STANDING ORDER NO. Traff. Mgt./08/2022

ISSUANCE OF PERMISSIONS TO PLY GOODS VEHICLE CARRYING ESSENTIAL/PERISHABLE GOODS ETC. DURING RESTRICTED HOURS/AREAS

1. INTRODUCTION

Section 115 of the Motor Vehicles Act, 1988 authorizes the State Governments to restrict movement of vehicles of any specified class or description in a specified area or on a specified road in the interest of public safety or convenience.

Further, the Hon'ble Supreme Court of India in W.P.(C) No. 13029 of 1985 (M.C. Mehta Vs. UOI & Others) in its order dated 20.11.1997 had directed "Police and Transport authorities to consider immediately the problems arising out of congestion caused by different kinds of motorized and non-motorized vehicles using the same roads". Therefore, in pursuance of the provisions contained in Section 115 of the Motor Vehicle Act 1988 and the directions of Hon'ble Supreme Court of India in W.P. (C) No. 13029 of 1985 (M C Mehta v/s Union of India & Others), the Transport Department, GNCT of Delhi under regulation 30(1) of Delhi Control of Vehicular and other Traffic on Roads and Street Regulations, 1980 (framed under section 28, Delhi Police Act, 1978), have prohibited the plying and idle parking of heavy, medium, light goods vehicles including three wheeled light goods vehicles (inclusive of all those carrying national/inter-state permits) and trailers on specific roads/areas, during specified timings, in the NCT of Delhi.

However, in order to ensure supply of essential/perishable commodities/goods in the NCT of Delhi, according permission for some commercial goods vehicles to ply during restricted hours i.e. No Entry Hours is necessary. Moreover, with the introduction of online portal for issuing No Entry Permits, to facilitate the supply of perishable and essential goods by commercial goods vehicles during restricted hours/areas on the one hand, and to provide better services to the applicants, on the other, the following procedure is to be followed.

(A) Objective:

The main objective of the instructions under this standing order is to restrict the number of commercial vehicles in such a manner that the supply of essential goods and services is not affected and unnecessary movement of commercial vehicles is also kept under control in the city.

(B) Categorization:

Based on the type of goods to be carried by the commercial goods vehicles, they have been categorized as follows:-

1. Animal Care Center
2. Bio Medical Gas
3. Bread
4. Carrying goods to Embassy
5. Catering & Decorators
6. Cheese/ Butter
7. Chicken/Meat/Fish
8. CNG Cylinder
9. DDA/PWD/NDMC/MCD works on emergency duty
10. Defence Store items (Army Store Items)
11. DMRC Maintenance work
12. Flowers
13. Food Grains(Atta, Dal, Maida, Besan, Suji, Rice,Salt)
14. Frozen Food
15. Fruits & Vegetables
16. Green Fodder for Army Horses
17. Ice & Ice Cream
18. Ice Slabs
19. Kendriya Bhandar Items
20. Kerosene
21. LPG Cylinder
22. Maintenance for emergency duty
23. Medical Oxygen Gas
24. Medicine
25. Mid Day Meal
26. Milk & Milk Product
27. MTNL works
28. NDPL and BSES emergency vehicles
29. Newspaper & Printing Material
30. Petrol/Diesel
31. Plants & Horticulture
32. Water (Tanker)
33. Other items to be specified by the applicant (not more than three words).

2. VEHICLES EXEMPTED FROM TAKING NO ENTRY PERMISSIONS:

Following categories of vehicles are exempted and as such do not require No Entry Permissions to ply in restricted areas during restricted hours:-

Delhi registered vehicles owned by Government departments or agencies/P.S.Us carrying following essential commodities or transporting following items:-

1. Water (tanker only), 2. Milk (tanker only), 3. Milk products (refrigerated vehicles only), 4. Medicines, 5. Oxygen cylinders, 6. Garbage, 7. Bio-Medical waste, 8. Petrol, 9. Diesel, 10. Kerosene, 11. L.P.G. Cylinders, 12. C.N.G, 13. Removal equipment including cranes removing stranded vehicles on roads of Delhi, 14. Emergency vehicles such as ambulances, fire tenders snorkel ladders, auxiliary trailers and fire fighting vehicles of Fire Brigade, Police and Para Military Forces, 15. Vehicles engaged by Police, Para military Forces & Military for carrying troops or other essential materials, 16. Jail Vans, 17. Hearses, 18. Cash Vans, 19. Mobile Workshops, 20. Tower Vans engaged in attending street lights or traffic lights, 21. Post & Telegraphs vehicles carrying post, 22. Mid-Day Meals, 23. Work related to repair/ construction of metro, Flyover, FOBs, Underpass and roads etc.

