed to be implemented, or is not considered necessary, with brief reasons therefor.

(vi) Transparency and Public Monitoring: MoRTH may be directed to establish and maintain a public online dashboard regarding monitoring the implementation of Section 136A of the Motor Vehicles Act, 1988 read with Rule 167A of the Central Motor Vehicles Rules, 1989 and the SOP dated 28.10.2025. Such the dashboard shall provide State/UT-wise and National Highway corridor-wise information, including:

(a) corridors identified/notified for electronic enforcement;

(b) number and type of electronic enforcement devices installed and their functional status;

(c) categories of violations being electronically monitored and enforced; and

(d) number of violations detected vis-à-vis e-challans generated through such electronic enforcement devices. The information on the dashboard shall be updated at least once every month to enable transparent and verifiable monitoring of the nationwide implementation of electronic enforcement. The annual data thereof may also be directed to form part of the MoRTHs Road Accidents in India Report, released annually."

IA NO.278218/2024:-

1. The hearing of the said IA is deferred.

IA 233571 of 2025:-

1. In this application, the applicant has, inter alia, pointed out that overloading is not a mere revenue or regulatory infraction; it is a direct and officially recognized road safety hazard.

2. An overloaded goods vehicle suffers increased momentum and braking distance, heightened risk of brake failure, tire blowout and rollover, reduced steering control and vehicle stability.

3. At times, the excess axle load may also cause disproportionately greater damage to the road surface, creating a continuing hazard for all road users.

4. In this regard, our attention has been drawn to Sections 113(3) and 114 of the Act 1988, respectively.

5. The applicant has prayed for the following directions:-

> ***"(i) Compulsory Off-loading of Excess Load: MORTH, NHAI, the States/Union Territories and the concerned road-owning authorities/concessionaires may be directed to ensure that no transport vehicle found carrying load in excess of the permissible limit, as specified by the Central Government under Section 58 of the Motor Vehicles Act, 1988, is permitted to cross or proceed beyond the point of detection-whether a toll/fee plaza, check- post or any other enforcement point until the excess load is removed in accordance with the proviso to Section 194(1) of the Motor Vehicles Act, 1988.***
>
> ***For this purpose, the SOP finalised by NHAI and made part of the Kerala High Court's order dated 19.02.2026 in WP (C) No. 44116 of 2023 (P.B. Satheesh v. UOI & Ors.) may also be directed to be implemented uniformly across the country in respect of National Highways and State Highways.***
>
> ***(ii) Statutory Obligations Not Substituted by Payment of Fee/Penalty: MoRTH, NHAI, the States/Union Territories and the concerned road- owning authorities/concessionaires may be directed to ensure that payment of additional fee under Rule 10 of the National Highways Fee (Determination of Rates and Collection) Rules, 2008, or payment/imposition of penalty under Section 194(1) of the Motor Vehicles Act, 1988, shall not be treated as a substitute for compliance with the independent statutory obligations under Sections 113, 114 and 194 of the Motor Vehicles Act, 1988, Section 8B of the National Highways Act, 1956, and other applicable provisions of law.***
>
> ***(iii) Integration with Electronic Enforcement: MORTH, NHAI, the States/Union Territories and the concerned road-owning authorities/concessionaires may be directed to integrate Weigh-in- Motion/weighbridge systems with the Toll Management System and the electronic enforcement mechanism contemplated under Section 136A of the Motor Vehicles Act, 1988 read with Rule 167A of the Central Motor Vehicles Rules, 1989, and to ensure interoperability of such systems across States/UTs, so that enforcement against overloading is not defeated merely because a vehicle is registered in, or moves into, another State/UT.***

(iv) Police Assistance for Enforcement: The States/Union Territories may be directed to ensure requisite police assistance to NHAI, road-owning authorities and their authorised officers/concessionaires/toll operators, wherever required, for preventing an overloaded vehicle from proceeding until the excess load is removed and for maintaining law and order during such enforcement. The States/UTs may further be directed to consider establishing dedicated police/enforcement units for National and State Highways, including toll/fee plazas, for effective prevention and enforcement against the movement of overloaded transport vehicles.

(v) Periodic Compliance and Accident-Data Reporting: MoRTH, NHAI and the States/Union Territories may be directed to furnish, on a quarterly basis, data regarding: (a) overloaded vehicles detected; (b) challans/proceedings initiated; (c) vehicles from which excess load was actually removed before being permitted to proceed; (d) instances of non-functional weighing equipment and corrective action taken; and (e) action taken where overloaded vehicles were permitted to proceed contrary to law. Such reporting may also include accident data involving overloaded vehicles, to the extent captured through iRAD/eDAR or any successor platform. The consolidated data may be placed before the National Road Safety Board (NRSB) for scrutiny and periodic review, and thereafter placed before this Hon'ble Court along with the NRSB's observations/recommendations and made available in the public domain.

