

**GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS**

**LOK SABHA
UNSTARRED QUESTION NO. 183
ANSWERED ON 20TH JULY, 2023**

LIFE OF VEHICLES

183. SHRI DINESH CHANDRA YADAV:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS

सड़क परिवहन और राजमार्ग मंत्री

be pleased to state:

- (a) whether the Government has amended the Motor Vehicle Act for permitting the vehicles for driving only for 10-15 years;**
- (b) if so, whether people's right of purchase and physical ownership of the vehicles is not being violated by this;**
- (c) whether the State Governments also have the right to make amendments in the Motor Vehicle Act and if so, the details thereof; and**
- (d) whether the Government is aware that more than 15 years old vehicles are forcibly taken away by the Government and if so, the reasons therefor?**

ANSWER

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS

(SHRI NITIN JAIRAM GADKARI)

(a) and (b) The Hon'ble National Green Tribunal (NGT), Delhi, vide its order dated 26-11-2014 passed in O.A. No. 21 of 2014 Vardhaman Kaushik & Ors V/s UOI & Ors, has banned all vehicles that are more than 15 years

of age to ply in NCT of Delhi and vide its order dated 07.04.2015 passed in O.A. No. 21 of 2014 Vardhaman Kaushik & Ors V/s UOI, directed that all diesel vehicles (heavy or light) which are more than 10 years old will not be permitted on the roads of NCR, Delhi. All the registering authorities in the states of Haryana, U.P. and NCT, Delhi would not register any diesel vehicle which is more than 10 years old. Petrol vehicles which are more than 15 years old and diesel vehicles that are more than 10 years old shall not be registered in the NCR, Delhi.

Further, the Hon'ble Supreme Court in WP No 13029/1985 (M.C Mehta vs. UOI),vide its order dated 29.10.2018, directed that all the diesel vehicles more than 10 years old and petrol vehicles more than 15 years old shall not ply in terms of the order of the National Green Tribunal dated 07.04.2015.

The NGT order passed in O.A No. 21 of 2014 has been challenged by this Ministry before the Hon'ble Supreme Court as Civil Appeal No. 6686-6688/2019 (Diary no. 8840 of 2019) with the prayer to exempt 10 year old diesel and 15 year old petrol non-transport category of M1 vehicles and Agricultural Tractors, Power Tillers, Construction Equipment and vehicles used by the Defence Forces, Central Armed Police Forces (CAPFs), State Police Organization (SPOs), Ambulances and School Buses from the ban imposed by the Hon'ble National Green Tribunal.

(c) No, Sir. As per Allocation of Business Rules, 1961, Motor Vehicles Act, 1988 is administered by Ministry of Road Transport and Highways.

(d) Extant instructions related to not permitting all Diesel vehicles more than 10 yrs. old and all Petrol vehicles more than 15 yrs. old to ply in NCR, flow from Hon'ble NGT's Order dated 26.11.2014 and 07.04.2015 vide OA No. 21 of 2014 in the matter of Vardhman Kaushik Vs Uoi and Ors., which were duly upheld in terms of Hon'ble Supreme Court's Order dated 29.10.2018 in WP no. 13029/1985 in the matter of M.C. Mehta Vs. Uoi and Ors.

On a related subject of scrapping of old vehicles, the Ministry of Road Transport and Highways, Gol vide its notification GSR 653(E) dated 23.09.2021 notified the Motor Vehicles (Registration and Functions of

Vehicle Scrapping Facility) Rules, 2021, followed by Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility Amendment) Rules, 2022 notified vide GSR 695(E) dated 13.09.2022, under the Motor Vehicles Act, 1988.

Under Clause 3(f) of the above said Rules, the "End-of-Life Vehicles" have been defined as:

End-of-life Vehicles" means all vehicles which are no longer validly registered or declared unfit through automated fitness centres or their registrations have been cancelled under Chapter IV of the Act or due to an Order of a court of law or are self-declared by the legitimate registered owner as a waste vehicle due to any circumstances as specified in these rules;

Clause (vi) of sub-Rule 1 under Rule 10 of the above referred rules reads as under:

"Vehicles impounded by an enforcement agency shall be handed over to the Registered Vehicle Scrapping Facility, if they meet the criteria for vehicles scrapping as provided under Rule 8."

Rule 8 inter-alia includes the following criteria related to scrapping of vehicles:

- " (i). Vehicles which have not renewed their certification of registration in accordance with Rule 52 of the Central motor Vehicles Rules, 1989.**
- (ii). Vehicles which have not been granted a certificate of fitness in accordance with Rule 62 of the Central Motor Vehicles Rules, 1989.**
- (iii). Auctioned, impounded or abandoned vehicles by any enforcement agency. "**

Commission for Air Quality Management vide letter No-11011/07/2021/CAQM-VP-VOL-II/814(DT) dated 25/05/2023 directed that appropriate action may be initiated against all such End-of-Life Vehicles/overaged vehicles either plying on roads or parked in public places in the NCT of Delhi, in pursuance of Hon'ble NGT's and Hon'ble Supreme Court's

Orders referred above and in consonance with the above noted rule provisions.

Accordingly, Transport Department, GNCTD has initiated action against such End-of-Life Vehicles/ overaged vehicles on the directions of CAQM in pursuance of Hon'ble NGT's and Hon'ble Supreme Court's Orders.