3. PROCEDURE FOR RECEIPT OF APPLICATIONS AND THEIR SCRUTINY:

(A) Committee for Grant of No Entry Permission:

There will be a Standing Committee comprising Jt. CP/Traffic, DCP/Traffic/HQ-I and ACP/T-HQ-I to grant permissions on annual basis and record of the same shall be maintained digitally and stored in server. C.P. Delhi & Spl. CP/ T.M.D. shall have the power to review the decisions of the Committee. The commissioner of Police at his discretion may alter the composition of the Committee.

(B) Annual No Entry Permissions

The process of issuing Annual "No Entry Permissions", to ply during restricted hours/areas, for vehicles, shall commence with effect from 15th October each year for the following year. Procedure to be followed for grant of permission during "NO ENTRY TIME" shall be as below:-

1) The process of receiving Annual Applications for "No Entry Permissions", has been made online. A Press Advertisement shall be issued each year for inviting online applications by Traffic Unit providing guidelines, procedures and terms /conditions which will be opened for one month only to invite applications for No Entry Permissions for general public for one year.

2) The users are required to provide a Unique ID by Mobile number when they apply online. All the documents required to be uploaded in original with validity (upto the required period) shall also be entered online.

3) A fee of Rs.200/- will be charged on line as application money to prevent filing of frivolous applications for "No Entry Permission". Those applications which are granted "No entry Stickers" will be required to pay Rs. 500/- as fee, online. No cash payments shall be accepted.

(C) Temporary No Entry Permission:-

i) Temporary "No Entry Permissions" to ply during restricted hours/areas valid up to three months, shall also be granted/ issued online by a Committee headed by Jt. CP/Traffic, DCP/T/HQ-I and ACP/T/HQ-I as member. No Entry Permission in this category should be issued in rare cases depending upon the requirement/urgency of the work/function and record of the same shall be maintained in the "Temporary Permission Register" and also be maintained digitally and stored in server.

ii) No fee shall be charged in respect of Temporary No Entry Permission.

4. CONDITIONS FOR GRANTING OF PERMISSION

(A) FOR TEMPORARY AND ANNUAL NO ENTRY PERMISSION :-

In view of Hon'ble NGT order dated 18/07/2016 in M.A. No.412 of 2015 and M.A. No.413 of 2015, Vardhaman Kaushik Vs. Union of India & Ors no permission shall be granted to diesel vehicles which are more than 10 years old to ply on Delhi roads. The BS-IV vehicles and vehicle using CNG fuel shall be given priority. Annual No Entry permission will not be granted to those vehicles which are Black listed by Delhi Traffic Police. The criteria for granting No Entry Permission shall be decided by the committee from time to time after seeking the approval of Spl. CP/TMD.

(B) FOR VEHICLE UPTO 7 DAYS OR LESS

Temporary permission up to a maximum of seven days can be given by DCP/Traffic (HQ)-I, manually.

5. VERIFICATION OF APPLICATIONS

The Standing Committee mentioned above, may at its discretion get the particulars furnished by an applicant verified by seeking a report from the concerned Addl. Commissioner/Traffic Range or PRG. Verification process will be completed by concerned Addl. Commissioner/ Traffic Range or PRG as early as possible.

6. APPROVAL

All applications for "No Entry Permission" will be decided by the Committee headed by Jt.CP/Traffic.

All stickers will be digitally signed by DCP/T-HQ-I who will also supervise the functioning of "No Entry Permission" branch. One DCP/Traffic will be nominated as Link Officer in case DCP/Traffic (HQ)-I is on leave, medical, etc., then the Link Officer will digitally sign the Sticker as DCP/T (HQ)-I.

