

Report No 95

Removal of three-wheeler cap: Response to the IA No 176097 of Bajaj Auto Ltd on December 12, 2018 in compliance with directions of the Hon'ble Court dated 4.2.2019

February 28, 2019

Environment Pollution (Prevention and Control) Authority for NCR (EPCA)

1. Background

The Hon'ble Supreme Court directed EPCA on 4.2.2019 to consider the issues in the application No 176097 of 2018 and to submit its opinion within four weeks. This report is being submitted in compliance with these directions of the Hon'ble Supreme Court.

The IA No 176097 has been filed by Bajaj Auto Company seeking the following directions:

1. That the cap – restriction on registration – on the three-wheelers in Delhi should be removed as the vehicles now are no longer polluting. The cap, which had been set by the Hon'ble Supreme Court vide its order of 16.12.1997 had been set at a time when the three-wheeler technology was 2-stroke and so polluting. This cap should not apply to the current autorickshaws, which comply with BSIV norms and are CNG fuelled.

2. Additionally and/or alternatively, the restriction on permits should be removed for BS VI autorickshaws.

2. Issues examined by EPCA

EPCA examined the following issues:

1. The improvement in emission standards for 3-wheelers and if the BS IV or BS VI standards warrant the removal of restrictions on registration;

2. Preparedness of 3-wheeler manufacturers to produce BS VI compliant CNG fuelled vehicles ahead of the schedule of April 1, 2020

3. Conditions to be imposed on the operations of 3-wheelers, in case the cap is removed and numbers of 3-wheelers increase.

In order to finalise its report, EPCA held 2 meetings, February 15 and February 21, 2019 with representatives of automobile companies, Society of Indian Automobile Manufacturers (SIAM), test agencies and officials of the Union Ministry of Road Transport and Highways (MoRTH) and the Delhi, UP, Rajasthan and Haryana transport departments (see Annexure 1 for list of participants).

3. Chronology of directions of Hon'ble Supreme Court from 1997-2011 on registration of 3-wheelers and the transition to clean fuel

Recognising the contribution to air pollution from this segment of vehicles, the Hon'ble Supreme Court has directed action to control the numbers of vehicles and to improve the emission standards of the vehicles. Over the years, EPCA has also been directed by the Hon'ble Supreme Court to provide its recommendations on the issue (see table).

S. No	Date of Hon'ble SC directions for 3-wheelers	Directions and actions taken
1	16.12.1997	<p><u>Hon'ble Supreme Court directs:</u> One of the major pollutants identified in the various affidavits as well in the latest status report filed by the government is the TSR, using a two-stroke engine. It would be in the interest of the environment to freeze the number of TSRs at the level at which they are actually in use in Delhi. We therefore direct that there would be no grant of fresh permits in case of TSR, save and except by way of replacement of an existing working TSR with a new one.</p> <p><i>On April 23, 1997 the Delhi government 'froze' the number of autorickshaw at 82,138 – the number at that time.</i></p>
2.	28.7.1998	<p><u>Hon'ble Supreme Court directs:</u> Replacement of all pre-1990 autos and taxis with new vehicles on clean fuels by 31.3.2000 and financial incentives for replacement of all post 1990 autos and taxis with new vehicles on clean fuel by 31.3.2001.</p> <p><i>The Delhi government provided sales tax exemption and an interest subsidy for the conversion to clean fuel. This transition to clean fuel limited the number to 50,000 three-wheelers.</i></p>

3.	20.12.2002	<u>Hon'ble Supreme Court directs:</u> Meanwhile, we modify the order dated 16 th December 1997 and permit fresh registration of 5000 new autorickshaw on CNG/LPG mode
4.	8.10.2004	<u>Hon'ble Supreme Court directs:</u> Meanwhile, the Delhi government may move EPCA for additional demand of TSR as interim measure
5.	November 2004	EPCA submits report (no 9) on the increase in the number of 3-wheelers in Delhi recommending that the increase in 3-wheelers should be allowed only in the category of zero-emission vehicles, namely battery operated three-wheelers. EPCA also pointed out that 4-stroke three-wheelers were consuming more lubricating oil than even 2-stroke three wheelers and even CNG vehicles had visible smoke. Based on this Bajaj Auto gave an undertaking that it would replace defective parts on its fleet of three-wheelers and also improve the technology further.
6.	3.9.2009	<u>Hon'ble Supreme Court directs:</u> Learned senior counsel states that in view of the increase in population and increase in the number of vehicles during the past several years, this matter needs to be examined afresh by EPCA. We request EPCA to give a report as regards the needfulness for fresh permissions for 3-wheelers.
7.	27.1.2010	EPCA submits report No 34 recommending that the existing recommendation on the number of TSRs be lifted as of April 2010, when the BS III norms come into force. But this lifting of the restriction should be accompanied with improvements in service conditions of the 3-wheelers, including installation of GPS. EPCA recommends this based on its recognition of the role of para-transit vehicles, like 3-wheelers, in city transport and also because it found that the restriction on registration had led to increased transaction costs and creation of cartels who controlled the 3-wheeler market.
8.	11.11.2011	<u>Hon'ble Supreme Court directs:</u> Affidavit is filed by the Department of Transport. Considering the facts therein and increasing population in and around NCR and considering the comments made by the Transport Department, it would be appropriate to enhance the cap to one lakh (1,00,000) for the time being.

Numbers registered currently: According to information given to EPCA by the Delhi Transport Department there are some 95,000 registered 3-wheelers in

the city. The Delhi Transport Department has also told EPCA that new 3-wheelers are only registered based on certificate of replacement of the old 3-wheelers, for which it has set up a process.

EPCA also checked on the situation in NCR districts.

MoRTH has provided EPCA with information that there are some 3,00,000 registered 3-wheelers in the districts of NCR, including Delhi, of which 84,000 3-wheelers are diesel and 54,000 are fuelled by CNG only and the rest are petrol or dual-fuel (CNG-petrol) (see table in Annexure 2).

In addition, EPCA was told that there is a cap on the numbers of 3-wheelers that can be registered in Ghaziabad and Noida, which in turn has also led to proliferation of illegal and unregistered vehicles for public transport. It was also told that there are large numbers of diesel fuelled 3-wheelers in these districts, including Gurgaon and Faridabad, where CNG is available.

The questions for EPCA were as follows:

- a. Is there a demand/need for increased number of 3-wheelers in the city?
What is the role of 3-wheelers in the city transport system?
- b. What is the improvement in emission standards in 3-wheelers and should BS-IV be allowed to be registered without a limit, or should this only be done for BS-VI?

