

**GOVERNMENT OF TRIPURA  
OFFICE OF THE DIRECTOR GENERAL OF POLICE  
TRIPURA :: AGARTALA**

No. 31184-204 /F.RV (82)/PHQ/16(shadow)

Dated, 31/07/2017.

Copy to :-

01. The Inspr. Genl. of Police (Law & Order), Tripura.
- 02-03. The Dy. IsGP, (S.Range)/ (N.Range), Tripura.
- 04-20. The Supdt. of Police, West/Khowai/Sepahijala/South/Gomati/Unakoti/  
North/ Dhalai/ SB/EB/MTF/Traffic/CID/Comn./Proc./Security/GRP,  
Tripura.
21. The Addl. SP (E-Gov. Cell), PHQ, Agartala, Tripura, to post this is  
Tripura Police website.

Sanjoy Roy  
29/7/17  
(Sanjoy Roy)  
Asstt. Inspr. Genl. of Police (Crime),  
For Director General of Tripura,  
Tripura, Agartala.



सत्यमेव जयते

भारत सरकार  
Government of India  
सड़क परिवहन और राजमार्ग मंत्रालय  
Ministry of Road Transport and Highways



No. RT-11036/24/2017-MVL

Transport Bhawan, 1, Parliament Street,  
New Delhi the 12<sup>th</sup> June, 2017

To

The Principal Secretaries (Transport)/The Secretaries (Transport)/ The Transport Commissioners of all the States/UT Administrations.

**Subject: Advisory to comply with the direction of Hon'ble Supreme Court in regard to use of multi-toned horns.**

Sir/Madam,

With reference to the subject mentioned above, I am directed to write that:-

1. The Hon'ble Supreme Court vide its order dated 10.12.2013 (copy enclosed) passed in SLP (C) 25237/2010 (Abhay Pratap Singh V/s State of UP & Ors.) had directed that:-

*"No motor vehicles except those specified in Rule 119(3) of the 1989 Rules or similar provisions contained in the rules framed by the States Governments or the Administration of Union Territories shall be fitted with multi-toned horns giving a succession of different notes or with any other should producing device giving an unduly, harsh, shrill, loud or alarming noise.*

*The police officers and other authorities entrusted with the task of enforcing the provisions of the 1988 Act and Rules framed thereunder must discharge their duties without any fear or favour and should impose appropriate penalty on those who violate the prohibition contained in Rule 108(1) and Rule 119 and similar rules framed by the State Government and the Administration of Union Territories. The owners/users of the vehicles fitted with multitoned horns other than those allowed to use such horns under Rule 119(3) of the 1989 Rules or corresponding rules framed by the State Governments and the Administration of the Union Territories shall, within a period of one month from today, remove the multi-toned horns. The officers authorised to enforce the provisions of the 1988 Act and the rules framed thereunder by the Central Government, the State Governments and the Administration of Union Territories shall also ensure that multi-toned horns are removed from all the vehicles except those specified in Rule*

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*11913 of the 1989 Rules or corresponding rules framed by the State Governments and the Administration of Union Territories."*


2. As per Rule 119 (2) of Central Motor Vehicles Rules, 1989, No motor vehicle including agricultural tractor shall be fitted with any multi-toned horn giving a succession of different notes or with any other sound producing device giving an unduly harsh, shrill, loud or alarming noise.

3. As per Rule 119 (3) of Central Motor Vehicles Rules, 1989, nothing contained in sub-rule (2) shall prevent the use on vehicles used as ambulance or for fire-fighting or salvage purposes or on vehicles used by police officers or operators of construction equipment vehicles or officers of the Motor Vehicle Department in the course of their duties or on construction equipment vehicles of such sound signals as may be approved by the registering authority in whose jurisdiction such vehicles are kept.

4. In view of above, all the State Governments/ UTs Administrations are requested to strictly follow the above directions of Hon'ble Supreme Court and the provisions of Rule 119 of Central Motor Vehicles Rules, 1989 regarding multi toned horns.

*Encls: As above.*

Yours faithfully,

  
(Priyank Bharti) 12/6/17  
Director (MVL)

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REPORTABLE

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION NO. (C) No.25237/2010

Abhay Singh

....PETITIONER

versus

State of Uttar Pradesh and others

...RESPONDENTS

with

SPECIAL LEAVE PETITION(C) No.23984/2010

Abhay Singh

....PETITIONER

versus

Union of India and another

....RESPONDENTS

O R D E R

G.S. SINGHVI, J.

One of the several questions of public and constitutional importance raised by Shri Harish Salve, learned senior counsel, who initially appeared on

be fitted with red lights but the red lights with or without flasher can be used only while the specified high dignitary is on duty and not otherwise.

3. The State Governments and Administration of Union Territories cannot enlarge the scope of the term "high dignitaries" beyond what is prescribed in clauses 'c' and 'd' of Notifications dated 11.1.2002 and 28.7.2005 issued by the Central Government. Therefore, they shall amend the relevant rules and notifications to bring them in tune with the 1989 Rules and notifications dated 11.1.2002 and 28.7.2002 issued by the Central Government. This exercise must be completed within a period of three months.
  
4. The men in uniform; operational agencies which require un-hindered access to the roads for performance of their duty; those engaged in emergency duties such as ambulance services, fire services, emergency maintenance etc, and police vehicles used as escorts or pilots or for law and order duties shall not be entitled to have red lights but lights of other colours, e.g., blue, white, multicoloured etc.
  
5. No motor vehicles except those specified in Rule 119(3) of the 1989 Rules or similar provisions contained in the rules framed by the State Governments or the Administration of Union Territories shall be fitted with multi-toned horns giving a succession of different notes or with any other sound producing device giving an unduly

harsh, shrill, loud or alarming noise.

6. The police officers and other authorities entrusted with the task of enforcing the provisions of the 1988 Act and the Rules framed thereunder must discharge their duties without any fear or favour and should impose appropriate penalty on those who violate the prohibition contained in Rule 108(1) and Rule 119 and similar rules framed by the State Governments and the Administration of Union Territories. The owners/users of the vehicles fitted with multi-toned horns other than those allowed to use such horns under Rule 119(3) of the 1989 Rules or corresponding rules framed by the State Governments and the Administration of the Union Territories shall, within a period of one month from today, remove the multi-toned horns. The officers authorised to enforce the provisions of the 1988 Act and the rules framed thereunder by the Central Government, the State Governments and the Administration of Union Territories shall also ensure that multi-toned horns are removed from all the vehicles except those specified in rule 119(3) of the 1989 Rules or corresponding rules framed by the State Governments and the Administration of Union Territories.
7. The Chief Secretaries of all the States and the Administrators of Union Territories shall cause a notice published in the newspapers having wide circulation in their respective States and the Union Territories incorporating the directions contained in this order.

In the note submitted by the learned Solicitor General, it has been mentioned that Clause 51 of the Motor Vehicles (Amendment) Bill, 2012 contains a provision for imposition of enhanced penalty. That amendment is not shown to have been carried out so far. We hope and trust that the Legislature will make appropriate amendment and make provision for imposition of adequate penalty which may operate as deterrent against misuse of the provisions of the 1989 Act and the 1989 Rules generally and the provisions of Rules 108 and 119 in particular. The State Governments and the Administration of the Union Territories shall either amend the existing rules or frame appropriate rules for imposing deterrent penalty on the violators of the rules containing prohibition against the use of red lights and multi-toned horns or similar devices.

JUDGMENT

.....J.  
[G.S. SINGHVI]

NEW DELHI;  
DECEMBER 10, 2013.

.....J.  
[C. NAGAPPAN]