

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA
&
THE HONOURABLE MR.JUSTICE MURALEE KRISHNA S.

Tuesday, the 14th day of July 2026 / 23rd Ashadha, 1948
WP(C) NO. 25158 OF 2024(S)

SUO MOTU

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY (ROAD, TRANSPORT AND HIGHWAYS) MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN, GOKUL NAGAR, SANSAD MARG AREA, NEW DELHI PIN - 110001
2. THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA PIN - 695001
3. THE SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA 695001., PIN - 695001
4. THE TRANSPORT COMMISSIONER OF KERALA, TRANSPORT COMMISSIONERATE, 2ND FLOOR, TRANS TOWER, CV RAMAN PILLAI ROAD, VAZHUTHACAUD, THIRUVANANTHAPURAM, KERALA, PIN - 695014
5. THE STATE POLICE CHIEF OF KERALA, STATE POLICE HEADQUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM, KERALA, PIN - 695010
6. NOUSHAD I, AGED 42 YEARS, S/O.SULAIMAN, IRUMBADASSERI HOUSE, VADASSERY, PANNIPPARA P.O., EDAVANNA, MALAPPURAM DISTRICT , PIN- 676 541 [IS IMPEADED AS ADDL. R6 AS PER ORDER DATED 13/09/2024 IN IA.1/2024 IN WP(C) 25158/2024]
7. THE KERALA STATE ROAD TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM - 695 023. [ADDL. R7 IS SUO MOTU IMPEADED AS PER ORDER DATED 22/01/2025 IN WP(C) 25158/2024.]
8. AJIN TOM ALEX AGED 30 YEARS, S/O ALEX THOMAS,15/304, PADINJATTINKARA ANUGRAHA, NELLIKUNNAM P.O, KOLLAM DISTRICT - 691 520. [ADDL. R8 IS IMPEADED AS PER ORDER DATED 05/02/2025 IN IA 1/2025 IN WP(C) 25158/2024.]

P.T.O.

This Suo Motu writ petition again coming on for orders upon perusing the petition, this Court's orders dated 21/11/2025, 12/03/2026, 21/05/2026, 16/06/2026 & 10/07/2026 and upon hearing the arguments of SRI. R.V.SREEJITH, SENIOR PANEL COUNSEL for R1, ADDITIONAL ADVOCATE GENERAL & SPECIAL GOVERNMENT PLEADER for R2 to R5, SRI. K.RAKESH, Advocate for Addl.R6, M/S. DEEPU THANKAN, UMMUL FIDA, LAKSHMI SREEDHAR, LEKSHMI P. NAIR, VINEETHA BOSE, CINDIA S. & GAYATHRI G., Advocates for Addl.R7 and of M/S. KEVIN JAMES, SHABNAM SAIDALAVI, ATHUL M.V., DEAGO JOHN K & ASWIN V. NAIR, Advocates for Addl.R8, the court passed the following:

P.T.0



TUESDAY, THE 14TH DAY OF JULY 2026

WP(C) No. 25158 of 2024

SUO MOTU

VS

UNION OF INDIA REPRESENTED BY THE SECRETARY (ROAD, TRANSPORT AND
HIGHWAYS) & OTHERS

ADVS FOR PETITIONER/S:

NIL

ADVS FOR RESPONDENT/S:

SHRI.R.V.SREEJITH, SCGC, SRI.K.RAKESH, SHRI.DEEPU THANKAN, SC,
KSRTC, SHRI.KEVIN JAMES, SMT.SREELAKSHMI SABU, SMT.UMMUL FIDA,
SMT.LAKSHMI SREEDHAR, SMT.LEKSHMI P. NAIR, SMT.VINEETHA BOSE,
SMT.CINDIA S., SMT.GAYATHRI G., SMT.SHABNAM SAIDALAVI, SHRI.ATHUL
M.V., SRI.DEAGO JOHN K, SHRI.ASWIN V. NAIR, SMT.MANJUSHA K



TUESDAY, THE 14TH DAY OF JULY 2026

WP(C) No. 25129 of 2024

SUO MOTU

VS

UNION OF INDIA & OTHERS

ADVS FOR PETITIONER/S:

NIL

ADVS FOR RESPONDENT/S:

SHRI.DAYASINDHU SHREEHARI N.S., SENIOR PANEL COUNSEL, Central
Government Counsel, SHRI.C.DINESH, CGC



ANIL K. NARENDRAN & MURALEE KRISHNA S., JJ.

