

25-11-2025
ct no. 10
Sl.10
RP

WPA 13478 of 2024

Amitav Das
-Versus-

State of West Bengal & Ors.

Mr.Sattwik Bhattacharyya,
Ms. Titas Niyogi,
Ms. Reshma Sharma

...for the petitioner

Mr. Amal Kr. Sen, Ld.AAG
Mr. Lal Mohan Bose

...for the State

1. Heard the parties through their respective learned Counsels.
2. Main grievance of the petitioner is with regard to the grant of counter-signature to the permit being P.St.P. No. 10-G/2023 and Time Table against the petitioner's vehicle No. OD-11AB-1114 which is valid up to 14.03.2028. The petitioner made representation dated 14th March, 2023 Docket No. 746 before the Secretary, STA, Kolkata, West Bengal for the countersignature of the permanent permit of the inter-state route Bhubaneshwer to Bajkul. The petitioner relies upon an order dated 20.01.2022 passed by the Co-ordinate Bench of this Hon'ble Court

asserting thereto, that the petitioner admittedly does not fall within the KMA area and the concerned notification dated 13th August, 2012 is not applicable in the case of the petitioner.

3. The State/respondent submits that already the State Transport Authority has taken a decision on 08.12.2022 that no counter-signature in new inter-state (IS) route permits will be allowed until or unless the integrated vehicle possesses minimum BS-IV emission norms. It is also submitted that in view of such decision the authority concerned rejected the application of the petitioner for counter signature due to non-compliance of the minimum required standard, i.e., BS-IV.
4. The petitioner vehemently opposes such contention of the respondent and places a notification dated 2nd June, 2023 being the revised guidelines for registration and permit of vehicles in terms of pollution norms. The petitioner places reliance upon II Clause ii and Clause iv respectively which are reproduced below:-

“In case of Inter-State routes, the State Transport Authority will encourage placement of BS-IV emission

norms complaint vehicle preferably. The State Transport Authority of all the Reciprocating State may be informed and requested by the State Transport Authority, West Bengal to issue their permits (i.e. reciprocating states) accordingly.

iv. If the route is exclusively within the Kolkata Metropolitan Area (KMA), new permit being issued by the STA or by any RTA the vehicle to be placed in permit may preferably be BS-VI emissions norms complaint but not less than BS-IV norms complaint."

5. After hearing the rival contention of the parties and upon perusing the materials available on record, I am of the considered view that the respondent no. 3 shall forthwith consider the representation dated 14th March, 2023 being annexure P-1 at page 12 of the writ petition within a period of 3 weeks and pass a reasoned order in accordance with law upon affording the opportunity of hearing to all the concerned parties and communicate such decision within a week thereafter. It is made clear that the decision is subject to compliance of all the formalities by the petitioner.
6. It is also directed that the respondent no. 3 should consider the representation of the petitioner in the strength of the Revised Guidelines for Registration and Permit of vehicles in terms of the Pollution Norm dated 2nd June, 2023 keeping in view of the Clauses (ii) and (iv) of II of the said guidelines.

7. The writ petition being WPA 13478 of 2024 is disposed of without taking any exception to the merits of the case.
8. It is also needless to mention that if the authority concerned finds to be a fit case, then the authority concerned shall forthwith take appropriate steps upon compliance of all statutory formalities as expeditiously as possible.

(Smita Das De, J.)