4. Estimating demand and role of 3-wheelers in city transport

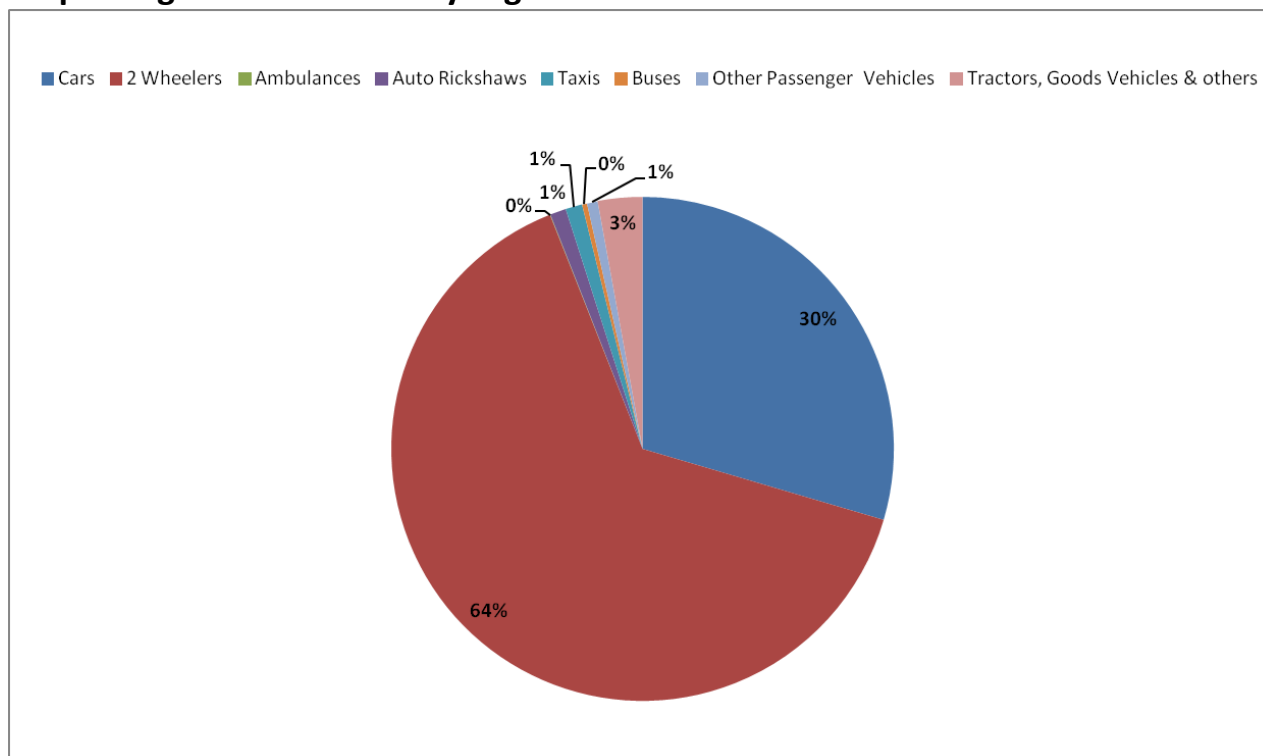
It is clear that 3-wheelers are an integral part of the regions public transport system. These vehicles provide affordable shared mobility and last-mile connectivity. Today, it is clear that the lack of affordable shared mobility vehicles adds to the number of private vehicles – cars or two-wheelers.

According to the Economic Survey of Delhi 2018-19, there are some 32.5 lakh cars and some 70.8 lakh 2-wheelers registered in the city.¹In the past year, between 2016-17 and 2017-18, cars have increased by roughly 1 lakh and two-wheelers by over 4.7 lakhs. At the same time, registered taxis have reduced marginally, from 1,18,308 to 1,18,060 and autorickshaw growth has been capped at 1,00,000. This combined with the lack of public buses, gives no alternative but to use personal vehicles, which is apparent from the exponential growth of this segment.

¹This number does not reflect vehicles on road as once-registered vehicles are not removed, unless transferred out of state

Currently, in the city, as much as 95 per cent of the vehicles are privately owned (see chart below). The Census data for 2011 shows that percentage of households using 2 wheelers has increased from 28 per cent in 2001 to close to 40 per cent in 2011; car users increased from 13 to 20 per cent in this period. This trend continues today and it is this exponential growth of private vehicle use that is at the root of both pollution and congestion.

Graph: Registered vehicles by segment in Delhi as of March 2018



Source: Economic Survey of Delhi, 2018-19

Although these figures point to increasing private vehicle ownership in the state of Delhi, similar trends are observed in the other parts of NCR – Ghaziabad, NOIDA, Greater NOIDA, Faridabad and Gurgaon, as well as other districts.

Moreover, with the advent of cab aggregators, there is a growing imbalance in the para-public transport segment -- with the number of taxis increasing disproportionately in respect to auto-rickshaws. It is important that there is a balance in supply of all kinds of para-transit so that there is a viable modes of public transport for all sections of society.

EPCA is of the firm opinion that it is imperative that the city increases shared mobility –all forms of vehicles, from 3-wheelers, taxi, bus and metro – that will give commuters an option to private transport. For this reason, the cap on the

registration of 3-wheelers should be removed, provided that the vehicles are clean.

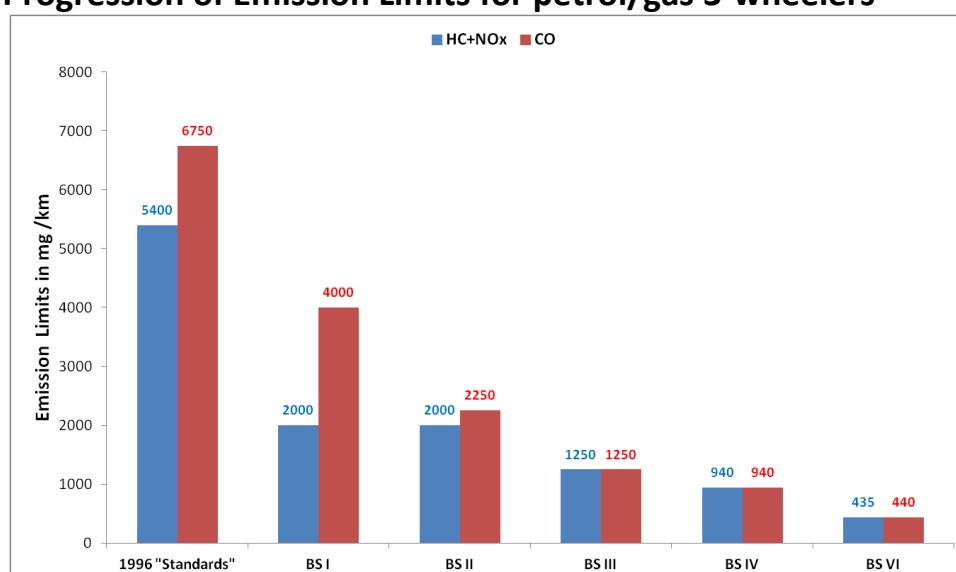
This is particularly important because while the per-capita emissions of a public transport vehicle are lower than private vehicles, these vehicles also travel longer distances per day, as compared to private vehicles – which adds to pollution. It is estimated that while two-wheelers and cars travel some 50-60 km per day on an average, three-wheelers travel 120 km/day, buses 210 km/day and taxis like Ola and Uber some 400 km/day.² Therefore, every effort has to be made to ensure that shared vehicles are low-emitting.

5. Improvement in emission over the years

When in 1997, the Hon'ble Supreme Court imposed the cap on the registration of 3-wheelers in the city, there was virtually no control on the emissions of these vehicles. The first real emission limits, Bharat Stage I were set (as directed by the Hon'ble Supreme Court) in 1999 in Delhi and in 2000 across the country.

In 2011, when the Hon'ble Court increased the cap to 1 lakh, BS III compliant 3-wheelers were in operation. Currently, BS IV norm is in place, which is a marginal improvement from BS III. However, it is when vehicles meet BS VI norms that emissions would be substantially and significantly reduced – there is over 50 per cent reduction between BS IV to BS VI in terms of emissions from 3-wheelers(see chart below).

Graph: Progression of Emission Limits for petrol/gas 3-wheelers



Source: MoRTH Notifications & ARAI emissions handbook

²Data from MOES report on Emission Inventory of Mega City Delhi 2018

Table: Progressive reduction in emission limits for petrol/gas 3-wheelers

Emission Standards	HC+NOx	CO
BSII	Limit remained same as BS I	Limit reduced by 43.8% from BS I
BSIII	Limit reduced by 37.5% from BS II	Limit reduced by 44.4% from BS II
BSIV	Limit reduced by 24.8% from BS III	Limit reduced by 24.8% from BS III
BSVI	Limit reduced by 53.7% from BS IV	Limit reduced by 53.2% from BS IV

For petrol/gas 3-wheelers, **from BS I to BS VI, HC+NOx emission limits have reduced by 78.3% and CO emission limits by 89%.** NOx emission limits, which earlier did not exist, have also been introduced at the BS VI stage.

In addition, in BS VI, there is a separate standard for NOx, which is 130 mg/km, which improves the vehicle emissions further. Therefore, while BS IV emission norms are not so stringent, the BS VI emission norms for petrol and CNG 3-wheelers are much more stringent.

The problem with bringing in advancing the introduction of BS VI vehicles has been the non-availability of fuel. But in this case, CNG is available, not just in Delhi but across the key districts of NCR. Therefore, in this case, introduction of emission standards can be advanced.