W.P.(C)Nos.25158 and 25129 of 2024

Dated this the 14th day of July, 2026

ORDER

Anil K. Narendran, J.

W.P.(C)No.25158 of 2024

On 21.11.2025, when this writ petition came up for consideration, this Court passed a detailed order - **Suo Motu v. Union of India [2025 KHC OnLine 1277 : 2026 (1) KHC SN 2]**. The order dated 21.11.2025 shall be read as part of this order.

2. On 21.05.2026, when this writ petition came up for consideration, the learned Special Government Pleader submitted that some more time is required to submit the report of the Transport Commissioner, Kerala, in terms of the directions contained in paragraph 61 of the order dated 21.11.2025 and also on the use of motor vehicles in public place, which are fitted with fire-spitting exhaust, exhaust systems emitting fumes and loud sound, etc., as noted in paragraph 12 of the order dated 12.03.2026.

3. In **Avishek Goenka (1) v. Union of India [(2012) 5 SCC 321]**, a Two-Judge Bench of the Apex Court, in the context of Rule 100 of the Central Motor Vehicles Rules, 1989, which deals with safety glass, after taking note of the provisions contained in the Motor Vehicles Act, 1988, and the Central Motor Vehicles Rules, 1989, relating to lighting and light-signalling devices and retro-reflectors, found that the said Rules deal with every minute detail of construction and maintenance of a vehicle. In other words, the standards, sizes and specifications which the manufacturer of a

vehicle is required to adhere to while manufacturing the vehicle are exhaustively dealt with under the Rules. What is permitted has been specifically provided for, and what has not been specifically stated would obviously be deemed to have been excluded from these Rules. It would neither be permissible nor possible for the Court to read into these statutory provisions what is not specifically provided for.

4. In **Suo Motu v. Union of India [2026 (1) KHC SN 2]**, after referring to the safety standards in AIS-008 - Installation Requirements of Lighting and Light-Signalling Devices for Motor Vehicle having more than Three Wheels including Quadricycles, Trailer and Semi-Trailer excluding Agricultural Tractors, with the amendments made thereto, i.e., AIS-008 (Rev.2), this Court held that, in view of the law laid down by the Apex Court in **Avishek Goenka (1) [(2012) 5 SCC 321]**, every motor vehicle, including transport vehicles, shall be fitted with the lighting, light-signalling devices and retro-reflectors which are specifically provided for in the Central Motor Vehicles Rules and the relevant safety standards in AIS-008, AIS-052, etc. What has not been specifically stated in the said Rules and the safety standards would obviously be deemed to have been excluded from those Rules/safety standards. Therefore, no motor vehicle, including a transport vehicle, can be fitted with lighting, light-signalling devices and retro-reflectors, which are not specifically provided for in the Central Motor Vehicles Rules and the relevant safety standards. The use of such a motor vehicle in a public place without complying with the provisions under said Rules and the relevant safety standards is likely to endanger the safety of other road users. [See: Paras.32 to 39 of the order dated 21.11.2025] By invoking the provisions under Rule 334 of the Kerala Motor Vehicles Rules, 1989, the State Government cannot exempt a motor vehicle or class of motor vehicles from the installation requirements of lighting, light-

signalling devices and retro-reflectors in a motor vehicle, specifically provided in Chapter V of the Central Motor Vehicles Rules, 1989, or the relevant safety standards in AIS-008, AIS-052 - Code of Practice for Bus Body Design and Approval, etc. [See: Paras.40 to 45 of the order dated 21.11.2025]

