

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 76 of 2017 (SZ)

With

Original Application No.259 of 2017 (SZ) &
M.A. No. 209 to 214 of 2017 (SZ)

With

Original Application No.260 of 2017 (SZ)

IN THE MATTER OF:

Suo Motu Proceeding initiated based
on the Newspaper item published in
"Malayala Manorama Newspaper"-
Malayalam Edition dt.25.03.2017
on the caption "Black City"

Versus

...Applicant(s)

The Chief Secretary,

Government of Kerala, Kerala and Ors.

...Respondent(s)

Lawyers Environmental Awareness Forum (LEAF)

...Applicant(s)

Versus

State of Kerala and Ors.

...Respondent(s)

Lawyers Environmental Awareness Forum (LEAF)

...Applicant(s)

Versus

State of Kerala and Ors.

...Respondent(s)

STATUS REPORT SUBMITTED ON BEHALF OF 1st RESPONDENT /

STATE GOVERNMENT

The 1st respondent submits its report as follows:

1. It is submitted that the Hon'ble Tribunal in its order dated 19.03.2020 and 12.06.2020 in the above said O.A. No.260/2017, directed to 1st respondent to file a status report of number old vehicles that are plying in the state and the action taken by the Motor Vehicle Department to face out those old vehicles as per the provisions of Motor Vehicle Act, 1988 and to convert the same to green and clean fuel technology so as to improve the air quality in the state.

2. It is submitted that in order to ensure the environmental sustainability and to reduce pollution, the 1st respondent herein envisaged the Electric Vehicle Policy as part of this Government are encouraging the



use of electric vehicles and planning to switch over from diesel to CNG / LNG / Electricity as fuel for Public Transport Buses including KSRTC.

3. It is submitted that as per the G.O (RT) No.346/2020/Trans, dated 22.10.2020 permission has been granted for purchase of 310 CNG buses to KSRTC with a loan of 259 Crore from KIIFB and 50 Electric buses on Wet Lease basis under frame II scheme of the Central Government.

4. It is submitted that in addition 50 Diesel buses is to be converted into LNG buses tested and approved by various authorities including the Petroleum and Explosive Safety Organization, on the condition that after they start running the remaining buses can be converted to LNG. It is submitted that vide G.O. (RT) No.339/2020/Trans, dated 20.10.2020 administrative sanction has been given for a project to convert 400 Diesel Buses into LNG Buses with KIIFB Loan and also issued the administrative sanction for "Project and Establishment for Hydrogen Generator and Dispensing Unit to study the performance, operation issues and safety to cater to the e-mobility sector at an estimated amount of Rs.9.66 Crores"

It is therefore prayed that this Hon'ble Tribunal consider the detailed report and pass such further or other suitable orders and thus render justice.

Dated at Chennai on this the 19th day of January 2021



Counsel for 1st Respondent



REPORT ON BEHALF OF GOVERNMENT IN O.A.NO.260 OF 2017
& RELATED CASES, BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL (SZ)

The Hon'ble National Green Tribunal (SZ) in its order dated 19.03.2020 and 12-06-2020 in Original Application No.260 of 2017 and related cases had sought report of the Government detailing the status report of the number of old vehicles that are plying in the State and the action taken by the Motor Vehicles Department to phase out those old vehicles as per the provisions of the Motor Vehicles Act, 1988 and to convert the same to green and clean fuel technology, so as to improve the air quality in the state.

In view of the direction of the Hon'ble NGT and in order to ensure environmental sustainability and to reduce pollution, Government of Kerala envisage Electric Vehicle Policy. As part of this Government are encouraging the use of electric vehicles and planning to switch over from diesel to CNG/LNG/Electricity as fuel for public transport buses including KSRTC.

The main barrier for the project is setting up of filling stations/charging stations all over the State. However, Government are working on it. KSEB was appointed as the State nodal agency for installation of charging station in the state. ANERT under department of Power, Government of Kerala, had decided to give all support for the installation of Public Electric Vehicle Charging Stations across the State and also plans to give subsidy/ incentives for solarization of Public Electric Vehicle Charging Stations. Currently ANERT and KSEB have set up 10 charging stations in different districts. In addition, KSEB has started construction of electric vehicle charging stations at 56 centers and ANERT started 11 centers in various districts.

As per Government direction, ANERT is supplying Electric Vehicles to various Government departments on contract basis. The Government have decided to bring air pollution under control by implementing alternate fuels like Electric Energy /LPG/ CNG/ LNG in diesel autorikshaws older than fifteen years. For the purpose, rule 292A has been incorporated to the Kerala Motor Vehicles Rules, 1989, applicable to autorikshaws operated as public service vehicles with effect from 01.01.2021 (The notification is attached here with as annex-I)

As per G.O.(Rt) No.346 / 2020 / Trans, dated 22.10.2020 permission granted for purchase of 310 CNG buses to KSRTC with a loan of 259 crore from KJIFB and 50 Electric Buses on wet lease basis under FAME II scheme of the Central Government.

