

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

**EXECUTION APPLICATION NO.06 OF 2023 (WZ)
IN
ORIGINAL APPLICATION NO.117 OF 2017 (WZ)**

Dileep B. Nevatia

.... Applicant

Versus

The Motor Vehicle Department and Ors.

....Respondents

Date of Hearing : 03.04.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Applicant-in-person

ORDER

1. From the side of the Execution Applicant, the applicant-in-person has appeared. He has pressed for execution of the judgment and order dated 25.06.2020 passed by this Tribunal in Original Application No.117 of 2017 (WZ) (Dileep B. Nevatia Vs. The Motor Vehicle Department and others), whereby following directions were given:-

- “1. To ensure strict compliance of Rule 115 sub Rule (7) of the Central Motor Vehicle Rules, 1989 stipulated that only vehicles that carry valid “PUC: Certificate issued by authorised agency 18 are permitted to ply in the State of Maharashtra so as to prevent air pollution due to vehicles do not having PUC certificate.*
- 2. To record the PUC data only so to automatically linked with the Central Server with uniform standardise software.*
- 3. To introduce annual third party inspection of PUC centres.*
- 4. To limit the number of PUC centres upgrade them under strong supervision and quality control.*
- 5. To ensure 100%compliance by linking annual vehicle insurance and vehicle registration with PUC certificate.*
- 6. To adopt uniform and standardised data recording and reporting format and uniform software and introduce automatic online network for transmission of*

PUC data to the Central Server and to allow proper analysis of data for remote auditing of PUC centres.

- 7. To strengthen inspection of PUC centres for quality control and strengthen the licensing programme to ensure proper calibration authentic test, annual maintenance contract for the maintenance of all testing equipment and accessories training of operators, calibration of equipment etc. are carried out.*
- 8. To make quality audit of centres and calibration quarterly.*
- 9. To upgrade testing centres for high level of automatic emission testing so that operators and vehicles drivers are prevented from manipulation of results.*
- 10. To introduce well equipped mobile test centres and a programme to check visibly polluting vehicles.”*

2. The same directions have been reproduced in the memo of Execution Application and it is submitted that none of these directions have been complied with so far by the respondent authorities.

3. In view of above, we admit the Execution Application and direct the Registry to issue notice to the respondent, returnable within three weeks.

4. The applicant is directed to provide copies of the Execution Application and annexures thereto for being served to the respondents, within a week.

5. The applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available e-mail.

6. Put up this matter on 05.07.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 03, 2023
E.A. No.06/2023 (WZ)
npj