5. In **Suo Motu v. Union of India [2026 (1) KHC SN 2]**, this Court noticed that, in view of the provisions under Regulation 3 of the Motor Vehicles (Driving) Regulations, 2017, made by the Central Government, in exercise of the powers conferred by Section 118 of the Motor Vehicles Act, 1988, no vehicle shall be driven, stopped or parked on a road or in a public place in such a manner as is likely to endanger the safety of or cause inconvenience to other road users. As per clause (3) of Regulation 5, the driver shall at all times maintain a good lookout and concentrate on the road and traffic and avoid any activity which distracts or is likely to distract his attention. As per clause (10) of Regulation 5, the driver shall ensure that loud music is not played in the vehicle. As per clause (11) of Regulation 5, the driver shall not watch digital motion pictures or videos while driving, except where required for route navigation. As per sub-regulation (1) of Regulation 31, the driver shall use the specified lighting devices at nightfall and at dawn, and at other times when visibility is poor. [See: Paras.47 to 53 of the order dated 21.11.2025]

6. In **Suo Motu v. Union of India [2026 (1) KHC SN 2]**, at paragraph 55 of the order dated 21.11.2025, this Court has referred to the order dated 07.10.2025 of the Apex Court in W.P.(C)No.295 of 2012 - **S. Rajaseekaran v. Union of India [2025 SCC OnLine SC 2191]**, wherein the Apex Court noticed widespread use of dazzling white LED headlights, unauthorised red-blue strobe lights, and hooters that mimic emergency sirens. High-intensity headlights, including those fitted in two-wheelers, cause temporary visual disorientation and

glare for oncoming drivers, as well as pedestrians. Pedestrians face a momentary loss of spatial awareness, increasing the risk of being hit or tripping into roadside drains, pits, or other hazards. Drivers experience reduced reaction time, difficulty judging distances, and impaired lane discipline, particularly on narrow streets and highways, which heightens the likelihood of collisions. Therefore, the Apex Court ordered that a complete ban on unauthorised red-blue strobe flashing lights and illegal hooters shall be enforced through seizure, market crackdowns, and penalties.

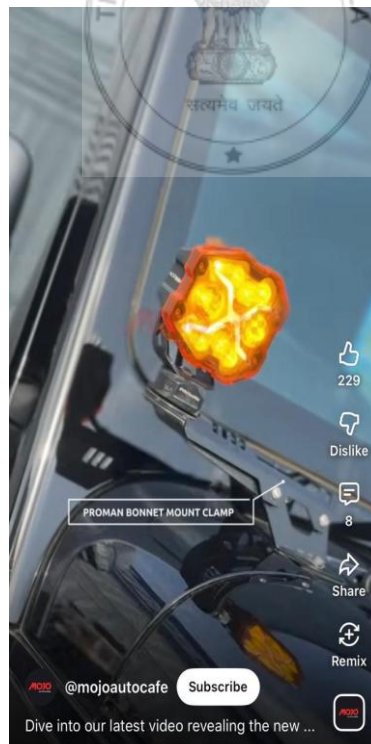
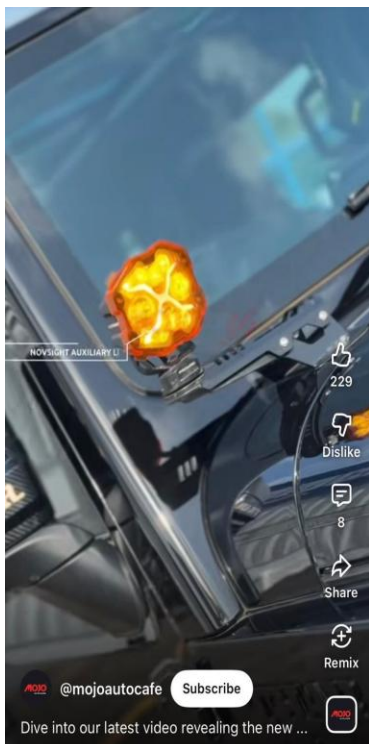
7. On 16.06.2026, when this matter was taken up for consideration, the learned Senior Government Pleader submitted that the action taken report of the 4th respondent Transport Commissioner in terms of the directions contained in the orders of this Court dated 21.11.2025 and 12.03.2026 was placed on record on 02.06.2026 and that an investigation report regarding the accident that occurred at Valparai 13th hairpin, prepared by the Motor Vehicle Inspector, Regional Transport Office (Enforcement), Palakkad, was also placed on record on 02.06.2026.