6. Readiness of manufacturers to advance BS VI emission standards

EPCA, therefore, convened the meeting with automobile manufacturers to understand the preparedness to meet BS VI emission.

The information provided by the companies showed that only Bajaj Auto has got type approval for BS VI and can begin manufacture 4 weeks from when it is allowed to register these vehicles. The remaining manufacturers, Piaggio and TVS Motors have informed EPCA that they will be ready by October-December 2019 and Atul Auto by January 2020. This was also confirmed by the MoRTH, through its letter dated February 20, 2019 (see Annexure 2).

Bajaj has informed EPCA that has also got State Transport Authority (STA) approval in Delhi and has applied in other NCR towns. According to Bajaj the company holds 99 per cent of the market share in Delhi for CNG 3-wheelers and roughly 82 per cent in other NCR towns, where there is CNG availability (see Annexure 3).

This was also confirmed by data from SIAM (see Annexure 4). Therefore, Bajaj, which holds the majority market is ready with its BS VI compliant three-wheelers for Delhi and NCR and the date for introduction can be advanced.

The advancement of BS VI emission norm has however been opposed by other three-wheeler manufacturers. Piaggio Vehicles has told EPCA (see Annexure 5), that it is not in favour of removing the cap on TSR permits unless adequate measures are put into place to halt the cartelisation of the dominant player-financier nexus. They have also stated that there is a possible serious flaw in policy or figures as there are approximately 1,70,000 PSV badge holders in Delhi but the number of auto-rickshaws are only 95,000. The scheme for scrapping and replacement is also being misused by financial mafia. The position of Piaggio is that as the entire industry is moving to achieve the deadline of 1.4.2020 nationwide, there should not be an transgression allowed in this so that BS VI vehicles come in one region earlier than the other.

EPCA agrees with the observations made by Piaggio in terms of the cartelisation of the market and the problems in the current system of scrappage and replacement. But it believes these are problems created by the cap and therefore, removal of this would improve market conditions.

This was pointed out by EPCA in its report no 34, which has explained how the unintended consequence of the restriction on permits has been the growth of nefarious business dealings, which in turn is adding huge premiums to the cost of the 3-wheelers in the city.

Currently, it is estimated that the 3-wheeler sold at Rs 1.75 lakh (ex-showroom price), is available in the market at Rs 4-4.50 lakh – because of these cartels and distorted market conditions.

EPCA therefore, recommends that the cap should be removed but only for BS VI CNG/petrol fuelled 3-wheelers.

It is also clear that there can be no argument against the advancement of the BS VI emission standard as this would bring significant improvement in emissions by these vehicles. **As stated above, there is a 50 per cent reduction in emission limits between BS IV and BS VI three-wheelers operating on petrol and CNG.**

In Delhi and in NCR where CNG is available, fuel is not a constraint for advancement to happen.

EPCA would not recommend diesel three-wheelers. There are separate BS VI norms for diesel three-wheelers, under which these vehicles will emit much higher particulate matter compared to petrol and CNG three-wheelers. Under the current emissions standards of BS IV a diesel auto is legally allowed to emit

1.7 times higher particulate matter and 1.3 times higher NOx+HC than a BS IV diesel car. Even after meeting BSVI emissions standards a diesel three-wheeler will emit close to 6 times higher particulate matter and two times more nitrogen oxide than a BSVI diesel car. This, when we know that diesel emissions according to the WHO are a class 1 carcinogen with strong links with lung cancer. (see Annexure 6 for diesel emission standards).

However, EPCA believes that battery three-wheelers should be encouraged and all efforts must be made to set regulations and charging systems for these vehicles to ply in the city and beyond. Battery operated three-wheelers are ideally placed to work as para-transit vehicles for last mile connectivity. MoRTH through its notification (S.O. 5333(E) dated October 18, 2018) has removed the requirement for permits for battery operated vehicles. This is an important step ahead and governments of NCR should put into place infrastructure for speedy induction of these vehicles.

7. Improvement in on-road service and compliance

The increase in the number of three-wheelers will necessitate improvement in conditions of service and most importantly enforcement on ground of these rules so that there is safety of commuters and traffic management.

In 2012, based on the directions of the Hon'ble Supreme Court to increase the cap on the issue of permits from 55,000 to 1 lakh, the Delhi government had issued permit conditions for three-wheelers (see Annexure 7). These include requirements from the owner to possess a valid TSR driving license and that the vehicle would be fitted with a GPS/GPRS integrated with the fare meter, which would be duly approved and certified by Delhi Integrated Multi-Modal Transit System Ltd (DIMTS). All 3-wheelers are therefore, required to have functioning GPS/GPRS systems, which is monitored by DIMTS and data is shared with the traffic police.

However, EPCA was told that while there are 95,000 three-wheelers registered in Delhi, only 41,766 have active and functioning GPS/GPRS systems. It was not clear to EPCA why the department had not taken steps to cancel the permits of the vehicles without the mandatory GPS/GPRS systems.

The other problems that were brought to EPCA's notice were regarding the workings of the 3-wheelers – refusal of journey, safety and non-metered fares. All these can be improved through enforcement and for this a functional and dynamic GPS/GPRS system is critical.

8. EPCA's recommendations for the kind consideration of the Hon'ble Court

EPCA would recommend the following for the Hon'ble Court's consideration:

- 1. The cap on registration of three-wheelers may be removed immediately provided that the vehicles are BS VI CNG/petrol/LPG etc (Positive Ignition based technology) or battery operated.**
- 2. As CNG fuel is available in Delhi and in most districts of NCR, the registration of BS VI CNG fuelled three-wheelers may start immediately and cap on registration numbers may be lifted.**
- 3. Haryana, UP and Rajasthan may be directed to phase out the current fleet of diesel three-wheelers.**
- 4. The Delhi government may be directed to strictly enforce service conditions, especially regarding GPS/GPRS fare meter. In case there is any violation in this, permits should be cancelled.**
- 5. Haryana, Rajasthan and UP may be directed to frame permit conditions, which include GPS/GPRS linked to fare meters, which will improve enforcement and compliance.**

Annexure 1**Attendance EPCA February 15, 2019, 11:00 AM**

1. Sh. Abhay Damle, Joint Secretary, MoRTH
2. Sh. Rajesh Kumar, MLO, Transport Dept., GNCTD
3. Ms. Vijayanta Ahuja, AGM, ICAT
4. Sh. R. Narasimhan, Vice President (R&D), Bajaj Auto Ltd.
5. Sh. Rajiv Verma, General Manager, Bajaj Auto Ltd.
6. Sh. K. K. Gandhi, Executive Advisor, TVS
7. Sh. S.J Dhinagar, Vice President (ASG) TVS
8. Sh. Prasad Krishnan, Vice President, TVS
9. Sh. S. Sethuraman, AVP, TVS
10. Sh. Ashok Kumar
11. Dr. Bhure Lal, Chairman, EPCA
12. Ms. Sunita Narain, DG, CSE and Member EPCA
13. Sh. Alok Kumar, Jt. Commissioner of Police, Delhi Traffic Police and Member EPCA
14. Dr. Arunabha Ghosh, CEO, CEEW and Member EPCA
15. Sh. Atanu Ganguli, Dy. E. D., SIAM
16. Sh. Ravinder Soni, ACP, Delhi Traffic Police
17. Sh. P.S. Dhiman, SE, EDMC
18. Sh. Rajiv Jain, Senior Engineer, SDMC
19. Sh. R.K. Khari, Assistant Engineer, NDMC
20. Sh. Rakesh Kumar, AC/FC, North DMC
21. Sh. Izhar Ahemad, So/ FC NDMC
22. Sh. Mahesh Chandra, AE, NDMC