6. We order accordingly.

7. The suggestion put forward by the applicant - Mr. Kishan Chand shall also be looked into.

<u>IA 288062 of 2025:-</u>

1. We heard the learned counsel appearing for the parties.

2. In this application, filed on behalf of Mumbai Mobility Forum, the following reliefs have been prayed for:-

"1 Geospatial Mapping of Pedestrian Networks- To undertake geospatial mapping of the entire pedestrian network within their respective jurisdictions, clearly identifying existing footpaths and missing links, with the objective of establishing a continuous and connected footpath network.

2. Preparation of Master Pedestrian Plans- To prepare comprehensive City-Wide Master Pedestrian Plans, as a necessary first step towards establishing footpaths that are continuous and connected - just like roadways and railways as provided under Standard 6.1.2 of IRC:103-2012 and other relevant and applicable provisions;

3. Multi-Functional Zones and Integration of Street Vendors- To

ensure that such Plans include multi-functional zones which integrate hawkers' activities as part of the footpath design, to prevent encroachment & conflict, so that vending and pedestrian movement coexist safely and lawfully, consistent with Para 6.10 and 6.11 of IRC:103-2012 and the provisions of the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014;

4. Phased Implementation and Accountability Framework- To formulate a phased implementation schedule under such Master Pedestrian Plans, setting out clearly defined agency responsibilities, dedicated annual budgets, and periodic progress audits to ensure coordinated and time-bound execution;

5. Compliance by the BMC- To direct the Brihanmumbai Municipal Corporation (BMC) in particular to:

i) prepare and publish a geospatially mapped digital inventory of all existing and missing footpaths in Mumbai, in accordance with its Universal Footpath Policy, issued under Circular No. ChE/314/Roads & Traffic dated 26.05.2023; and

ii) submit a bi-annual compliance report before this Hon'ble Court or such monitoring body as may be appointed."

3. In the aforesaid context, the Bombay Municipal Corporation has filed an affidavit dated 8th April, 2026, duly affirmed by the Chief Engineer (Road and Traffic), highlighting the preliminary steps undertaken by the Corporation. The relevant paragraphs i.e. 4, 5 and 6 respectively of the said affidavit read thus:-

"4. That pursuant to the direction of this Hon'ble Court and for ensuring compliance within its jurisdiction, the Respondent No.9 (BMC), from the office of Deputy Chief Engineer Traffic has informed the present counsel that the BMC had formulated a Universal Footpath Policy dated 26.05.2023, incorporating the principles and standards contained in the Harmonised Guidelines and Standards for Universal Accessibility in India, 2021. It is submitted that the said policy has been adopted with a view to ensure accessibility, safety and uniformity in footpath infrastructure across the city of Mumbai and is being implemented effectively."

5. That in furtherance of the policy and for effective implementation, action, necessary directions have been issued by the competent authority to all Assistant Commissioners of the 26. wards, as well as to the Deputy Chief Engineer (Roads), Cit5r. Eastern Suburbs and Western Suburbs, to prepare a geospatially mapped digital inventory of all existing as well as missing footpaths within their respective jurisdictions, in accordance with the Universal Footpath Policy and the circular dated 26.05.2023."

6. That as part of the ongoing exercise, the BMC has, till date, received information regarding footpaths improved under Phase I and Phase II from the office of the Deputy Chief Engineer (Roads), city, Eastern Suburbs and Western Suburbs. The details of the same are being compiled and placed on record for the kind perusal of this Hon'ble Court."

4. We also take notice of one additional affidavit filed by BMC, dated 20th May, 2026, *inter alia*, stating as under:

5. Paragraphs 4, 5, 8 & 9:-

"4. That a comprehensive city-wide geospatial mapping exercise is presently under progress under the supervision of the concerned departments of the Respondent Corporation. The said exercise includes identification and mapping of existing footpaths, roads absent, missing pedestrian links, where footpaths are discontinuous stretches, accessibility barriers, and connectivity gaps affecting pedestrian movement throughout various wards of Mumbai. The exercise is intended to facilitate preparation of a connected pedestrian network and implementation of pedestrian infrastructure in a scientific and systematic manner."