8. Today, when this writ petition is taken up for consideration at 2.00 p.m., we have viewed in open court videos uploaded by vloggers on YouTube regarding the use of motor vehicles in public places, openly flouting the safety standards in the Central Motor Vehicles Rules, AIS-008, etc., which are fitted with lights and light-signalling devices capable of dazzling the drivers of oncoming vehicles, pedestrians, etc., thereby posing a potential threat to the safety of other road users. Such lights and light-signalling devices include red-blue strobe lights, tri-colour fog lamps, etc., capable of causing temporary visual disorientation to the drivers of oncoming vehicles, pedestrians, etc. Promotional videos are uploaded on YouTube, either by those who are closely associated with automobile

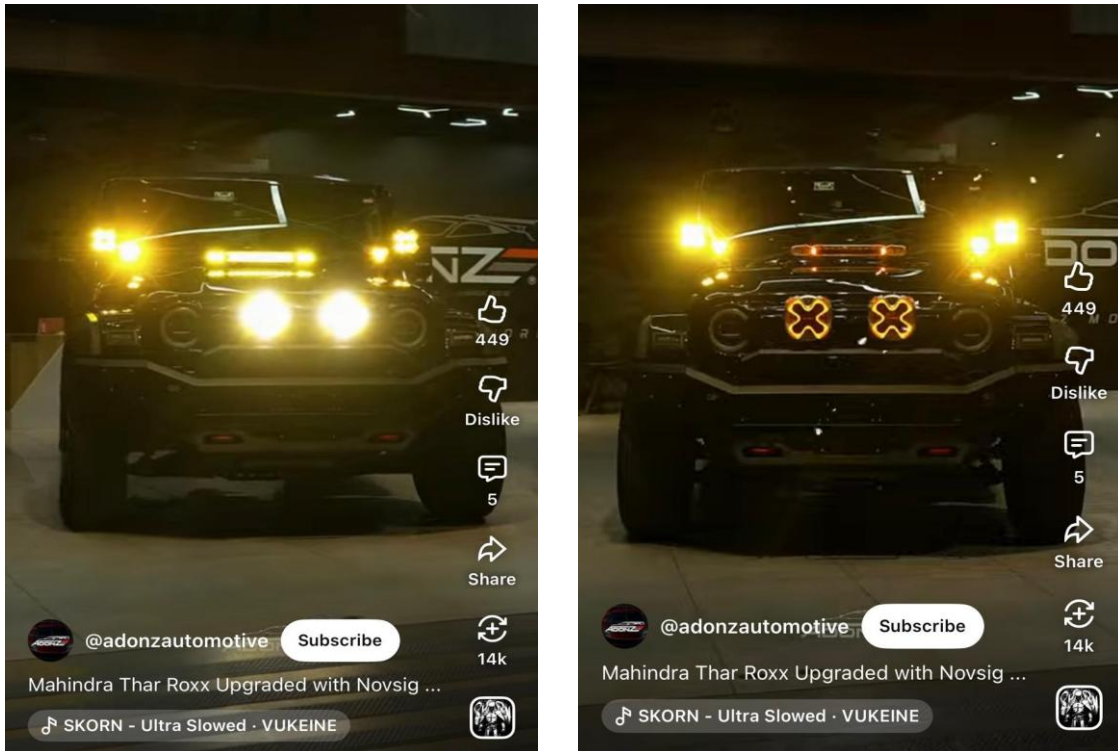
accessory shops or 'YouTube influencers', who are content creators with a dedicated subscriber base. A few screenshots taken from the videos uploaded by vloggers on YouTube are extracted hereunder;