Attendance EPCA February 21, 2019, 11:00 AM

1. Sh. Ramandeep Chowdhary, Deputy Secretary, MoRTH
2. Sh. Rajesh Kumar, MLO (Auto) Transport Department, Delhi
3. Sh. A.K. Tripathi, RTO, Ghaziabad, Transport Department, UP
4. Sh. Raj Kumar Rana, ARTO, Faridabad, Transport Department, Haryana
5. Sh. Manoj Kumar, Sub Inspector, RTO Faridabad, Transport Department, Haryana
6. Sh. Vikram Singh, RTA Nuh, Transport Department, Haryana
7. Dr. Bhajan Lal Rollan, Joint Commissioner, Transport Department, Rajasthan
8. Ms. Vaidehi Kamal, Head Legal, PIAGGIO Vehicles Pvt. Ltd.
9. Sh. R.S. Mulay, DGM, PIAGGIO Vehicles Pvt. Ltd.
10. Sh. Pushkar Sinha, DGM, PIAGGIO Vehicles Pvt. Ltd.
11. Sh. K. K. Gandhi, Executive Advisor, TVS Motor Company
12. Sh. Prasad Krishnan, Vice President, TVS Motor Company
13. Sh. S. Sethuraman, AVP, TVS Motor Company
14. Sh. Devinder Tangri, Sr. Manager
15. Sh. R. Narasimhan, Vice President (R&D) Bajaj Auto Ltd.
16. Sh. Rajiv Verma, General Manager Sales, Bajaj Auto Ltd.
17. Sh. Manpreet S. Bindra, RM-Sales, Bajaj Auto Ltd.
18. Dr. Bhure Lal, Chairman, EPCA
19. Ms. Sunita Narain, DG, CSE and Member EPCA
20. Dr. Navroz K Dubash, Professor, Centre for Policy Research and Member EPCA
21. Sh. Atanu Ganguli, Dy. E. D., SIAM
22. Sh. Ravinder Soni, ACP, Delhi Traffic Police
23. Sh. Shubhankar Mishra, SDMC
24. Sh. Krishan Kant, SDMC
25. Sh. Rajesh Sharma, EE (Planning) ED



No. RT-11036/13/2017-MVL

भारत सरकार

Government of India

सड़क परिवहन और राजमार्ग मंत्रालय

Ministry of Road Transport and Highways
(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the, 20th February, 2019

Annexure 2

12

OFFICE MEMORANDUM

Subject: Certification of BS-VI Standards in respect of 3 wheeler.

The undersigned is directed to refer to the meeting held by EPCA regarding subject mentioned above.

2. As per the information received from testing agencies, it is submitted that only one certificate for 3W CNG has been granted to M/S Bajaj Auto Limited on 28th August, 2018. The details are as under:-

Base Model	Type & Category	Seating Capacity (including driver)	GVW (in Kg)
RE Compact CNG 4S FI	3 Wheeler (BS VI) / Passenger-L5M	4 Persons	720
Certificate No	AANA0257 Dated 28th Aug 2018		

3. As per information gathered from the test agencies, it is to further clarify that the no other certification is pending with the test agencies.

4. As per the information received from NIC, the details of the 3 wheeler vehicles registered till date in NCR is also being enclosed.

Encls:- As Above

Yours faithfully,

(Ram Raj Meena)
Under Secretary to the Govt. of India
Tele. 011-23715211

To

Dr. Bhure Lal,
Chairman, EPCA
Core VI A, 3rd Floor, India Habitat Centre, New Delhi 110003

S.No.	Company	CNG ONLY	DIESEL	PETROL	PETROL/CNG	PETROL/LPG	Grand Total
1.	3GB TECHNOLOGY PVT LTD		25				25
2.	A P I MOTORS PVT LTD		126				126
3.	A. K. AUTO ELECTRICAL		1				1
4.	A1 HEAVY EQUIPMENTS DEVELOPER		2				2
5.	A3T INCORPORATED		3				3
6.	AADHYA ENTERPRISES		2				2
7.	AASHI INDIA AUTOMOBILES PVT LTD		23				23
8.	ACTION CONSTRUCTION EQUIPMENT LTD.				1		1
9.	ADAPT MOTORS PVT LTD		1				1
10.	ALFA MOTORS		18				18
11.	ANDHRA PRADESH SCOOTERS LTD		2				2
12.	APE AUTO		2		5		7
13.	API MOTORS PVT LTD	1	1753	2			1756
14.	APM AUTO SALES		1				1
15.	ASHOK LEYLAND LTD		1				1
16.	ATLAS AUTO INDUSTRIES		7	2			9
17.	ATUL AUTO LTD	497	5607	0	1650	23	7777
18.	AUDI AG				1	2	3
19.	AUTOCROLA INDIA LTD		1				1
20.	AUTOMOBILE PRODUCTS OF INDIA		69	5			74
21.	BAJAJ AUTO LTD	43328	5086	13188	123025	1028	185655
22.	BAJAJ TEMPO LIMITED	30	761	1	10		802
23.	BENGAL MOTORS		1				1
24.	BHURJEE MOTOR PVT LTD		12				12
25.	BMW INDIA PVT LTD				1		1
26.	CASE CONSTRUCTION EQUIPMENT		1				1
27.	CENTURY MOTORS PVT LTD		1				1
28.	CHEVROLET SALES INDIA PVT LTD	2	14				16
29.	CHOUHAN MOTORS PVT LTD		11				11

S.No.	Company	CNG ONLY	DIESEL	PETROL	PETROL/CNG	PETROL/LPG	Grand Total
30.	CONTINENTAL ENGINES PVT LTD	1	86		9		96
31.	CONTINENTAL ENGINES PVT LTD	6	903		1782		2691
32.	DAIMLER INDIA COMMERCIAL VEHICLES PVT. LTD		1				1
33.	DIVANSHU AUTOMOBILES LIMITED		148				148
34.	DIVANSU AUTOMOBILES LTD		2				2
35.	EICHER MOTORS LTD		3				3
36.	ESCORTS CONSTRUCTION EQUIPMENT LTD			3			3
37.	FORCE MOTORS LIMITED, A FIRODIA ENTERPRISE		25	2			27
38.	GARWARE MOTORS LIMITED		1				1
39.	GAURI AUTO INDIA P LTD		19				19
40.	Gauri Auto India Pvt. Ltd		4				4
41.	GENERAL MOTORS INDIA PVT LTD		1				1
42.	GIRNAR SCOOTERS LTD	1					1
43.	GLOBAL AUTOMOBILES PVT LTD	1					1
44.	GOEL TEMPO PRIVATE LIMITED	32	31	1			64
45.	GREAT AUTOMOTIVE LIMITED		3				3
46.	GREAVES INDIA PVT LTD		28				28
47.	HINDUSTAN MOTOR FINANCE CORPORATION LIMITED			16	1		17
48.	HONDA CARS INDIA LTD		1				1
49.	HONDA MOTORCYCLE AND SCOOTER INDIA (P) LTD	22					22
50.	INTERNATIONAL TRACTORS LIMITED		15				15
51.	ISUZU MOTOR INDIA PVT LTD			1			1
52.	J. S. Auto (P) Ltd	588	1375	2	66	1	2032
53.	KAISER LIMITED			1			1
54.	KALINGA VENTURES IND P		1				1
55.	KANKARIA AND COMPANY		7				7
56.	KARANTI AUTOMOBILES LTD	6	204				210
57.	KARNATAKA SCOOTERS LTD		5				5
58.	KARNAVATI AUTO LTD	0	107	0	0	0	107

