

Government of National Capital Territory of Delhi
Transport Department: Scrapping Cell
5/9, Under Hill Road: Delhi – 110054

No.DC/OPS/TPT/2023/075735140/60875

Dated: 27.06.2023

OFFICE MEMORANDUM

Subject: Action to be taken on End-of Life/over aged vehicles plying on roads or parked in public places (deemed to be plying).

Govt. of NCT of Delhi has deregistered about 55 lakhs of overaged vehicles. In this context following legal position is clarified:

1. Extant instructions related to not permitting all Diesel vehicles more than 10 years old and all Petrol vehicles more than 15 years old on roads of Delhi-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 Uol 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. Uol and Ors.
2. On a related subject of scrapping of old vehicles, the Ministry of Road Transport and Highways, Govt. 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.
3. 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;"
4. 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:
***"Vehicles which have not renewed their certification of registration in accordance with Rule 52 of the Central motor Vehicles Rules, 1989.
Auctioned, impounded or abandoned vehicles by any enforcement agency."***
5. CAQM vide letter No.-11011/07/2021/CAQM-VP-VOL-II/814(DT) dated 25.05.2023, directed for 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 to above and in consonance with the above noted rule provisions.

Cont...

6. It may be noted from the above that there is absolute clarity as to how to deal with "End-of-Life Vehicles.

Therefore, I, Commissioner of Transport, under power vested in me through Section 2(d) of Delhi Motor Vehicle Rules 1993 hereby order that "Enforcement wing of Transport Department to impound all such vehicle plying or deemed to be plying (parked in public place), even if NOC has been issued but vehicle has not been shifted out of Delhi even after one month of issuance of such NOC and handover directly to the Registered Vehicle Scrapping Facilities (RVSFs) empanelled by Transport Department, GNCTD under RVSF Rules (which is available on the website).

The Civic agencies New Delhi Municipal Council, Municipal Corporation of Delhi and Traffic Police to also initiate drive for in spirit implementation of Hon'ble NGT/Supreme Court order. The drive may be carried out in conjunction with scrappers empanelled by Transport Department, GNCTD under RVSF Rules (which is available on the website).


COMMISSIONER OF TRANSPORT, GNCTD

To,
All Concerned Stakeholders

No.DC/OPS/TPT/2023/075735140/60875

Dated: 27.06.2023

Copy to:

1. OSD to Chief Secretary, GNCTD, for information
2. PS to Hon'ble Chairman CAQM, for information
3. Commissioner of Police, Police Headquarters, Jai Singh Road, New Delhi-110001 for information and necessary action
4. Commissioner of Traffic Police (HQ), Prakash Shastri Marg, Main Rd, towards, Inder Puri, New Delhi, Delhi 110012 for information and necessary action
5. Chairman, New Delhi Municipal Council (NDMC Head Office) Palika Kendraparliament Street, New Delhi-110001
6. Commissioner of MCD, Dr. S.P. Mukherjee Civic Center, JLN Marg, New Delhi-110002, for information and necessary action.
7. All Special Commisioner, Transport Department, GNCTD information and necessary action.


COMMISSIONER OF TRANSPORT, GNCTD