In addition, in the first phase, 50 diesel buses will be converted to LNG buses tested and approved by various authorities, including The

2

File No. IHANS-B'21/2021-IHANS

Petroleum and Explosive Safety Organization (PESO), on a condition that after they start running the remaining buses can be converted to LNG. As per G.O (Rt) No.339 / 2020 / Trans, dated 20.10.2020 administrative sanction has been given for a project to convert 400 diesel buses into LNG buses with KIIFB loan.

As per G.O(Rt) No.241/2020/Trans dated 21.07.2020 the Government have issued administrative sanction for 'Project on Establishment of Hydrogen Generator and Dispensing unit to study the Performance, Operational issues and Safety to cater to the e-mobility sector at an estimated amount of Rs.9.66 crore (Rupees Nine crore and Sixty six lakh only).

A detailed status report of the 10 year old diesel vehicles registered in the State of Kerala as on 01.01.2020 is attached here with as Annex-II.

The Government are moving ahead with various schemes to reduce vehicular pollution. This can only be done step by step.

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September, 2019 and published in the Kerala Gazette Extraordinary No.2273 dated 27th September, 2019, inviting objections or suggestions on the draft rules from the persons likely to be affected thereby;

AND WHEREAS, no objection or suggestion has been received on the said draft rules;

NOW, THEREFORE, in exercise of the powers conferred by clause (xiii) of sub-section (2) of section 74 and clause (xxxiii) of sub-section (2) of section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Kerala hereby make the following rules further to amend the Kerala Motor Vehicles Rules, 1989, namely :-

RULES

1. *Short title and commencement.*- (1) These rules may be called the Kerala Motor Vehicles (Amendment) Rules, 2020.

(2) They shall come into force at once.

2. *Amendment of the Rules.*- In the Kerala Motor Vehicles Rules, 1989, after rule 292 the following rule shall be inserted, namely:-

“292A. *Special provision applicable to autorickshaws operated as public service vehicle.*- No autorickshaws older than fifteen years and powered by diesel fuel shall be permitted to be operated from 1st January, 2021 unless they are converted into vehicles powered by Electrical Energy, Liquefied Petroleum Gas (LPG), Compressed Natural Gas (CNG) or Liquefied Natural Gas (LNG).”

By order of the Governor,

K.R.JYOTHILAL

Principal Secretary to Government.



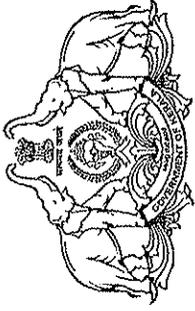
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Government of Kerala
2020



Regn.No.KERBIL/2012/45073
dated 05-09-2012 with RNI
Reg No.KI/TV(N)/634/2018-20

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണ EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA
Transport (B) Department

NOTIFICATION

G.O.(P) No.59/2020/Tran.

Dated, Thiruvananthapuram, 5th November, 2020

S. R. O. No. 779/2020

WHEREAS, the draft rules further to amend the Kerala Motor Vehicles Rules, 1989 were issued as required by sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as per notification No. 18/B2/2019/Tran. dated 7th



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5

-6-

3

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

In view of the directions of the Hon'ble National Green Tribunal and in order to ensure environmental sustainability and to reduce pollution as envisaged in the Electric Vehicle Policy of the Government of Kerala, the Government have decided to bring air pollution under control by implementing alternative fuels like Electrical Energy, Liquefied Petroleum Gas (LPG), Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG) in Autorickshaws older than fifteen years, from 1st January, 2021 and to amend the Kerala Motor Vehicles Rules, 1989.

The notification is intended to achieve the above object.

PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES
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9

