



\$~60

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 16849/2024 & CM APPL. 71311/2024

SMART MOBILITY ASSOCIATIONPetitioner

Through: Mr. Pradeep Kumar Mishra, Mr.
Raj Karan Sharma, Mr. Aditya
Kumar Yadav, Mr. Gaurav
Chaudhry, Mr. Rishabh Malhotra,
Mr. Arpit Bamal and Mr. Rishabh,
Advocates.

versus

GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Tushar Sannu, Advocate for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

05.12.2024

%

1. The petitioner is an association, registered under the Societies Registration Act, 1860, comprised of companies which manufacture "Vehicle Location Tracking Devices" ["VLTD"] for installation in Public Service Vehicles ["PSV"].

2. By virtue of Rule 125H of the Central Motor Vehicles Rules, 1989, fitment of VLTDs in PSV has been made compulsory w.e.f. 01.04.2018. The grievance of the petitioner is that Government of NCT of Delhi ["GNCTD"] has entered into a Memorandum of Understanding ["MOU"] dated 27.08.2024 with National Informatics Centre ["NIC"], respondent No.4 herein, for provision of various backend services relating to functioning of VLTDs on vehicles operating in the NCT of Delhi. The said services were, hitherto being provided by Delhi Integrated Multi-Model Transit System (DIMTS) Ltd. [Respondent No.7 herein].

W.P.(C) 16849/2024

Page 1 of 3



3. Mr. Pradeep Kumar Mishra, learned counsel for the petitioner, draws my attention to a notification issued by the Union of India [“UOI”] dated 15.01.2020 [Annexure P-5 to the writ petition] circulating a scheme for implementation of *“Development, Customization, Deployment and Management of State-wise vehicle tracking platform for Safety & Enforcement as per AIS 140 Specifications”*. He points out that the said platforms were required to confirm to specifications in the Automotive Industry Standard [AIS 140 Specifications]. A detailed list of specifications for the backend systems was provided in Annexure B to the said notification. According to the petitioner, the system developed by NIC does not have the capability of providing services conforming to the said specifications. Reliance is placed upon status reports by UOI with regard to the implementation of the system in Goa, which according to the petitioner was being provided on the NIC platform.

4. Mr. Tushar Sannu, learned counsel, appears on advance instructions on behalf of GNCTD. He submits that the petitioner may be directed to formulate the precise deficiencies, which according to it are prevalent in the NIC system so that GNCTD can consider the matter in consultation with NIC.

5. Having heard learned counsel for the parties, I am of the view that this is an appropriate course of action at this stage. The matters raised in the writ petition are technical in nature. It is not the suggestion of Mr. Mishra that any particular agency has been mandated by UOI for providing the backend services, but only that the backend services are required to confirm to certain standards and specifications provided in the UOI’s notification. Indeed, Mr. Mishra submits that the petitioner’s



intention is not adversarial but only to ensure that the provisions of the VLTD platform, intended to enhance the security and safety of citizens, especially women and children, is upgraded in accordance with the standards mandated by the UOI. The deficiencies identified by the petitioner and/or suggestions made by it would have to be considered in consultation with NIC, and may also require clarification from the Government of India.

6. The writ petition, alongwith pending application, is therefore, disposed of at this stage with the following directions:

- a. The petitioner is at liberty to submit a comprehensive representation to GNCTD, identifying the deficiencies which, according to it, exist in the NIC system. The petitioner will also refer to the particular provision in the UOI's notification(s), which provides the specifications for the backend systems.
- b. GNCTD will consider the said submission after obtaining the comments of the NIC. It will also be free to hold a joint meeting with the petitioner and NIC if required, and may seek clarification with the UOI also.
- c. After this consultation process, GNCTD will take a decision and communicate the same to the petitioner within a period of three months from the initial representation.
- d. If the petitioner remains aggrieved, it would be at liberty to approach the Court afresh.

PRATEEK JALAN, J

DECEMBER 5, 2024/SS/kb/