

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL)..... Diary No(s).32061/2026

JOTHYDEV KESAVADEV

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 259018/2026 - CLARIFICATION/DIRECTION, IA No. 259019/2026 -
CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS

Date : 09-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Wills Mathews, Adv.
Mr. Ginesh P, Adv.
Ms. Shivangi Ranjan, Adv.
Mr. Dhanesh M Nair, Adv.
Mr. Paul John Edison, Adv.
Mr. Rakesh Garg, Adv.
Mr. Ashish Gopal Garg, Adv.
Ms. Shweta Garg, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. The petitioner is an internationally acclaimed diabetic specialist and researcher with over 300 publications to his credit. He has filed the instant writ petition under Article 32 of the Constitution, genuinely in public interest, seeking directions for effective implementation and enforcement of mandatory usage of seat belts, child restraint systems, and first-aid kits in all vehicles. The petitioner has, *inter alia*, averred that Section 194B of the

Motor Vehicles Act, 1988, provides penalties for driving without wearing a safety belt and for carrying passengers who are not wearing safety belts. The law also requires children below the prescribed age to be secured through safety belts or child restraint systems. In addition, Rule 138(3) of the Central Motor Vehicles Rules, 1989, requires the driver, front seat occupants, and applicable front-facing rear seat occupants to wear seat belts while the vehicle is in motion. It is, however, averred that despite adequate laws, a large number of vehicles have obstructed and made the seat belt sockets non-functional through various measures such as seat covers, removal of receptacles, and other voluntary modifications. The petitioner acknowledges that due to "negligence on behalf of the citizens" and weak enforcement of the existing laws, passengers in road accidents are at a heightened risk of serious injuries, even resulting in death. The petitioner also sent a representation on 16.02.2026 highlighting the concerns of passenger safety and seat belt usage to the respondent, but finding no response from the authorities, he has approached this Court.

3. We have heard Mr. Wills Matthews, learned counsel for the petitioner, and perused the record.

4. The fact that there are adequate laws for mandatory compliance with safety measures, including safety belts, etc., while the vehicle is in motion, is hardly disputable. The non-compliance with these laws by the passengers or the failure of law enforcing agencies in taking appropriate action against defaulters is

essentially a question of maintenance of law and order as well as traffic discipline. A judicial order by this Court reiterating the mandatory legal provisions *per se* will not aid in their enforcement.

5. We, therefore, dispose of this writ petition with liberty to the petitioner to forward a copy of this petition to the Ministry of Road Transport and Highways of India, who in turn, may consider the recommendations/suggestions made by the petitioner as a part of road safety measures.

6. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR