

Item No. 02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

M.A. No. 112/2023
in
Original Application No. 21/2014

Vardhaman Kaushik

Applicant

Versus

Union of India & Ors

Respondent(s)

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Special Protection Group (SPG)

Applicant in MA

Date of hearing: 07.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Gigi. C. George, Adv. for Applicant (SPG) in M.A 112/2023

ORDER

1. This Miscellaneous Application is on behalf of Special Protection Group (SPG) seeking a direction to the Transport Department NCT of Delhi/Registering Authority to allow extension of registration period of specialized armoured vehicles (03 Nos.) by 5 years till 23.12.2029 having Registration Nos. DL1GC3511, DL1GC3512 and DL1GC3513.

2. The submission of Counsel for the applicant is that these vehicles were originally registered in the year 2014 and they are diesel vehicles for the use of SPG and their registration is going to expire on 24.12.2024 on completion of 10 years. Therefore, an application was made to the Registering Authority, Govt. of NCT of Delhi which was rejected by the Registering Authority by order dated 06.06.2023 on the ground that request cannot be exceeded to in the light of directions passed by the NGT and Hon'ble the Supreme Court.

3. Further, submission of Counsel for the applicant is that earlier the applicant had approached the Tribunal in similar circumstances by MA No. 159/2019 in OA No. 21/2014 seeking registration of certain diesel vehicles which was rejected by the Tribunal by order dated 09.10.2019 and the matter was taken up to Hon'ble the Supreme Court in Civil Appeal No. 3092/2020 and Hon'ble the Supreme Court by order dated 22.11.2021 had allowed the appeal by observing as under:

“Since the vehicles in question are specialized vehicles integral to the security functions of S.P.G. with no alternatives, petrol or CNG variants, the appeal is allowed.

The concerned Authorities are directed to register the three specialized vehicles specified in the appeal petition at the earliest.”

4. He further submits that the Notification dated 16.01.2023 has been issued by the Ministry of Road Transport and Highways incorporating Rule 52A in the Central Motor Vehicles Rules, 1989 which makes it clear that the restriction will not apply to special purpose vehicles (armoured and other specialized vehicles) used for operational purposes for defence of the country and for maintenance of law and order and internal security.

5. He has also submitted that since by the order dated 11.12.2015 passed in OA No. 21/2014, a restriction has been imposed for extension of registration of diesel vehicles of more than 10 years, therefore, appropriate direction of the Tribunal in this regard is required.

6. Considering the prayer made in the MA, we deem it proper to issue notice to the following authorities:

- i. Registering Authority, Govt. of NCT of Delhi, Transport Department, DTO (HQ) Branch, 5/9, Under Hill Road, Delhi – 110054
- ii. Govt. of NCT of Delhi through the Secretary, Delhi Secretariat, I.P. Estate, Delhi - 110002.
- iii. The Applicant in OA No. 21/2014.

7. The applicant in MA is permitted to serve the above respondents and file affidavit of service on or before the next date of hearing.

8. List on 19.01.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 07, 2023
M.A. No. 112/2023
In Original Application No. 21/2014
DV