S.No.	Company	CNG ONLY	DIESEL	PETROL	PETROL/CNG	PETROL/LPG	Grand Total
59.	KAYAMEL MACHINE PRIVATE LTD	1	190	1	0	0	192
60.	KELVINATOR INDIA LTD		4				4
61.	Kerala Agro Machinery Corp. Ltd.		8				8
62.	KERALA AGRO MACHINERY CORPORATION LTD		12				12
63.	KERALA AUTOMOBILES LTD	19	5191	174	3	0	5387
64.	KINETIC MOTOR COMPANY LIMITED		5				5
65.	KRANTI AUTOMOBILES LIMITED	54	8588	2	74	1	8719
66.	KUMAR MOTORS PVT LTD		6				6
67.	KURUKSHETRA AUTOMOBILES (P) LTD.		3231		9	1	3241
68.	KURUKSHETRA AUTOMOBILES (P) LTD.		13				13
69.	LAMBRETTA MOTORCYCLES AND SCOOTERS			4248			4248
70.	LML LIMITED	0	6	0	0	0	6
71.	LOHIA AUTO INDUSTRIES		14				14
72.	LOTIA MOTORS LIMITED		2				2
73.	LOTIAMOTORSLTD	23	184	1	33	0	241
74.	MADHU AUTOMOBILES LTD		3				3
75.	MAHA SHIVA AUTOMOBILES		15				15
76.	MAHINDRA & MAHINDRA LIMITED	279	12035	4	226	73	12617
77.	MAHINDRA NAVISTARAUTOMOTIVES LTD	1					1
78.	MAHINDRA NISSAN ALLWYN LTD.		2	77			79
79.	MARUTI SUZUKI INDIA LTD			4	4		8
80.	MAZDA MOTOR CORPORATION			3			3
81.	MERCEDES-BENZ INDIA PVT LTD				1		1
82.	NIC TEST ACCOUNT-1	4					4
83.	OPEL			1			1
84.	PACE AGRO PVT LTD		4				4
85.	PAL DIESAL PVT LTD		3				3
86.	PANCHANATH AUTO PVT LTD		11				11
87.	PARAG AGRO		1				1

S.No.	Company	CNG ONLY	DIESEL	PETROL	PETROL/CNG	PETROL/LPG	Grand Total
88.	PARAS AGRO PRODUCTS		5				5
89.	PARASHAR MOTORS PVT.LTD.		1				1
90.	PASHUPATI VEHICLE PVT. LTD.		2				2
91.	PASHUPATI VEHICLE PVT. LTD.		60		1		61
92.	PASSBLE AUTO		1				1
93.	PIAGGIO VEHICLES PVT LTD	3831	31847	22	7628	45	43373
94.	PORSCHE AG			1			1
95.	POSSIBLE AUTOMOBILE PVT. LTD.		3				3
96.	PRAG MOTORS		1				1
97.	PRAJAPATI PVT LTD	1					1
98.	PREMIER LTD			10			10
99.	RACE AUTOMOTIVES PVT. LTD.		1				1
100.	RAHUL COACH BUILDERS (P) LTD.		2				2
101.	RASANDIK ENGINEERING	20	30	0	15	0	65
102.	RASANDIK MOTORS PVT LTD	4	12	0	1	0	17
103.	RASANDIK THREE WHEELER		10		2		12
104.	ROYAL-ENFIELD (UNIT OF EICHER LTD)		1	11			12
105.	SAKSHAM TECH AUTO		307				307
106.	SAKSHAM TRADING COMPANY		3				3
107.	SCOOTERS INDIA LTD	1	337	1	2		341
108.	SCOOTERS INDIA LTD	573	1740	33	1835	12	4193
109.	SHAKSAM TECH AUTOMOBILES		18				18
110.	SHANTHINATHA TRAILOR		127				127
111.	SHREE SHAKTI AUTO INDUSTRIES		1				1
112.	SHRI CHAMUNDI MOPEDS		7				7
113.	SHRI KRISHNA AUTOMOBILES		1				1
114.	SIMPSON'S COMPANY LTD		1				1
115.	SIPANI AUTOMOBILES LTD		3				3
116.	SITARAM ENGINEERING WORKS		1				1

S.No.	Company	CNG ONLY	DIESEL	PETROL	PETROL/CNG	PETROL/LPG	Grand Total
117.	SITARAM INDUSTRIES		167	1	0	0	168
118.	SML ISUZU LTD		4				4
119.	SOORAJ AUTOMOBILES LTD		1719				1719
120.	Sooraj Automobiles Ltd.	10	1262	2	6	0	1280
121.	SPEED THREE WHEELER		1				1
122.	STANDARD CORPORATION INDIA LTD		1	1			2
123.	SUNDARAM MOTORS		1				1
124.	SUNKU AUTO LTD		43				43
125.	SURAJ ENGINEERING WORKS		5				5
126.	SUZUKI MOTORCYCLE INDIA PVT LTD			1			1
127.	TAFE LIMITED				4		4
128.	TATA MOTORS LTD	92	69	12	37	1	211
129.	TERRA MOTORS INDIA PVT LTD		1				1
130.	TOYOTA KIRLOSKAR MOTOR PVT LTD		2				2
131.	TVS MOTOR COMPANY LTD	1930	44	31	8129	158	10292
132.	UMBRELLA CORPORATION		2				2
133.	VIKRAM AUTO LTD		40				40
134.	WILLYS INDIA LTD	73					73
135.	ZOOM MOTORS PVT LTD		89				89
	Grant Total	51431	84001	17865	144561	1345	299203



Annexure 3 18

BAJAJ

Distinctly Ahead

Bajaj Auto Limited

B-60/61, Naraina Industrial Area
Phase-II, New Delhi-110028

Tel +91 11 43594531/4573

+91 11 41417936/7937

Fax +91 11 45056521

Email roadel@bajajauto.co.in

www.bajajauto.com

20th Feb 2019

To

Mr. Bhure Lal (Chairman)
EPCA, New Delhi.

Subject : Freeing of permit on Bs6 3W CNG Passenger Vehicle in Delhi/ NCR.

Respected Sir,

First of all, we are grateful for providing us an opportunity to participate in the 15 Feb 19 meeting in EPCA office on freeing permit of 3W in Delhi. In continuation to the discussion/ queries raised in the meeting, we wish to submit our response as below

- Bajaj Auto, World's Largest 3W manufacturer with dominant Market share of more than 90% in CNG 3W Passenger across country is already ready with Bs6 compliant CNG Passenger 3W
- The Bs6 type approval was obtained in Sep 2018 from ARAI
- In Delhi, we have obtained STA approval as well
- In rest NCR towns, we have already applied STA approval for Bs6 vehicle
- Our manufacturing facility can commence commercial manufacturing of Bs6 CNG Passenger 3W in around 4 weeks of Free Permit notification.
- While we can immediately cater to expected demand in Delhi, for the purpose of scaling up we shall need about 90 days lag for supply to other NCR towns, if mandated
- In Delhi, we practically hold 99% market share in entire D+3 Passenger 3W category (Only CNG vehicles allowed in Delhi) for last many years now.
- In traditional NCR cities, Bajaj hold 76% market share (Both CNG & DSL vehicles Sold – Details in Annexure-1)
- Also Enclosed is the permit issuance process in the state of Maharashtra (Free Permit since July 2017)

**BAJAJ***Distinctly Ahead***Bajaj Auto Limited**B-60/61, Naraina Industrial Area
Phase-II, New Delhi-110028Tel +91 11 43594531/4573
+91 11 41417936/7937
Fax +91 11 45056521
Email roadet@bajajauto.co.in
www.bajajauto.com

We sincerely hope that above answers all the queries you had raised in 15 Feb meeting. We shall always attempt to deliver and exceed your expectations in the pursuit of manufacturing technologically superior/ environment friendly product ahead of schedule always.

Looking forward to your favourable response.