5. That the aforesaid geospatial mapping exercise is being integrated with the Geographic Information System (GIS) platform and aligned with the BMC 3D City Model for effective planning, monitoring, implementation, and long term maintenance of pedestrian infrastructure. That the Respondent No.9 has undertaken development of a comprehensive and geospatially accurate 3D City Model through integration of satellite imagery, LiDAR surveys, drone mapping, GIS layers, Development Plan data, and on ground infrastructure records maintained by various departments of the Respondent No.9."

xxx xxx xxx

8. The Respondent no.9 intends s to prepare and implement a comprehensive City-Wide Master Pedestrian Network Plan as part of the ongoing 3D City Model initiative in order to ensure a continuous, connected, safe, and universally accessible pedestrian network throughout the city of Mumbai in accordance with applicable IRC standards and the Universal Footpath Policy."

9. That the proposed City-Wide Master Pedestrian Network Plan shall include identification of missing pedestrian links, prioritization of connectivity corridors, accessibility enhancement measures, and integration with transport infrastructure through coordinated efforts of the concerned departments of the Respondent No. 9 in a phased and systematic manner."

6. What we have been able to understand is that the BMC has formulated a Universal Footpath Policy dated 26th May, 2023, laying down and prescribing principles and standards, contained in the

Harmonized Guidelines and Standards for Universal Accessibility in India 2021.

7. This policy has been adopted with a view to ensure accessibility, safety and uniformity in footpath infrastructure across the city of Mumbai.

8. We are further informed that in furtherance of the policy, referred to above, and for effective implementation, directions have been issued by the Competent Authority to all Assistant Commissioners of the 26 wards, as well as to the Deputy Chief Engineer (Roads), CIT 5R, Eastern Suburbs and Western Suburbs. They have been asked to prepare a geospatially mapped digital inventory of all existing as well as missing footpaths within their respective jurisdictions.

9. The BMC has received information regarding footpaths improved under Phase 1 and Phase 2 from different officers of different suburbs.

10. We want a more comprehensive Report in this regard by the next date of hearing. What is important is to adhere to the time-lines for effective implementation of the Policy dated 26th May, 2023.

11. By the next date of hearing, a Report should come on record indicating what further steps have been taken for effective implementation of this policy.

12. If Mumbai Mobility Forum has any further suggestion to put forward before the Authorities for optimum, effective and meaningful implementation of the measures that the Authorities propose to undertake under the Policy, it shall be open for them to place it before the Authorities.

Interlocutory Application bearing E-Filing No.EA-SCIN01-21943-2026:-

1. This application is not on board today. However, having regard to the unfortunate accident that occurred claiming lives of 9 innocent passengers who got charred in a sleeper bus, we have taken it up for hearing today.

2. In this application, the applicant has prayed for the following reliefs:-

> ***"(a) Call for a detailed report, within a fixed period, from the Chief Secretary, Government of Uttar Pradesh, on the bus fire near Jewar on the Yamuna Expressway during the intervening night of 23/24 September 2026. The report shall cover the cause of the fire; ownership, registration, permit, fitness, insurance and authorised capacity of the bus; compliance with construction and fire-safety requirements; unauthorised alterations, if any; the working condition of emergency exits and safety devices; the challan and violation history of the vehicle, operator and driver; the response time of the police, fire, ambulance and expressway authorities; reasons for any delay; and action taken against those responsible. It shall also contain a time-bound preventive action plan and place in the public domain the in-depth study, if conducted under the State Scheme framed under Section 135(1) of the Motor Vehicles Act, 1988;***
>
> ***(b) Direct the Union of India and all States and Union Territories to implement Rule 21(1)(25), read with Rules 167 and 167A of the Central Motor Vehicles Rules, 1989 and Section 19 of the Motor Vehicles Act, 1988, by identifying passenger-bus drivers against whom five or more offences or contraventions stand recorded in the relevant one-year period and placing their cases before the licensing authority for action in accordance with law, after notice and an opportunity of hearing;***
>
> ***(c) Direct the Ministry of Road Transport and Highways (MoRTH), the National Highways Authority of India (NHAI) and its toll-collection arm Indian Highways Management Company Limited (IHMCL), and all State Governments and State expressway authorities (including Yamuna Expressway Industrial Development Authority (YEIDA) and Uttar Pradesh Expressway Industrial Development Authority (UPEIDA) that no transport vehicle (bus, taxi, truck or other transport vehicle) having more than five unpaid challans shall be permitted to cross any toll plaza or fee plaza on a national highway, State highway or expressway until the challan amounts are paid. A facility for immediate payment shall be provided at every plaza. Challans under challenge before a court shall be excluded only on production of proof of the pending challenge. The system shall be put in place within eight weeks by integrating the e challan database with VAHAN and FASTag.***
>
> ***(d) Direct the State Governments/UTs that no transport vehicle without a valid fitness certificate or without a fitted and functional speed limiting device (Rule 118), and no public service vehicle without VLTD and an emergency (panic) button (Rule 125H), shall be permitted to use any national highway or expressway. Such vehicles shall be identified at toll and fee plazas through VAHAN and FASTag and stopped and detained.***

(e) Direct the Ministry of Road Transport and Highways (MORTH), within four weeks, to issue a 'uniform national checklist for physical inspection of sleeper, two-tier sleeper and double-decker buses, covering emergency exits, fire-detection and suppression systems, electrical and AC wiring, tyres and brakes, approved berth layout, dangerous cargo, VLTD, and validity of fitness, permit and insurance.

