

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(S) (CIVIL) NO(S). 295/2012

S.RAJASEEKARAN

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

[MR. GAURAV AGRAWAL, SENIOR ADVOCATE IS AMICUS CURIAE]

(IA NO.45313/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA NO.73660/2017 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.73665/2017 - INTERVENTION/IMPLEADMENT, IA NO.18979/2018 - INTERVENTION/IMPLEADMENT, IA NO.68957/2019 - CLARIFICATION/DIRECTION, IA NO.7160/2020 - CLARIFICATION/DIRECTION, IA NO.108944/2020 - INTERVENTION APPLICATION, IA NO.108945/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.33035/2021 - CLARIFICATION/DIRECTION, IA NO.191344/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO.24141/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO.58244/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.71331/2023 - INTERVENTION APPLICATION, IA NO.71387/2023 - CLARIFICATION/DIRECTION, IA NO.125537/2023 - INTERVENTION APPLICATION, IA NO.152077/2023 - CLARIFICATION/DIRECTION, IA NO.202442/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.36566/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.36568/2024 - EXEMPTION FROM FILING O.T., IA NO.43519/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.64319/2024 - PERMISSION TO ADD FURTHER ADDITIONAL PRAYERS IN THE APPLICATION FOR DIRECTION, IA NO.76249/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.77921/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.83948/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.83951/2024 - EXEMPTION FROM FILING AFFIDAVIT, IA NO.119142/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.126831/2024 - APPLICATION FOR PERMISSION, IA NO.127111/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.127506/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.247404/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.260997/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.278218/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.286097/2024 - INTERVENTION/IMPLEADMENT AND IA NO.286099/2024 - CLARIFICATION/DIRECTION)

Date : 20-01-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

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UPON hearing the counsel the Court made the following
O R D E R

1. We have perused the order dated 2nd September, 2024. Shri Gaurav Agarwal, learned Senior Advocate appointed as Amicus Curiae has submitted a note on compliance with the aforesaid order by the

State Governments of Delhi, Karnataka, Kerala, Maharashtra, Tamil Nadu and West Bengal. We direct the concerned State Governments to provide copies of their affidavits to the Supreme Court Committee on Road Safety (for short, "the Committee") so that the Committee can look into the implementation by these States of the provisions of Section 136A of the Motor Vehicles Act, 1988 (for short, "the 1988 Act") read with Rule 167A of the Central Motor Vehicles Rules, 1989 (for short, "the 1989 Rules). The Committee can look into all the aspects including the issue of a Standard Operating Procedure to be formulated by the Government of India which will, *inter alia*, record specification of the devices to be used for implementation of Rule 167A of the 1989 Rules.

2. We direct the remaining States to file affidavits of compliance with the order dated 2nd September, 2024 by the end of February 2025. The States shall also furnish copies of the said affidavits to the Committee.

3. We direct that by second week of March 2025, the minutes of the meeting of the Committee be placed on record. If the Committee is of the view that certain directions are required to be issued by this Court, we will consider that aspect when the case is taken up for hearing on 24th March, 2025. On that date, we will consider the minutes of the meeting for the aforesaid six States.

4. We find that there are 24 interlocutory applications pending in this Petition. We request the learned Amicus Curiae to go through the applications and segregate them into different topics. After hearing the learned Amicus Curiae, we will fix different dates for consideration of different applications. For fixing a

schedule for hearing of the aforesaid 24 interlocutory applications, list the Petition on 31st January, 2025.

5. Any of the aforesaid States desire to file better affidavit, they shall do so within a period of 15 days from today.

6. Needless to add that all the State Governments shall effectively cooperate with the Committee and whenever their officers are summoned, they will be under an obligation to appear before the Committee. The States must note that this is not an adversarial litigation.

(ASHISH KONDLE)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER (NSH)