

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
VEHICLE INSPECTION UNIT: TRANSPORT DEPARTMENT
BURARI, DELHI-110084**

No. DTO(VIU)/TPT/2023/65410

Dated 11.07.2023

ORDER

Whereas, the Ministry of Road Transport and Highways, Government of India further issued guidelines on 21st December, 2017 in the matter of WPC (L) No. 1408 of 2017 in Mumbai Taxmen's Union and Others Vs. Union of India before Hon'ble Bombay High Court – that "the provision of section 110 (3) (b) of the Motor Vehicle Act, 1988 which empowers the State Government to exempt any motor vehicle or any class or description of the motor vehicles from the rules made under sub-section (1) of section-110 of the said Act, States may take recourse to the above mention provisions to exempt specific modals of the motor vehicles from the requirement of fitment of speed governors till the time the speed governors of at least two or three manufacturers are available at the competitive rates, for fitment by the transport vehicle owners".

And whereas, Indian Tourist Transport Association (regd.) filled an petition before the Hon'ble Delhi High Court W.P (C)8142/2023 & CM Appls. 31278-31279/2023 titled as Indian Tourist Transporters Association Vs UoI & Ors, in the above matter vide order dated 0206.2023, Hon'ble Delhi High Court has directed/ordered as under:

".....7. This Court is of the view that India's assumption of the G20 presidency and the hosting of the summit in New Delhi is a moment of great national pride. To uphold our national prestige and ensure that the Summit is conducted without any hitch, it is essential that the designated vehicles as specified by the Ministry of External Affairs for the guests attending the event are provided without any hindrance.

8. It also seems prima facie to this Court that the insistence on fitment of speed governors on vehicles when such speed governors are not available in the market is an illogical and impossible requirement. Moreover, as emphasised by learned counsel for the petitioner, many other States including the neighbouring State of Haryana have dispensed with this requirement on the ground of unavailability of speed governors.

9. Consequently, in view of the urgency and peculiar circumstances of the case, the respondent No.3 is directed to register the vehicles that are specified in the tender documents issued by Ministry of External Affairs without insisting on the requirement of fitment of speed governors on the vehicles provided the petitioner gives an affidavit/undertaking that the said vehicles are being purchased/imported for the requirement of G-20 summit.

And whereas, the petitioner has informed the Department that there is no authorized agency to install Panic Button/VLTD in imported vehicles. Till such, an agency is appointed to install the Panic Button, their vehicles may be registered. The petitioner further confirms to get the Panic buttons installed immediately as and when the agency is appointed which is capable of doing so in the imported vans with capacity of more than 8 seater.

The matter was examined by Competent Authority in the letter and spirit of Hon'ble Delhi High Court order. The temporary exemption is granted to install the Speed Limiting Device as well as VLTD as requested by the applicant till the availability of authorized manufacturer/agency of VLTD as well as Speed Limiting Device till further orders or any directions issued by Hon'ble Delhi High Court.

This issues with the prior approval of Pr. Secretary-cum-Commissioner, Transport, GNCTD.


11/7/2023

ANIL CHHIKARA
DEPUTY COMMISSIONER (VIU)

Copy for information and necessary action to: -

1. PA to Pr. Secretary-cum-Commissioner, Transport Department, GNCTD
2. PA to Spl. Commissioner, VIU, Transport Department, GNCTD.
3. DC, ARU & TU, Transport Department, GNCTD
4. DTO, ARU & TU, Transport Department, GNCTD
5. DTO, HQ, Transport Department, GNCTD
6. Sr. System Analyst with request to post the order in the official website of the Transport Department.
7. Sh. Charnjeet, DIMTS
8. Sh. Amrit Mann, (secretary), Indian Tourist Transporters Association Shop No. 5, CSC, Kaka Nagar market, Dr. Zakir Hussain Marg, New Delhi-110003.
9. Notice Board of VIU (Burari) & VIU (Jhuljhuli)