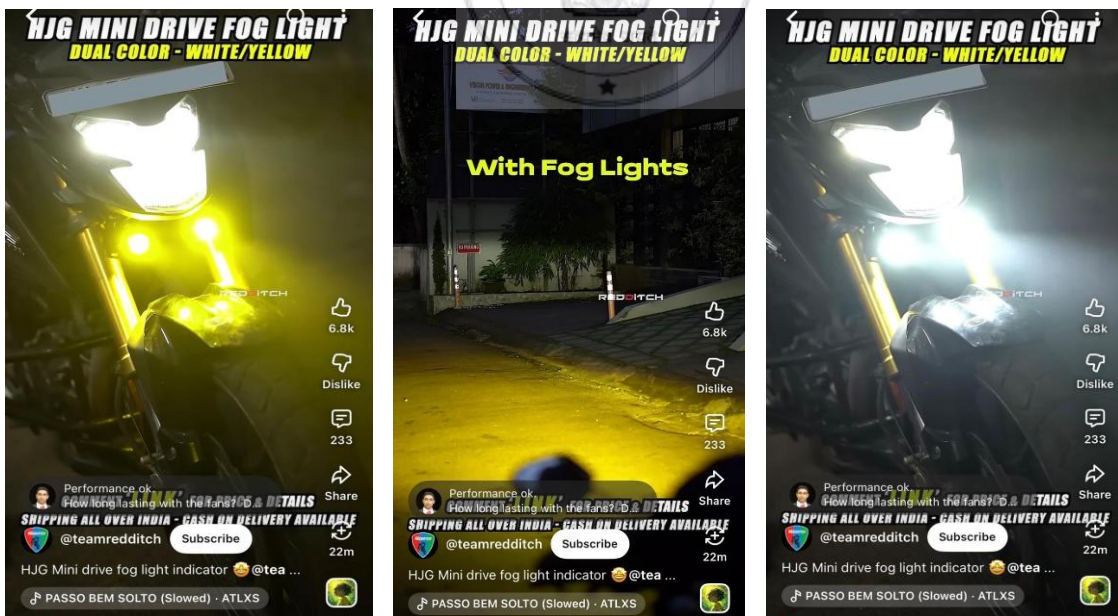
(Red-blue strobe lights fitted on the top, which produce quick, repeated, and extremely brilliant bursts of light in red and blue colours)



(Auxiliary lights fitted on bonnet mount clamps above the level of headlights and tri-colour fog lamps fitted on the front bumper, capable of dazzling the drivers of oncoming vehicles, pedestrians, etc.)



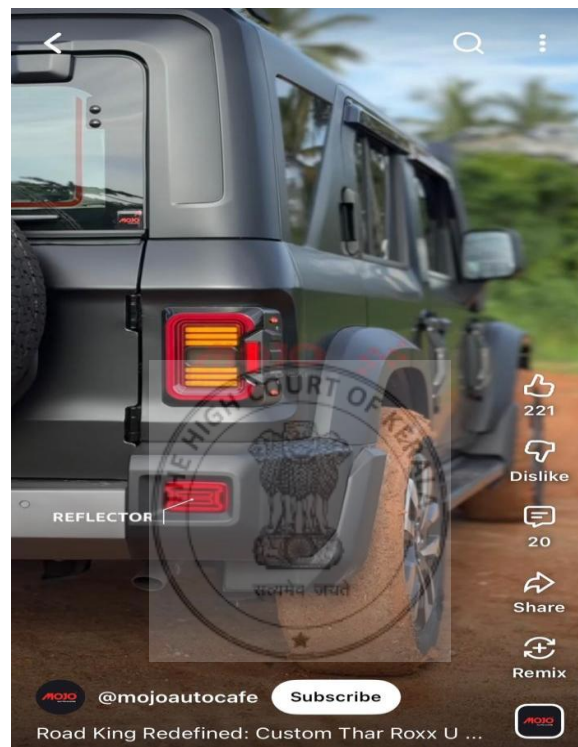
(Auxiliary lights above the level of headlights and fog lamps fitted on the top of the front bumper, capable of dazzling the drivers of oncoming vehicles, pedestrians, etc.)