Warm Regards,

Rajiv VermaGeneral Manager – North Circle
834 999 3333

Encl : Annexure 1 – Detailing Bajaj Auto Sales and MS position in Delhi/ NCR

Annexure 2 – Permit process in Free Permit state like Maharashtra

Annexure 1**Sales Data of 3W (D+3 Category) with Bajaj Market Share**

Area	NCR City	CNG Availability	F17				F18				F19 YTD Dec						Bajaj MS		
			Bajaj DSL	Bajaj CNG	Bajaj LPG	Bajaj TTL	Dsl	CNG	LPG	Bajaj TTL	Dsl	CNG	LPG	Bajaj TTL	Ind DSL	IND CNG/LPG	Ind CNG/LPG	DSL	In all D+3 Vehicles
Delhi	Delhi	Yes		9972		9972		14096		14096		6888		6888	0	6951	99%	NA	99%
NCR Traditional Towns with Full CNG Avl	Faridabad	Yes	8	2424		2432		2612		2612		3060		3060	97	3524	82%	2%	76%
	Gurgaon	Yes	4	1904		1908		1159		1159		2702		2702	217	3574			
	Ghaziabad	Yes		1139		1139		1233		1233		1593		1593	19	1785			
	Merrut	Yes		439		439		350		350		434		434	0	462			
	Sonipat	Yes	74	47		121	14	319		333		416		416	42	542			
	Bahadurgarh	Yes	171	80		251	46	270		316	11	204		215	364	411			
	Noida	Yes		948		948	4	650		654	5	19		24	5	20			
NCR Town with Partial/ No CNG availability	Bulandshaher	Partial				0				0	1	823		824	14	848	83%	25%	70%
	Palwal	Partial	35			35	11			11	5	567		572	88	692			
	Bharatpur	Partial	12	5	130	147	38	150	126	314	24	292	17	333	129	401			
	Rewari	Partial	83	6		89	46	120		166	23	226		249	59	250			
	Panipat	Partial	30			30	24	10		34	23	189		212	57	328			
	Alwar	Partial	23		3	26	28	15	95	138	80	130	170	380	299	375			
	Mewat	No				0				0				0	5	4			
	Karnal	No	70		30	100	20		91	111	23		40	63	136	50			
	Muzaffarnagar	No	12			12	24			24	33			33	49	0			
	Shamli	No				0				0	3			3	9	0			
Total Above			522	16964	163	17649	255	20984	312	21551	231	17543	227	18001	1589	20217	88%	15%	83%

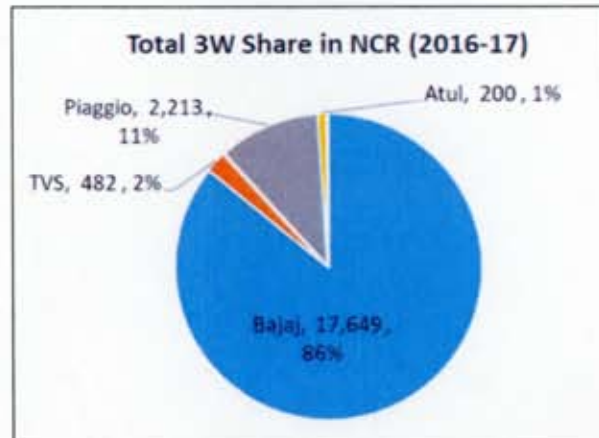
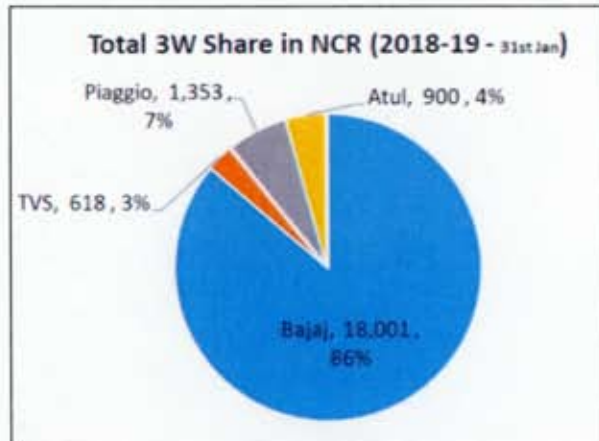
Annexure 2

Permit Process in Free Permit state of Maharashtra

- Application for permit is made online on vahan.parivahan.gov.in - Form P.C.O.P.A.
- Permit fees of Rs. 500 to be paid online on Parivahan site.
- Copy of the receipt / RTO appointment date print out is taken. Applicant also receives a message on his cell.
- On appointment day, following document are to be carried along with –
 - Application along with copy of original 3W Driving Licence and Badge, Address proof.
 - Character certificate issued by police commissioner office to be attached.
 - Domicile certificate (15 years state resident)
 - Self-declaration stating that he is not employed by Govt / Semi Govt company or any other organisation / firm.
 - Self-declaration stating that he is not holding another auto permit in his name.
 - School leaving certificate (Minimum requirement – 8th standard pass),
 - 3 passport size photo.
- Post documents checking interview is done by RTO inspector
- Applicant receives a message on his number after 8 to 10 days, confirming his application consideration for New Permit.
- Applicant then takes the print from the Parivahan website of the Irada Patra / LOI. LOI has 180 days validity from the date of issuance.
- Applicant is free to approach any OEM for the purchase. Applicant purchases the vehicle after completing finance procedure.
- CRTEMP is done and at the time of final passing at the RTO, he has to submit Nationalised bank DD in favour of Dy. RTO, amount of 10000 (Permit fees) – in Maharashtra and 15000/- in case of MMRDA (Mumbai region)
- Applicant then receives a message after 4 to 5 days informing that his RC is under consideration and RC can be downloaded on Digi Locker and mparivahan mobile app. RC nos. is mentioned in the message.
- Original Permit is issued after about 1 month after registration of the vehicle.
- Permit is valid for 5 years (to be renewed again) and issued for that particular district.
- Total Payment for Process
 - 500 – Application Fee
 - 15000 or 10000 for permit (as the case may be for Mumbai or Rest of Maharashtra)

Passenger 3W – NCR

from SIA M



S. No	Organisation	BS VI Type Approval	SOP / Availability for NCR
1	Atul Auto		Jan 2020
2	Bajaj Auto	Sept 2018	4 Weeks from decision
3	Piaggio		Oct-Dec 2019
4	TVS Motor	Aug-Sept 2019	Oct 2019

February 25, 2019

To,

The Chairman
The Environment Pollution –
(Prevention & Control) Authority, NCR
Core VI-A, 3rd Floor
India Habitat Centre, Lodhi Road
New Delhi – 110003

Sub: Lifting of Cap imposed on Registration of TSRs in Delhi in reference to Hon'ble Supreme Court's order dated 04.02.2019 passed in I.A. 176097/2018 in W.P.(C) 13029/1985

Ref.: Meeting Notice bearing No. EPCA-R/2018/MN-53 dated 09.02.2019 and meeting dated 21.02.2019 held at New Delhi

Respected Sir,

We write in reference to the captioned letter dated 09.02.2019 and meeting dated 21.02.2019 held pursuant to the order dated 04.02.2019 passed by Hon'ble Supreme Court of India in *M.C. Mehta v. Union of India* — I.A. No. 176097/2018 in W.P.(C) No. 13029/1985, on an application moved by M/s Bajaj Auto Limited (hereinafter referred to as "Bajaj Auto"), wherein Bajaj Auto has sought the following reliefs:

- (i) *Clarification with regard to the order dated 16.12.1997 and all subsequent orders of the Hon'ble Supreme Court, whereby the numbers of TSR permits issued by the Transport Department of Govt of NCT of Delhi were capped from time to time;*
- (ii) *Issuance of fresh permits/licenses to other autorickshaws complying with BS IV norms (especially, CNG fuelled), and*
- (iii) *Declaration as to BS VI compliant CNG fuelled four stroke auto rickshaws shall not be subject of any cap under the purview of any subsisting orders by the Hon'ble Court.*

Our views were sought during the meeting dated 21.02.2019 with regard to the above-mentioned clarification and declaration sought by Bajaj Autos. We state as under:

1. The application moved by Bajaj Auto *inter alia* seeking removal of cap on the issuance of license, permits of auto rickshaws in Delhi. During the course of meeting, data of market share of all three wheeler manufacturers with regard to NCR was shared. However, the data shared during the meeting showed the market share of Piaggio as 7%. We would like to clarify that Piaggio's 7% market share is for the whole of NCR and not NCT of Delhi. If we consider only NCT of Delhi (which is the subject of the petition filed by m/s Bajaj Auto Ltd), they have an absolute monopoly in Delhi with approximately 98% market share. Hence quoting any data for NCR is misleading and out of scope of the current petition filed by them.
2. Further, during the meeting, MLO, of Transport Department, Govt. of NCT of Delhi confirmed that even after lapse of over seven years of the passing of order by the Hon'ble Supreme Court wherein 45,000 permits of TSRs were allowed in Delhi and as of today only 40,000 such permits had been issued/granted and balance 5,000 are yet to be exhausted. Having said that, we state that before any discussion on the removal of cap in Delhi, as suggested by Bajaj Auto is considered, we need to delve into the reasons why until today 5,000 such permits remain unissued.
3. We understand that one of the main reasons, for existence of cartelization and dominance of financier mafia in Delhi . Though permit conditions mandates that financing be done only by Nationalised Banks, DFC or RBI registered NBFC's only, In reality the entire Delhi auto rickshaw market is still dependent on private financiers.

