



No. RT-11036/16/2018-MVL  
Government of India  
Ministry of Road Transport and Highways  
(MYL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the, 20<sup>th</sup> April, 2020

To,

The Principal Secretaries/ The Secretaries/ Department of Transport  
The Commissioners  
of all the States and Union Territories.

**Subject: Compliance to the Hon'ble Supreme Court orders in regard to registration of BS IV vehicles**

Madam / Sir,

I am directed to refer to this Ministry's letter dated 6<sup>th</sup> March, 2020 vide which the reference was cited to the Hon'ble Supreme Court order dated 24.10.2018 passed in the matter of W.P (C) No. 13029 of 1985, M.C. Mehta V/s Union of India wherein the Hon'ble Supreme Court had directed that - *"Therefore in exercise of the power vested in this Court under Article 142 of the Constitution, we read down sub-rule 21 of Rule 115 and direct that sub-rule of Rule 115 shall be interpreted and understood to read that no motor vehicle conforming to the emission standard Bharat Stage-IV shall be sold or registered in the entire country with effect from 01.04.2020"* (Copy enclosed).

2. Further, the Hon'ble Supreme Court in its order dated 27.03.2020 in the matter of W.P (C) No. 13029 of 1985, M.C. Mehta V/s Union of India had passed following directions (copy enclosed):-

*"It is stated by Mr. K.V. Vishwanathan, learned senior counsel appearing on behalf of the applicant / Federation of Automobile Dealers Association that 1,05,000 two wheelers, 2250 passenger cars and 2000 commercial vehicles are there which have been sold but not registered throughout India. Unsold vehicles are stated to be 7,00,000 two wheelers, 15,000 passenger cars and 12,000 commercial vehicles.*

*With the With the consent of Mr. A.N.S. Nadkarni, learned Additional Solicitor General and Mr. K.V. Vishwanathan, learned senior counsel, it is ordered that sold vehicles be registered by the concerned authorities by 30.04.2020. However, at the same time we direct the applicant to furnish details of the purchasers, on affidavit, of the aforesaid vehicles through e-mail, within seven days from today. Details of registration shall also be furnished to this Court.*

*... ..*  
*It is stated that there are 7,00,000 two-wheelers which are unsold throughout India with different dealers. Similarly, passenger vehicles are 15,000 and commercial vehicles are 12,000. In Delhi and NCR region, we are not allowing sale and registration*

*of these kind of vehicles any more. However, in the remaining part of the country, due to the situation which has arisen due to lockdown, it is ordered that not beyond 10% of the vehicles, except with the Dealers in Delhi and NCR region, are permitted to be sold out of the aforesaid number of vehicles to make up the good of six days which were available before the lock-down has been ordered in the country. Details of the sale shall be furnished by the applicant and there shall be no violation of the order passed by this Court. Sales to be done within ten days of the lifting of the lock-down operating in the concerned cities and not beyond it and on an affidavit number of vehicles sold shall be stated by the applicant/Federation of Automobile Dealers Association and only those vehicles shall be permitted to be registered about which affidavit is filed. If out of the vehicles which are permitted to be sold some of them remain unsold then obviously there is no question of any further extension of time for sale of these kind of vehicles. Particulars shall be given on an affidavit with engine and chassis numbers by the applicant/Federation of Automobile Dealers Association of the sale of vehicles before the registration is made, within seven days of the sale."*

3. In view of above, the compliance to Hon'ble Supreme Court's orders may strictly be personally ensured while registering only above such BS IV vehicles by passing suitable instructions to NIC and registering through VAHAN. Further, it may be ensured that only the officers of the Transport Department finalise the registration of such BS IV vehicles which are in compliance to the Hon'ble Supreme Court orders.

Yours faithfully,

  
(Dr. Piyush Jain)  
Director (MVA)

Tele/Fax: 23714974

e-mail: [director-morth@gov.in](mailto:director-morth@gov.in)

Encl : As above

Copy to -

Shri Gautam Ghosh, DDG, NIC Building, CGO Complex, Lodhi Road, New Delhi-110003  
(Email- [ggh@nic.in](mailto:ggh@nic.in)) - Please take necessary action to ensure compliance of Hon'ble Supreme Court directions while facilitating registering the BS IV vehicles through VANAN 4.0 to the State / UT Governments



No. RT-11036/16/2018-MVL

भारत सरकार

Government of India

सड़क परिवहन और राजमार्ग मंत्रालय

Ministry of Road Transport and Highways  
(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the, 6<sup>th</sup> March, 2020

To

The Principal Secretaries/The Secretaries (Transport), Department of transport of all the States/UT Administrations.

Subject: Registration of only BS VI vehicles from 1<sup>st</sup> April, 2020.