(Multi-colour fog lamps fitted on motorcycle, capable of dazzling the drivers of oncoming vehicles, pedestrians, etc. - AIS - 009/2001)

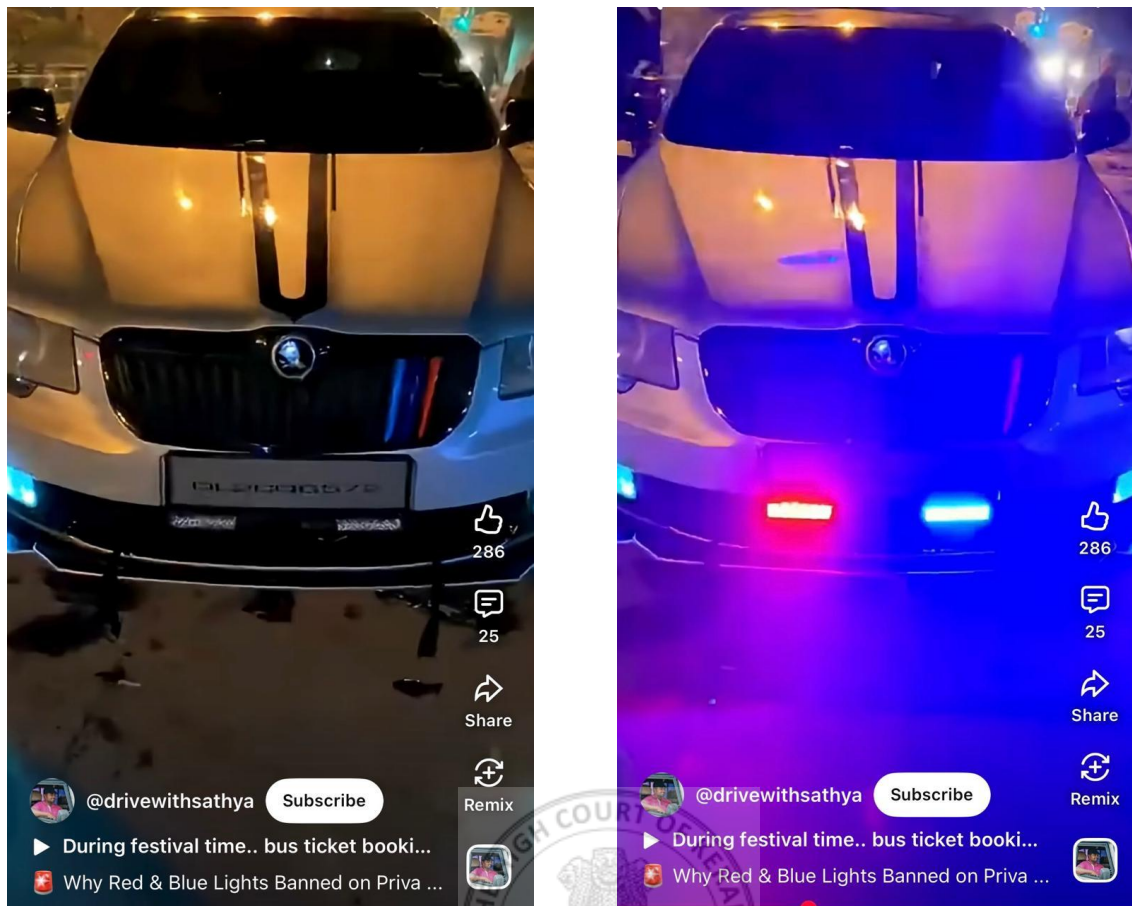
9. In addition to the fitting of unauthorised lights and light-signalling devices, capable of dazzling the drivers of oncoming vehicles, pedestrians, etc.,