7. DISTRIBUTION

Once the permission is granted, the applicant will receive an SMS/e-mail on his registered mobile/e-mail for depositing the requisite Sticker Fee online, the permission will be sent to the applicant on line from where he can download the No Entry Sticker.

8. BLACKLISTING

After issuing the "No Entry Permission", if any person is found misusing it, necessary legal proceedings will be conducted against the violator and name of the individual along with vehicle registration detail shall be entered in the register. Such person shall be debarred from grant of No Entry Permission for certain periods to be decided by Spl. CP/TMD. The list of black listed vehicles and individuals should be uploaded on Delhi Traffic Police website, so that the details may be checked online. The period of blacklisted vehicles may extend upto 5 years.

9. MISCELLANEOUS

a) Delhi Police reserves the right to cancel the "No Entry Permission" of any of the vehicles, any time in public interest and for the safety of all road users.

b) Once the claim of any NEP is rejected by the Committee, the applicant has the right to seek a reconsideration of the rejection through proper channel, i.e. he/she may submit his/her appeal in the office of DCP/T-HQ-I within 15 days after rejection. The request of the applicant will be processed and put up before the review Committee headed by Spl. CP/TMD for final disposal. Once 1st appeal is rejected, no 2nd appeal will be entertained by the Committee.

10. SUPERSESSION CLAUSE

This Standing order supersedes the pervious Standing Order No. 368/2019 issued vide No.451-601/Record Branch/PHQ dated 04.06.2019.

11. DISCLAIMER

It is made clear that this Standing Order is exclusively for internal smooth functioning of Police Department.

Rakesh Asthana

(RAKESH ASTHANA)
COMMISSIONER OF POLICE:
DELHI. 27.5.22

No. 29651-29800 /Record Branch/PHQ dated Delhi, the 27-5-2022

Copy forwarded to:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi.
3. All Additional Commissioners of Police, Delhi.
4. OSD to C.P., Delhi.
5. All Deputy Commissioners of Police, Districts/Units including PHQ, C.P. Sectt., FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ(IV)/PHQ with the direction to upload the Standing Order on Intra-DP.
7. LA to CP and FA to C.P., Delhi.
8. All ACsP/Insprs./PHQ.
9. PS/Reader to C.P., Delhi.
10. HAR/PHQ.
11. Librarian/PHQ.

DELHI POLICE

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ADDENDUM

Following addendums are made in the Standing Order No. Traff. Mgt./08/2022. Para 1 (B), Para 6, Para 7, Para 8 and Para 9 of the said Standing Order shall be read as under:-

Para 1(B):-

9) DDA/PWD/NDMC/MCD/Railway works on emergency duty

24) Medicine/Surgical Items/Medical equipments

Para 6:-

APPROVAL & REJECTION (Previously only APPROVAL)

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(a) APPROVAL (Previously Para 7 DISTRIBUTION)

Once the permission is granted, the applicant will receive an SMS/e-mail on his registered mobile/e-mail for depositing the requisite Sticker Fee online. The permission will be sent to the applicant online from where he can download the No Entry Sticker.

(b) REJECTION

Once the permission is rejected, the applicant will receive an SMS/e-mail on his registered mobile/e-mail with the reasons for rejection of the application.

Para 7:-

BLACKLISTING (Previously Para 8)

Para 8:-

MISCELLANEOUS (Previously Para 9)

The amended provision shall come into force with immediate effect.

23/11/22

(SANJAY ARORA)
COMMISSIONER OF POLICE,
DELHI

No. 54201-350/Record Branch/PHQ dated Delhi the 23-11 — 2022.

Copy forwarded to the:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi including Jt. Director Delhi Police Academy, Delhi New Delhi.
3. All Addl. Commissioners of Police, Delhi.
4. All District/ Unit DCsP including PHQ, C.P. Sectt., FRRO, Dy. Director/DPA, Delhi/New Delhi.
5. DCP/ HQ (IV)/ PHQ with the direction to upload the Standing Order on Intra-DP.
6. LA and F.A. to Commissioner of Police, Delhi.
7. All ACsP & Insprs. in PHQ.
8. P.S. and Reader to C.P., Delhi.
9. All Inspectors/PHQ, and In-charge, Library/PHQ.
10. HAR/PHQ.
11. Librarian/ PHQ.