Sir/Madam,

I am directed to refer to the this Ministry's notification G.S.R. 889(E) dated 16.09.2016 vide which the Government has mandated mass emission standard for BS-VI throughout the country with effect from 1<sup>st</sup> April, 2020 to bring down pollution across the country. Further, this Ministry has also issued GSR 178 (E) dated 20th February, 2018 on the subject matter. However, the Hon'ble Supreme Court vide its order dated 24th October, 2018 has directed that no new motor vehicle conforming to the emission standard Bharat Stage-IV shall be sold or registered in the entire country with effect from 01.04.2020. The Hon'ble Supreme Court's in its order dated 24.10.2018 (copy enclosed) in the matter of W.P (C) No. 13029 of 1985, M.C. Mehta V/s Union of India has passed following directions:-

"Therefore, in exercise of the power vested in this Court under Article 142 of the Constitution, we read down sub-rule 21 of Rule 115 and direct that sub-rule 21 of Rule 115 shall be interpreted and understood to read that no motor vehicle conforming to the emission standard Bharat Stage-IV shall be sold or registered in the entire country with effect from 01.04.2020."

2. The compliance to Hon'ble Supreme Court order be strictly ensured.

Yours faithfully,

(S. K. Geeva)

Under Secretary to the Govt. of India

Tel: 23739074

Email id- [geeva.sk@nic.in](mailto:geeva.sk@nic.in)

Copy To

Shri Gautam Ghosh, DDG, National Informatics Centre (refer to this Ministry letter of even number dated 4<sup>th</sup> Feb, 2020).

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

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(ONLY I.A. NO. 45883/2020 AND I.A. NO. 45912/2020 AND I..A. NO. 48113/2020(EXTENSION OF TIME) TO BE LISTED ON 27.3.2020 MR. CHANDRA PRAKASH AND MUDIT SHARMA, ADVOCATES

IA No. 45883/2020 - INTERVENTION/IMPLEADMENT

IA No. 45912/2020 - MODIFICATION)

Date : 27-03-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE DEEPAK GUPTA

For applicant(s)/petitioner(s)

Mr. K.V. Vishwanathan, Sr. Adv.

Mr. R. Basant, Adv.

Mr. Mudit Sharma, Adv.

Mr. Rishikesh Chitaley, Adv.

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG

Mr. S.S. Rebello, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Mukesh Kumar Maroria, AOR

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

The Court convened through Video Conferencing.

IA Nos. 45883/2020, 45912/2020 & 45912/2020

It is stated by Mr. K.V. Vishwanathan, learned senior counsel

Validity unknown  
Digitally signed by  
M.C. Mehta  
Date: 2020.03.27  
20:00:41 +05'30'  
Reason:

bearing on behalf of the applicant/Federation of Automobile Dealers Association that 1,05,000 two-wheelers, 2250 passenger cars

and 2000 commercial vehicles are there which have been sold but not registered through out India. Unsold vehicles are stated to be 7,00,000 two wheelers, 15,000 passenger cars and 12,000 commercial vehicles.

With the consent of Mr. A.N.S. Nadkarni, learned Additional Solicitor General and Mr. K.V. Vishwanathan, learned senior counsel, it is ordered that sold vehicles be registered by the concerned authorities by 30.04.2020. However, at the same time we direct the applicant to furnish details of the purchasers, on affidavit, of the aforesaid vehicles through e-mail, within seven days from today. Details of registration shall also be furnished to this Court.

With respect to unsold vehicles as the manufacturer should have been ready because of deadline set for BS-VI compliant vehicles, there is no justification to extend the time which was fixed long time ago. This is not something new which has occurred, it would be further injurious and further burden on human health to be caused by pollution of BS-IV vehicles when BS-VI vehicles are supposed to be produced by the manufacturers well in advance considering the deadline of 31<sup>st</sup> March, 2020.

It is stated that there are 7,00,000 two-wheelers which are unsold through out India with different dealers. Similarly, passenger vehicles are 15,000 and commercial vehicles are 12,000. In Delhi and NCR region, we are not allowing sale and registration of these kind of vehicles any more. However, in the remaining part of the country, due to the situation which has arisen due to lock-down, it is ordered that not beyond 10% of the vehicles, except

with the Dealers in Delhi and NCR region, are permitted to be sold out of the aforesaid number of vehicles to make up the good of six days which were available before the lock-down has been ordered in the country. Details of the sale shall be furnished by the applicant and there shall be no violation of the order passed by this Court. Sales to be done within ten days of the lifting of the lock-down operating in the concerned cities and not beyond it and on an affidavit number of vehicles sold shall be stated by the applicant/Federation of Automobile Dealers Association and only those vehicles shall be permitted to be registered about which affidavit is filed. If out of the vehicles which are permitted to be sold some of them remain unsold then obviously there is no question of any further extension of time for sale of these kind of vehicles. Particulars shall be given on an affidavit with engine and chassis numbers by the applicant/Federation of Automobile Dealers Association of the sale of vehicles before the registration is made, within seven days of the sale.

The application for impleadment is allowed to the extent of intervention and these applications are accordingly, disposed of.

(NARENDRA PRASAD)  
ASTT. REGISTRAR-cum-PS

(ANAND PRAKASH)  
BRANCH OFFICER