retro-reflectors fitted on the rear bumper of the vehicle are replaced, posing a potential threat to the safety of other road users, with after-market multi-function lights which typically operate on dual or triple functions - acting as dim taillights during driving, brightening as brake lights, and some even featuring sequential matrix indicator. A screenshot taken from the video uploaded by a vlogger on YouTube is extracted hereunder;



(Retro-reflector on the rear bumper is replaced with after-market multi-function lights)

10. Openly flouting the safety standards in the Central Motor Vehicles Rules, AIS-008, etc., red-blue strobe lights, which produce quick, repeated, and extremely brilliant bursts of light in red and blue colours, are fitted on vehicles, inside the front grill or near the registration mark exhibited in the front bumper, which are capable of dazzling the drivers of oncoming vehicles, pedestrians, etc. Two screenshots taken from the video uploaded on YouTube, by a vlogger of the neighbouring state, are extracted hereunder;



(red-blue strobe lights, which produce quick, repeated, and extremely brilliant bursts of light fitted near the registration mark exhibited in the front bumper)

11. As noticed in the order dated 21.11.2025 - **Suo Motu v. Union of India [2026 (1) KHC SN 2]**, as per para 5.1 of AIS-008 (Rev.2), only those lighting and light signalling devices referred to in para 6.0 of the standard (AIS-008) shall be permitted to be installed on motor vehicles. As per clause 5.9.1, direction indicator lamps, vehicle hazard warning signal, amber side marker lamps complying with para 6.18.7 and the emergency stop signal shall be flashing lamps. Para 5.15 deals with colours of light emitted by lamps. Para 5.15 reads thus;

"5.15. The colours of the light emitted by the lamps are the following:

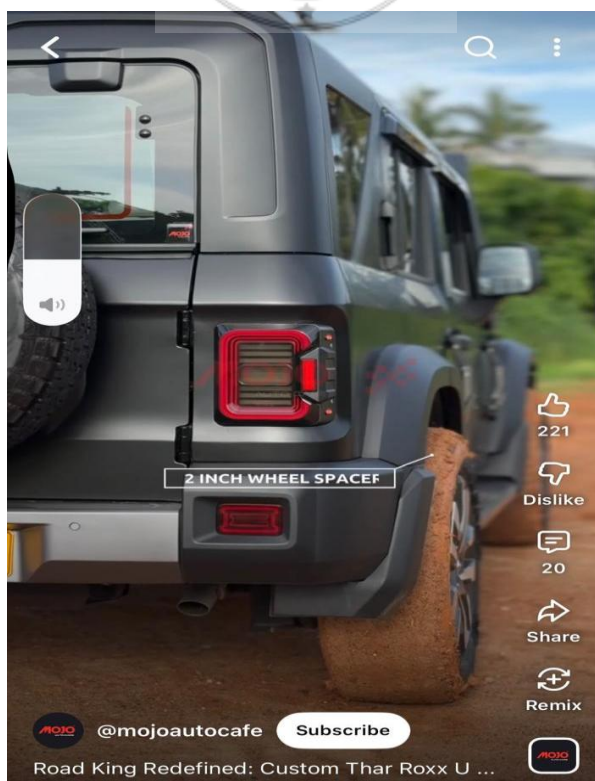
main-beam headlamp	White
dipped-beam headlamp	White
front fog lamp	White or selective yellow
reversing lamp	White

