

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE/ORIGINAL JURISDICTION

SPECIAL LEAVE PETITION (CIVIL).....OF 2018  
(@ CC NOS. 18614-18615 OF 2015)

UNION OF INDIA & ANR.

...PETITIONER(S)

VERSUS

RITA DAS MOZUMDAR P.N.G.B. & ORS. ETC.ETC.

...RESPONDENT(S)

WITH

C.A. No. 5359/2010

SLP(C) No. 1864/2015

SLP(C) No. 5176-5177/2015

T.P.(C) No. 341-349/2015

SLP(C) No. 5638/2015

SLP(C) No. 5641/2015

SLP(C) No. 5639/2015

S.L.P.(C)...CC No. 3086/2015

SLP(C) No. 5642/2015

SLP(C) No. 7369-7370/2015

T.C.(C) No. 68/2015

T.C.(C) No. 69/2015

T.C.(C) No. 70/2015

T.C.(C) No. 71/2015

T.C.(C) No. 72/2015

T.C.(C) No. 73/2015

T.C.(C) No. 105/2015

O R D E R

IN SLP(C)...../2018 (CC NO. 18614-18615 OF  
2015,SLP(C) No. 1864/2015 ,SLP(C) No. 5176-5177/2015,T.P.(C)  
No. 341-349/2015  
SLP(C) No. 5638/2015,SLP(C) No. 5641/2015,SLP(C) No.  
5639/2015,S.L.P.(C).....CC No. 3086/2015,SLP(C) No.  
5642/2015,SLP(C) No. 7369-7370/2015,T.C.(C) No. 68/2015,T.C.  
(C) No. 69/2015,T.C.(C) No. 70/2015,T.C.(C) No. 71/2015, T.C.  
(C) No. 72/2015,T.C.(C) No. 73/2015, T.C.(C) No. 105/2015

1. Heard learned counsel for the parties. Delay condoned.

2. The issue raised in these matters relates to the sale of small 4-wheelers with a mass upto to 1500 kg and quadricycles. According to the original writ petitioners, safety and emission standards must be first laid down before the vehicles of this nature are introduced in the market. If it is not so done, it may endanger safety of all concerned. The High Court has passed interim order(s) directing the Central Government not to permit the Auto manufacturers to release and sell such vehicles. Some of the matters stand transferred to this Court and treated as transferred cases.

3. When the matter(s) came up for hearing before this Court on 09.12.2015, attention of the Court was drawn to Central Motor Vehicles Rules, 1989. Rule 2(1) of the said Rules defines category M1 motor vehicles. Rule 2(2) defines quadricycles. Learned counsel for the petitioners submitted that there was an attempt to reduce the rigor of standards for

the quadricycles which was not desirable. It was noted by this Court that the Union of India was considering the issue of safety and emission standards in the light of the Tyagi Committee Report.

4. On 29.01.2018, the following order was passed:

"Ms. Vibha D. Makhija, learned senior counsel appearing for Union of India, states that relevant rules/instructions have been worked out for the safety standards for quadricycles. A note to this effect will be submitted.

A copy of Notification dated 24<sup>th</sup> November, 2017 with regard to Emission Standards has been placed on record, apart from the draft notification of June 2017 with regard to the Safety Standards for Quadricycle.

Post on Friday, the 23<sup>rd</sup> February, 2018 as prayed".

5. A draft Notification of June 2017 with regard to safety standards for quadricycles has been handed to learned counsel for the petitioners as it was stated that the said draft notification was not available to them. We have also taken note of Notification dated 24.11.2017 with regard to emission standards.

6. Ms. Pinky Anand, learned Additional Solicitor General submitted that matters are at the final stage of the consideration by the Ministry of Road Transport.

7. Having regard to the nature of the issue, we permit the parties before this Court to file their suggestions, if any, to the Joint Secretary, Ministry of Road Transport, Central

Government within a period of two weeks from today. The same be given due consideration and the matter may thereafter be finalized expeditiously.

8. It is made clear that we have not expressed any opinion on the merits of the rival contentions and are disposing of all these matters with the direction that the suggestions of the petitioners instead of being considered by this Court, be considered by the concerned authority of the Central Government.

CIVIL APPEAL No. 5359 OF 2010

Heard.

We do not find any merit in this appeal. The same is, accordingly, dismissed.

.....J.  
[ADARSH KUMAR GOEL]

NEW DELHI  
23<sup>rd</sup> FEBRUARY, 2018

.....J.  
[UDAY UMESH LALIT]

ITEM NO.4

COURT NO.10

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C).....CC No(s).  
18614-18615/2015

(Arising out of impugned final judgment and order dated 26-06-2015 in PIL No. 38/2015 26-06-2015 in PIL No. 42/2015 passed by the Gauhati High Court)

UNION OF INDIA &amp; ANR.

Petitioner(s)

VERSUS

RITA DAS MOZUMDAR P.N.G.B. &amp; ORS.

