

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date : 17.03.2021

Complainant : Shri Buddhavarapu Venkateswara Rao,

*Respondent : Commissioner,
Transport Department,
Govt. of NCT of Delhi,
5/9 Under Hill Road, Rajpur Road,
Delhi - 110054
Through :
Shri Sachin Sharma, MLO*

Grievance No.: PGC/2021/A.II/Tpt/01

1. Brief facts of the case

Shri Buddhavarapu Venkateswara Rao has filed a complaint stating that he had obtained a NOC from Mumbai RTO (Mahalaxmi jurisdiction) in the month of October, 2020 to transfer his car registration from Mumbai to New Delhi, through due process. He has informed that all RTOs of Delhi have stopped re-registration of old diesel cars due to the judgement of the Hon'ble Supreme Court in the case pertaining to registration of Bharat Stage VI. He further stated that it is public knowledge that the said judgement of the Supreme Court- 'prohibiting registration' of new vehicles other than Bharat VI after April, 2020' pertained only to registration of new vehicles and had no bearing whatsoever on "re-registration" of old vehicles transferred from one city to another. Due to some very facile and illogical extension of the interpretation of the apex court order, Delhi Transport Department has frozen "re-registration" of all old diesel vehicles as well. This inexplicable over-application of the apex court order has meant that for the last two months (since the issuance of the NOC by Mumbai RTO) he has a car, having all the legal papers to show it exists, but his car does not exist in government records. The complainant has requested intervention of the Commission in the matter of registration of his vehicle urgently.

2. Facts emerged during the proceeding:

2.1 Shri Sachin Sharma, MLO (Mayur Vihar) is present and submitted a copy of petition filed by Shri Sachin Kalra in the matter of M.C. Mehta Vs Union of India in which he prayed the Hon'ble Supreme Court the following :-

- a) *Permit the Applicant to intervene in the present Writ Petition No. 13029 of 1985*
- ;
- b) *Grant an extension of 6 days after the lockdown is lifted for registration of the old BS-IV vehicles with the authority in the name of new owner;*
- c) *Pass such other orders as thought fit in the interest of justice."*

Shri Sachin Sharma, MLO, Mayur Vihar also produced copy of Order of Hon'ble Supreme Court in the matter of M.C. Mehta Vs. Union of India & Ors. in which the Apex Court has dismissed the applications with the following remarks :-

" Considered these applications. Application (s) for intervention is/are allowed. We find no merit in the application, as the registration of old vehicles (BS-IV) cannot be allowed in Delhi. The application (s) is/are dismissed."

Also, an order dated 23.2.2021 was issued by MLO (Mayur Vihar) by which the representation of the complainant was examined and thereafter, he was informed that his request for registration of vehicle no. MH-46Z7161, in Delhi cannot be acceded in view of judgement dated 15.6.2020 of the Hon'ble Supreme Court.

3. Directions

In view of the above, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER (PGC)

PGC/2021/A.II/Tpt.01/

Dated:

1. *The Principal Secretary-cum-Commissioner (Transport), Transport Department, 5/9 Under Hill Road, Rajpur Road, Delhi-110054.*
2. *Ms. Shashi Kaushal, Special Commissioner (Admn.), Transport Department, Govt. of NCT of Delhi, 5/9 Under Hill Road, Rajpur Road, Delhi-110054.*
3. *Shri Gurmeet Singh, Deputy Commissioner (Ops.), Transport Department, 5/9 Under Hill Road, Rajpur Road, Delhi-110054.*
4. *MLO, Mayur Vihar, East Zone I, Mayur Vihar, Phase -I, Delhi-110091.*
5. *Shri Buddhavarapu Venkateswara Rao*