These private financiers trade in permits....., illegal buying and selling of old vehicles and take advantage of loopholes in the permit transfer system to fleece customers even when fresh permits are opened. Some of these private financiers have also taken franchisees of prominent NBFC's and are openly funding the auto rickshaws in the prevailing black market and even during fresh permits. All norms of RBI are smartly manipulated to show only legal transactions in books of such NBFC's like BFL whereas a real audit of bank accounts of such private franchisees, if done by competent and unbiased EPCA appointed chartered accountants, will bring a whole new dimension on the table and will expose grave irregularities in the financing system. This eco system of dealers, brokers and financiers, constitutes what is notoriously known as black marketing, but has never been investigated by the Hon court. We suggest that the removal of cap on TSR permits should not be considered, unless adequate measures are in place to halt the cartelization of the dominant player-financier nexus, and ensuring mandatory funding of auto rickshaws in fresh permits only through Nationalised banks/DFC, RBI approved NBFCs and a level playing field is brought in Delhi, as a norm.

4. We further suggest that before considering the removal of cap on the issuance of TSR permits, a statistical exercise with regard to the ageing and exact numbers of auto rickshaws in Delhi must be undertaken on war footing, as the same was done roughly 20 years ago. Further the exact number of GPS devices installed on TSR's in Delhi is unclear as quoted by DIMTS during meeting GPS devices installed were more than 1 Lakh, which is more than the allowed number of auto rickshaws in Delhi. Hence it relevant and important to have statistical exercise done with regard to the ageing and exact numbers of auto rickshaws in Delhi must be undertaken on war footing

5. We state that there is serious flaw either in policy or in figures, as there are approximately over 1,70,000 PSV badge holders in Delhi but the number of TSR auto rickshaws in Delhi are 95,000. It is wholly unconceivable that the remainder 75,000 odd drivers are either driving someone else's auto rickshaws or are not the owner drivers..

6. The scrapping and replacement scheme for old TSR vehicles being undertaken at Mayapuri center, has also been misused by the financier mafia. The old vehicle is bought and permit is transferred from an old owner (say , A) to a new owner (say, B) and within a few days , an application is made for obtaining a **No- dues-certificate** in favour of 'B', after which the vehicle is sent for scrapping. If the vehicle was not road worthy, then why does the customer transfer the ownership of the vehicle within a few days before getting it scrapped? Hence, we suggest that there should be a gap of at least **two years** before a permit holder of TSR is allowed to apply for a 'No dues certificate' and get his vehicle scrapped. This way the inflow and outflow of TSR vehicles can be regulated in a meaningful and transparent manner. As suggested by Ms Narayan, during the meeting, a thorough audit of the scrap centre and its processes be done and models followed in other large metros be also studied.

As per the discussions held in the meeting dated 21.02.2019, we were also asked to indicate by when Piaggio would be in a position to supply BS VI compliant CNG fuelled passenger three wheelers in the entire NCR. Simultaneously, we were also asked to share the indicative plan for submitting the vehicles for type approval and also the plan to commence production of such vehicles.

In reference to the above, we crave leave to draw your attention to our submissions through SIAM that the prospective timeline to supply BS VI compliant three wheelers in the entire NCR by the fourth Quarter of 2019. We state that the dates submitted are tentative dates, as they are dependent on factors, such as, vendor/suppliers (parts and components) readiness, etc. We assure that we shall take all necessary steps and to the best of our abilities and resources at our disposal, to adhere to the deadline i.e. 01.04.2020 set by the Hon'ble Supreme Court of India.

We humbly state that the issue of implementation of BS VI compliant vehicles / TSR within Delhi prior to the deadline set by the Hon'ble Supreme Court of India i.e. 01.04.2020 should not be touched upon, as the same has been arrived by the Hon'ble Supreme Court after delving upon all aspects with reference to implementation of BS VI compliant vehicles and has clearly dealt with this issue in detail. We would like to draw your attention to the observations made by the Hon'ble Supreme Court with regard to pan-India implementation of BS VI compliant vehicles and disagreement to region-wise implementation. The relevant extract of the judgment dated 24.10.2018 passed in W.P.(C) No. 13029 of 1985 are reproduced as under;

"15. We feel that it may not be practical to introduce BS-VI compliant vehicles region wise or city wise. In our view, the BS VI compliant vehicles are going to be more expensive than BS IV compliant vehicles. people have tendency to buy cheaper vehicles even from a neighbouring city We also strongly feel that the problem of pollution is not limited to the NCR of Delhi but it is a problem which has engulfed the entire country especially the major cities. India has the dubious distinction of having 15 out of the 20 most polluted cities in the world. The pollution in Gwalior, Raipur & Allahabad is worse than Delhi.

16. The situation is alarming and critical. It brooks no delay. . It is an established principle of law that the right to life, as envisaged under Article 21 of the Constitution

of India includes the right to a decent environment. It includes within its ambit the right of a citizen to live in a clean environment. With regard to vehicular traffic, this Court has issued a number of directions to ensure a clean environment and reduce pollution. It has been held that the right to clean environment is a fundamental right. The right to live in an environment free from smoke and pollution follows from the "quality" of life which is an inherent part of Article 21 of the Constitution. The right to live with human dignity becomes illusory in the absence of a healthy environment. The right to life not only means leading a life with dignity but includes within its ambit the right to lead a healthy, robust life in a clean atmosphere free from pollution. Obviously, such rights are not absolute and have to coexist with sustainable development. Therefore, if there is a conflict between health and wealth, obviously, health will have to be given precedence. When we are concerned with the health of not one citizen but the entire citizenry including the future citizens of the country, the larger public interest has to outweigh the much smaller pecuniary interest of the industry, in this case the automobile industry, especially when the entire wherewithal to introduce the cleaner technology exists." "

Lastly, we state that as the entire industry is working in cohesion to achieve the deadline i.e. 01.04.2020, as set up by the Hon'ble Supreme Court, the same should not be permitted to be transgressed by the suggestion of implementing BS VI compliance in driblets i.e. region wise over pan-India implementation. As a parting note, we state that the cap on the issuance of the permits for TSRs in Delhi should not be removed to benefit the monopolistic situation of one manufacturer seeking commercial business advantage in the guise of reducing pollution and abusing process of Law.

Yours truly,
For Piaggio Vehicles Pvt. Ltd.