Respondent(s)

(FOR CONDONATION OF DELAY IN FILING ON IA 1/2015  
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 5/2016)

WITH

C.A. No. 5359/2010SLP(C) No. 1864/2015SLP(C) No. 5176-5177/2015T.P. (C) No. 341-349/2015SLP(C) No. 5638/2015SLP(C) No. 5641/2015SLP(C) No. 5639/2015S.L.P. (C) ...CC No. 3086/2015SLP(C) No. 5642/2015SLP(C) No. 7369-7370/2015T.C. (C) No. 68/2015T.C. (C) No. 69/2015T.C. (C) No. 70/2015T.C. (C) No. 71/2015T.C. (C) No. 72/2015T.C. (C) No. 73/2015

T.C. (C) No. 105/2015

Date : 23-02-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Pinky Anand, ASG  
Ms. Vibha Dutta Makhija, Sr. Adv.  
Ms. Madhavi Dewan, Adv.  
MR. Ajay Sharma, Adv.  
Ms. Binu Tamta, Adv.  
Ms. Meenakshi Grover, Adv.  
Ms. Sunita Sharma, Adv.  
Dr. Nishesh Sharma, Adv.  
Mr. Hemant Arya, Adv.  
Mr. Sumit T., Adv.  
Ms. Pallavi Chopra, Adv.  
Mr. R.K. Verma, Adv.  
Mr. R.K. Rathore, Adv.  
Mr. Gurmeet Singh Makker, AOR  
  
Dr. A.M. Singhvi, Sr. Adv.  
Mr. L.K. Bhushan, Adv.  
Mr. Anirudh Arun Kumar, Adv.  
For M/S. Dua Associates, AOR  
  
Mr. Mohan Parasaran, Sr. Adv.  
Mr. Zoheb Hossain, Adv.  
  
Dr. A.M. Singhvi, Sr. Adv.  
Mr. Shyam Divan, Sr. Adv.  
Mr. Shriraj Dhruv, Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Vivek Jain, Adv.  
Mr. Abhinav Agarwal, Adv.  
Ms. Neeha Nagpal, Adv.  
Mr. E. C. Agrawala, AOR  
  
Mr. C.A. Sundaram, Sr. Adv.  
Ms. Rohini Musa, adv.  
Mr. Rajinder Singh, Adv.  
Mr. Vishnu Sharma, AOR  
  
Mr. T. Harish Kumar, AOR

Mr. Tanmaya Mehta, Adv.  
Mr. J.P. Rajput, Adv.  
Mr. Chander Shekhar Ashri, AOR

Mr. Sanchit Kumar, Adv.

Dr. (Mrs. ) Vipin Gupta, AOR

For Respondent(s) Ms. Rita Das Mazumdar (Respondent-in-person)

Mr. V. Giri, Sr. Adv.  
Mr. C.A. Sundaram, Sr. Adv.  
Mr. Rajinder Singh, Adv.  
Mr. Tripurari Ray, Adv.  
Mr. Soumyajit Pani, Adv.  
Mr. Vishnu Sharma, Adv.

Mr. V. Giri, Sr. Adv.  
Mr. Shiv Prakash Pandey, AOR  
Mr. Anil Kaushik, Adv.

Mr. Dhruv Mehta, Sr. Adv.  
Ms. Arunima Dwivedi, AOR  
Mr. Mehul M. Gupta, Adv.  
MR. Abhishek Mishra, adv.

Mr. E. C. Agrawala, AOR

Mr. Gyan Prakash (Respondent-in-person)

Mr. M. Yogesh Kanna, Adv.  
Mrs. Sujatha Bagadhi, Adv.

Caveator-in-person

Mrs. Rachna Gupta, AOR

Mr. Gunjan Sinha Jain, Adv.  
For M/S. M. V. Kini & Associates, AOR

Mr. Rauf Rahim, AOR

Intervenor-in-person

Mr. Mrityunjai Singh, Adv.  
Mr. S. Udaya Kumar Sagar, AOR

Mr. Guntur Prabhakar, AOR  
Ms. Perna Singh, Adv.

Mr. B. Balaji, AOR

Mr. V. N. Raghupathy, AOR

UPON hearing the counsel the Court made the following  
O R D E R

IN SLP(C)...../2018 (CC NO. 18614-18615 OF  
2015, SLP(C) No. 1864/2015 , SLP(C) No.  
5176-5177/2015, T.P. (C) No. 341-349/2015  
SLP(C) No. 5638/2015, SLP(C) No. 5641/2015, SLP(C) No.  
5639/2015, S.L.P. (C).....CC No. 3086/2015, SLP(C) No.  
5642/2015, SLP(C) No. 7369-7370/2015, T.C. (C) No.  
68/2015, T.C. (C) No. 69/2015, T.C. (C) No. 70/2015, T.C. (C)  
No. 71/2015, T.C. (C) No. 72/2015, T.C. (C) No. 73/2015,  
T.C. (C) No. 105/2015

These matters are disposed of in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

CIVIL APPEAL No. 5359 OF 2010

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(SUMAN JAIN)  
BRANCH OFFICER