(f) Direct all States and Union Territories (UTs) to complete, within a time- bound and risk-prioritised programme fixed by the Ministry of Road Transport and Highways, physical inspection of sleeper, two-tier sleeper and double-decker buses with geo-tagged evidence and, after notice and in accordance with law, to suspend the registration or permit of any bus failing a critical safety requirement until rectification and re- certification.

(g) Direct the MoRTH to frame and notify, within a fixed period, technical standards under Rules 125H and 118 of the Central Motor Vehicles Rules, 1989 for connecting the Vehicle Location Tracking Device (VLTD) with the speed limiting device/speed limiting function, route or lane-monitoring system and smoke and fire detectors in public service vehicles. The system should automatically send real-time alerts to the Command and Control Centre, and a clear procedure should be laid down for immediate action on every such alert.

(h) Direct the MoRTH, NHAI, IHMCL and the States/UTs to establish electronic verification through VAHAN, e-challan and FASTag of current fitness, permit, insurance, SLD/SLF and VLTD status and final unpaid challans, enabling lawful interception of non-compliant transport vehicles and passenger access to verified safety status before booking and inside the bus.

(i) Direct the MoRTH and the States/UTs to prescribe and enforce, through permit and fitness conditions, mandatory crew fire-response training, a pre-departure passenger safety briefing, two qualified drivers on long- distance night journeys where legally required, a digital passenger manifest, and integration of emergency buttons with Emergency Response Support System-112 and expressway/national highway control rooms.

(j) Issue notice, to the extent necessary, to Yamuna Expressway Industrial Development Authority (YEIDA), Uttar Pradesh Expressways Industrial Development Authority (UPEIDA) and National Highway Authority of India (NHAI), and direct the States/UTs and the concerned expressway/national expressway, National Highways and State Highways authorities to prepare within eight weeks risk-based fire and rescue plans for each expressway under their control, with a target response time of fifteen minutes wherever reasonably achievable, appropriate deployment of fire tenders, ambulances and rescue tools, periodic night drills, and publication of actual response times.

(k) Direct the MoRTH, in consultation with Automotive Research Association of India (ARAI), Central Institute of Road Transport (CIRT) and Centre for Fire, Explosive and Environment Safety (CFEES), to place before this Hon'ble Court within three months a time-bound decision on retrofitting or phased withdrawal of older sleeper and double-decker buses, including requirements concerning passenger- compartment fire protection, exits, fire-retardant materials, electrical and AC wiring, battery and fuel isolation, and manual door release.

(l) Direct the MoRTH and the States/UTs to record every bus fire, including a collision-initiated fire, on Electronic Detailed Accident Report Portal (eDAR) with standardised cause, safety-system, casualty and action- taken data available on a public dashboard; to examine any lapse of the concerned certifying, testing, permit or enforcement authority; and such further directions as this Hon'ble Court may deem fit.

(m) Direct the MORTH to consider and finalise, within a fixed period, the amendments proposed through Draft Notification GSR 64MEL dtd 17 July 2026, relating to Rules 167 and 167A and the proposed Role 167B of the Central Motor Vehicles Rules, 1989, so that traffic violations and contested challans are decided promptly, habitual offenders are correctly identified, and appropriate action may be taken against their driving licences under Rule 21(1)(25) read with Section 19 of the Motor Vehicles Act, 1988.

Pass such other and further orders as this Hon'ble Court may deem fit and proper."

3. We direct the Chief Secretary, Government of Uttar Pradesh, Union of India and the Secretary, MoRTH, to respond to this application and also to the reliefs prayed for.

4. We would like to know what steps have been taken against the driver of the bus concerned, including the registered owner of the bus. Whether they have been arrested so far? Whether the registered owner had complied with all rules and regulations before plying this double-decker bus on road?

5. We direct that all necessary information be provided to us by way of an affidavit by the next date of hearing.

6. The Registry is directed to list the IA No.106628/2026, IA No.301865/2026 and IA No.302035/2026 on the next date of hearing.

7. The Registry is directed to forward one copy of this Order to the Chief Secretary, Government of NCT of Delhi at the earliest.

8. List the matter on 25-11-2026 at 2.00 p.m.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)