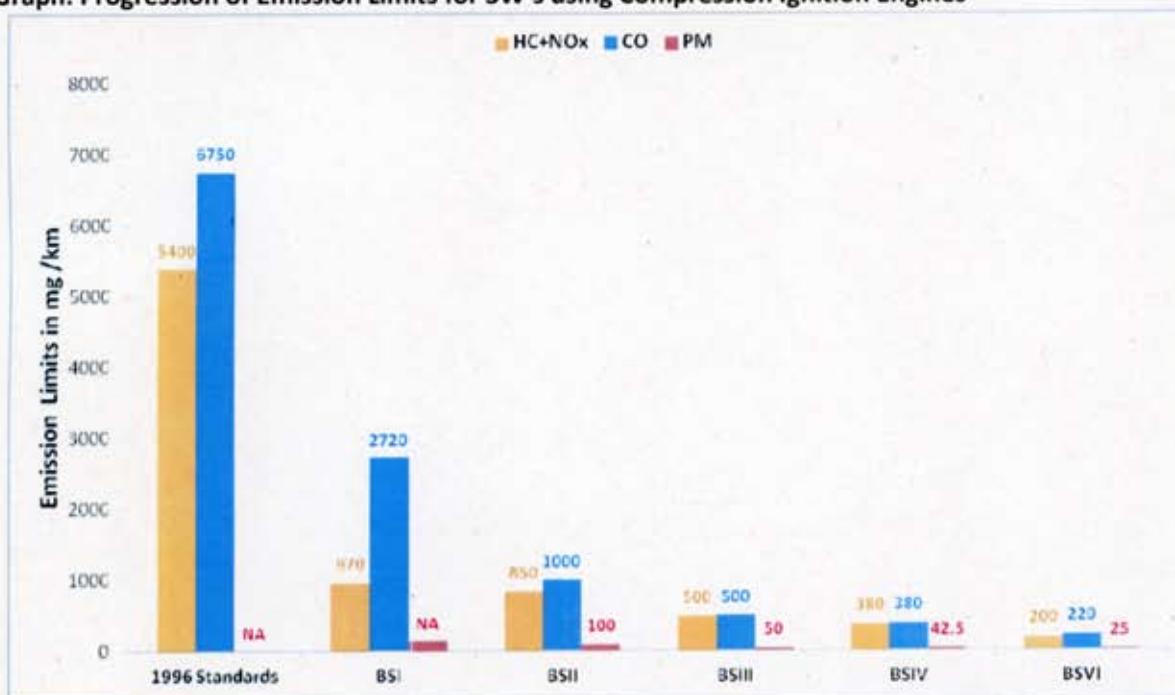


(Authorized Representative)

Annexure 6**Emission Standards for 3 Wheelers using Compression Ignition Engines (Diesel, Biodiesel and Diesel+CNG Hybrid)**

Table: Emission Standards for 3W's using Compression Ignition Engines				
Emission Standards	Limits, in mg/km			
	HC+NOx	CO	PM	NOx
1996 Standards	5400	6750	-	-
BSI	970	2720	140	-
BSII	850	1000	100	-
BSIII	500	500	50	-
BSIV	380	380	42.5	-
BSVI	200	220	25	160

Source: Compiled from MoRTH Notifications & ARAI emissions handbook

Graph: Progression of Emission Limits for 3W's using Compression Ignition Engines

Source: Compiled from MoRTH Notifications & ARAI emissions handbook

For 3-wheelers with CI engines, from BSI to BSVI, HC+NOx emission limits have reduced by 79.4%, CO emission limits by 91.9% and PM emission limits by 82.1%. NOx emission limits, which earlier did not exist, have also been introduced. However, even at the BSVI level, 3-wheelers with CI engines have higher emissions limits for PM & NOx in comparison to 3-wheelers with PI engines.

Annexure 7

TRANSPORT DEPARTMENT, GOVT. OF NCT OF DELHI
(ARU & TAXI UNIT), BURARI, DELHI-110084

No. MLO/(ARU/TU)/TPT/2019/ 300-03

Dated: 15.02.2019

To

The Chairman (EPCA)
Environment Pollution (Prevention & Control) Authority
Core VIA, 3rd Floor,
India Habitat Centre,
Lodhi Road,
Delhi - 110003

Sub:- Regarding lifting of cap imposed on registration of TSRs in Delhi in reference to the Hon'ble Supreme Court of India order dated 04.02.2019 passed in IA No. 176097 of 2018 filed by Bajaj Auto Ltd. in W.P. (C) 13029 of 1985: M.C. Mehta Vs Union of India .

Sir,

Kindly refer to the meeting dated 15.02.2019 at 11.000 am in the office of Chairman (EPCA) at Core VIA, 3rd Floor, India Habitat Centre, Lodhi Road, Delhi - 110003 to discuss the matter of lifting of cap imposed on registration of TSRs in Delhi in reference to the Hon'ble Supreme Court of India order dated 04.02.2019 passed in IA No. 176097 of 2018 filed by Bajaj Auto Ltd. in W.P. (C) 13029 of 1985: M.C. Mehta Vs Union of India, as per directions the copy of permit condition of Auto Rickshaws issued by Transport Department, GNCTD vide No. DC(ARU)/Tpt/2011-12/1149-56 dated 08.08.2012 is enclosed.

Thanking you

Encl: As above

Yours Sincerely,


(RAJESH KUMAR)
MLO(ARU/TU)

Copy to:-

1. OSD to Secretary-cum-Commissioner, Transport Department, GNCTD
2. Special Commissioner (ARU/TU), Transport Department, GNCTD
3. Deputy Commissioner (ARU/TU), Transport Department, GNCTD

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
AUTO RICKSHAW UNIT: TRANSPORT DEPARTMENT
BURARI, DELHI-110084.**

F. DC (ARU)/Tpt/2011-12/1149-56

Dated: 08-08-2012

PERMIT CONDITION

In the pursuant Hon'ble Supreme Court's order 333 in IA 316 in WP(C) 13029/1985 & in connected IAs increased the cap on issue of permits to Three-Seater Auto Rickshaw (TSR) in the NCT of Delhi from 55,000 to 1 lakh, considering the request of the department, GNCT, of Delhi and keeping in view of the increase in population in and around Delhi, the permit condition framed are as under:-

1. The applicant should purchase a new Auto Rickshaw (TSR) which should conform to mass emission standard of Bharat Stage-III and the same should also be from the list of Models approved by the Transport Department, GNCT of Delhi.
2. The owner of TSR should possess a valid TSR driving license and a Public Service Badge issued by the Transport Department of NCT of Delhi.
3. The applicant should not possess any other TSR or Transport vehicle with permits.
4. The Auto Rickshaw permit would not be transferable for 5 years, except in case of death of permit holder as prescribed in section 82 of MV Act, 1988 and Rules framed there-under. Thereafter the transfer to a person belonging to the same category can be considered. In case of legal heir of the deceased permit holder is minor OR not having valid driving license & PSV badge can hire a driver having valid Driving License and badge issued by Transport Department, Delhi.
5. Hire-purchase lease, Hypothecation deed shall be allowed for Nationalized Bank, Scheduled Banks and Non-Banking Financial Companies duly approved by RBI or any other competent authority notified by the Central Government.
6. The Electronic Fare Meter fitted in TSR should be GPS/GPRS integrated and duly approved, tested and sealed by the Controller, Weights & Measures Department, GNCT of Delhi. The Electronic Fare Meter manufactures/suppliers shall ensure that GPS/GPRS device integrated with Electronic fare meter is duly certified by Delhi Integrated Multi-Modal Transit System Ltd. (DIMTS), 1st Floor, Maharana Pratap, ISBT Building, Kashmere Gate, Delhi-110006. (web:www.dimts.in).

7. The permit holder shall charge fare from the passengers as approved by the Govt. as specified from time-to-time and a copy of fare table to be supplied by the Permit Issuing Authority shall be exhibited in the vehicle behind driver seat. The Electronic Fare Meter enabled with GPS/GPRS shall be kept in proper working condition.
8. The permit shall pay GPS/GPRS service charges at the rate and manner prescribed by STA.
9. The number of passengers shall not exceed 3 adults excluding driver.
10. The permit holder/driver shall not refuse to ply to any place within the NCT of Delhi.
11. The driver wear the uniform in Grey colour as prescribed by the State Transport Authority (STA), Delhi. He/She shall display the Public Service Vehicle Badge on uniform on his/her left side of the chest.
12. The vehicle shall display the Helpline 42-400-400 of the Transport Department should be behind driver's seat. The name and address of the permit holder should be painted or affixed on the exterior of the body.
13. The vehicle shall be kept neat and clean at all times during the operation.
14. The vehicle must be equipped with the First Aid Box and Fire Fighting equipment as specified in Rules 66 of Delhi Motor Rules 1993. In respect of the Fire Fighting equipment should be fitted inside the TSR near driver's seat.
15. The driver's identification/particulars along with his/her photograph to be displayed conspicuously inside the vehicle.
16. The permit holder should adhere to the permit conditions of Auto Rickshaw, failing which he/she shall be liable for the suspension/cancellation of the permit.

The aforesaid permit conditions for issue of permits for new Auto Rickshaw shall come into force after 30 (thirty) days from the publication of the public notice in newspapers.

This issues with the prior approval of competent authority.

S/d
DY. COMMISSIONER

Auto Rickshaw Unit, Burari