direction-indicator lamp	Amber
hazard warning signal	Amber
stop lamp	Red
emergency stop signal	Amber or Red
rear-end collision alert signal	Amber
rear registration plate lamp	White
front position lamp	White
rear position lamp	Red
rear fog lamp	Red
parking lamp	White in front, Red at the rear, Amber if reciprocally incorporated in the side direction-indicator lamps or in the side-marker lamps.
side-marker lamp	Amber; however, the rearmost side-marker lamp can be red if it is grouped or combined or reciprocally incorporated with the rear position lamp, the rear end-outline marker lamp, the rear fog lamp, the stop lamp or is grouped or has part of the light emitting surface in common with the rear retro-reflector.
end-outline marker lamp:	White in front, red at the rear
daytime running lamp	White
rear retro-reflector, non-triangular:	Red
Rear retro-reflector, triangular:	White or colourless
side retro-reflector, non- triangular	Amber; however, the rearmost side retro-reflector can be red if it is grouped or has part of the light-emitting surface in common with the rear position lamp, the rear end-outline marker lamp, the rear fog lamp, the stop-lamp or the red rearmost side-marker lamp or the rear retro reflector, non-triangular

cornering lamp	White
Conspicuity marking	White to the front Yellow to the side Red to the rear
Adaptive front-lighting systems (AFS)	White
Exterior courtesy lamp	White
Maneuvering lamp	White

Para 5.16 of AIS-008 (Rev.2) deals with number of lamps. As per para 5.16.1, the number of lamps mounted on the vehicle shall be equal to the number indicated in the individual specifications of this standard.

12. The use of 'wheel spacers' as well as 'wide tyres' results in the wheels of the vehicle projecting laterally beyond the protection afforded by the body of the vehicle, or its wings or protecting cover, which catch mud or water thrown up by the rotation of wheels, posing a potential threat to the safety of the riders of bicycles and two-wheelers as well as pedestrians. A screenshot taken from the video uploaded by a vlogger on YouTube is extracted hereunder;



(Use of 2-inch wheel spacer results in the wheels of the vehicle projecting laterally beyond the protection afforded by the body of the vehicle and its protecting cover)

13. After-market exhaust systems with 'flame-kit' are being fitted in motor cars, openly flouting the standards prescribed in relation to road safety, control of noise and air pollution, by replacing the exhaust system with a catalytic converter and silencer (muffler) provided by the manufacturer. In the after-market exhaust systems with 'flame-kit' fitted on diesel cars, the petrol used to generate flame is stored in a tank fitted on the luggage compartment, posing a potential threat to its passengers and other road users. The loud noise and flame emitted by such an exhaust system pose safety hazards not only to the passengers of that vehicle, but also to other road users. A few screenshots taken from the video by a vlogger, which is a promotional video uploaded on YouTube, are extracted hereunder;



(After-market exhaust systems with 'flame-kit' fitted on a diesel car - storage tank for the petrol used to generate flame)



(Flame emitting from after-market exhaust systems with 'flame-kit' fitted on a diesel car)

14. Registry to give a copy of the video clippings in a compact disc/pendrive to the learned Special Government Pleader and also the learned Senior Panel Counsel, Government of India, who shall forward the same to the Transport Commissioner, Kerala and the concerned officer in the Ministry of Road Transport and Highways, dealing with road safety. Registry to keep a copy of the video clippings in a compact disc, in the Judge's papers.

15. The learned Special Government Pleader, who has newly taken charge, seeks an adjournment to get necessary instructions.

16. List on 20.07.2026 at 2.00 p.m.

17. The Transport Commissioner, Kerala, shall get a report of the concerned Enforcement Officer, regarding the vehicle referred to hereinbefore at paragraph 13, which is fitted with an after-market exhaust system with 'flame-kit', with specific reference to the statutory violations, the violation of safety standards, etc., after collecting the details of the said vehicle, its owner and driver, with the help of the video posted on YouTube.

18. **W.P.(C)No.25129 of 2024**

List on 20.07.2026 at 2.00 p.m., along with W.P.(C)No.25158 of 2024.

Sd/-

ANIL K. NARENDHAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE

MIN