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TR Category	Category	Class Description	Count
1	Transport	LMV - 3 WHEELED VEHICLE FOR TRANSPORT-PASSENGER (A/R)	98423
1	Transport	LMV - 3 WHEELED VEHICLE FOR TRANSPORT- GOODS	75571
1	Transport	LMV - LUXURY TAXI	46087
1	Transport	LMV - AUTORICKSHAW CITY PERMIT	8465
1	Transport	LMV - MAXICAB	184
1	Transport	LMV - GOODS CARRIER TRUCK	106387
1	Transport	MGV - GOODS CARRIER TRUCK	15030
1	Transport	HGV - GOODS CARRIER TRUCK	28396
1	Transport	HGV - MULTI AXLED VEHICLE	640
1	Transport	LGV - ARTICULATED VEHICLE	31699
1	Transport	MGV - ARTICULATED VEHICLE	2098
1	Transport	HGV-ARTICULATED VEHICLE	1265
1	Transport	LMV - PRIVATE SERVICE VEHICLE	3130
1	Transport	MPMV - PRIVATE SERVICE VEHICLE	167
1	Transport	HPMV - PRIVATE SERVICE VEHICLE	386
1	Transport	LMV-CONTRACT CARRIAGE (EIB)	11956
1	Transport	MPMV-CONTRACT CARRIAGE (EIB)	1465
1	Transport	HPMV-CONTRACT CARRIAGE (EIB)	4325
1	Transport	LMV - STAGE CARRIAGE	4219
1	Transport	MPMV - STAGE CARRIAGE	2852
1	Transport	HPMV - STAGE CARRIAGE	15967
1	Transport	LMV STAGE CARRIAGE-RESERVE	28
1	Transport	MPMV STAGE CARRIAGE-RESERVE	19
1	Transport	HPMV STAGE CARRIAGE-RESERVE	125
1	Transport	LMV INTERSTATE CONTRACT CARRIAGE	22
1	Transport	MPMV - INTERSTATE CONTRACT CARRIAGE	7
1	Transport	HPMV - INTERSTATE CONTRACT CARRIAGE	23
1	Transport	LMV - CONTRACT CARRIAGE	17692
1	Transport	MPMV - CONTRACT CARRIAGE	437
1	Transport	HPMV - CONTRACT CARRIAGE	2995
1	Transport	LMV - ALL INDIA TOURIST TAXI	19999
1	Transport	MPMV - ALL INDIA TOURIST OMNI-BUS	35

1	Transport	LMV - MOBILE CANTEN	7
1	Transport	MGV - MOBILE CANTEN	3
1	Transport	LMV - CASH VAN	51
1	Transport	MGV - CASH VAN	4
1	Transport	LMV - CAMPER VAN	6
1	Transport	MGV - CAMPER VAN	1
1	Transport	LMV - CAMPER TRAILER	1
1	Transport	MGV - CAMPER TRAILER	12881
1	Transport	HGV - CAMPER TRAILER	2822
1	Transport	LMV - CAMPER VAN WITH TRAILER	16
1	Transport	LMV - MOBILE WORKSHOP	1
1	Transport	HGV - MOBILE WORKSHOP	1
1	Transport	LMV - FIRE TENDER	34
1	Transport	MGV - FIRE TENDER	1
1	Transport	HGV - FIRE TENDER	216
1	Transport	HGV - FIRE TENDER WITH TRAILER	3
1	Transport	LMV - OMNIBUS	158
1	Transport	MPMV - OMNIBUS	8
1	Transport	HPMV - OMNIBUS	13
1	Transport	LMV - DUMPER	15
1	Transport	MGV - DUMPER	4
1	Transport	HGV - DUMPER	3
1	Transport	IMPORTED MOTOR VEHICLE	1
1	Transport	MOTOR CYCLE - M/CYCL.(WITH SIDE CAR)	1
1	Transport	MOTOR CYCLE - M/CYCL.WITH TRAILER	1
1	Transport	MOTOR CYCLE - M/CYCL. USED FOR HIRE	12
1	Transport	LGV - TIPPER	13649
1	Transport	MGV - TIPPER	9954
1	Transport	HGV - TIPPER	11272
1	Transport	HPMV - TOURIST VEHICLE OWNED BY TOURIST TRANSPORT OPERAT	2
1	Transport	LMV - AMBULANCE	1522
1	Transport	MMV - AMBULANCE	14
1	Transport	HMV - AMBULANCE	5/

88

1	Transport	HPMV - ALL INDIA TOURIST OMNI-BUS	30
1	Transport	MGV - EXCAVATOR	39
1	Transport	HGV - EXCAVATOR	18
1	Transport	LGV - GOODS CARRIER TANKER	422
1	Transport	MGV - GOODS CARRIER TANKER	76
1	Transport	HGV - GOODS CARRIER TANKER	1351
1	Transport	LGV - WATER TANKER	164
1	Transport	MGV - WATER TANKER	74
1	Transport	HGV - WATER TANKER	361
1	Transport	LGV - OIL TANKER	4
1	Transport	MGV - OIL TANKER	7
1	Transport	HGV - OIL TANKER	154
1	Transport	LGV - GAS TANKER	1
1	Transport	MGV - GAS TANKER	1
1	Transport	HGV - GAS TANKER	23
1	Transport	LGV - HAZARADOUS GOODS TANKER	32
1	Transport	MGV - HAZARADOUS GOODS TANKER	7
1	Transport	HGV - HAZARADOUS GOODS TANKER	415
1	Transport	LMV - MOTOR CAB	36079
1	Transport	LGV - GOODS CARRIER MAIL CARRIER	108
1	Transport	MGV - GOODS CARRIER MAIL CARRIER	15
1	Transport	HGV - GOODS CARRIER MAIL CARRIER	14
1	Transport	LMV - TRACTOR - TRAILOR	1184
1	Transport	MGV - TRACTOR - TRAILOR	145
1	Transport	HGV - TRACTOR - TRAILOR	27
1	Transport	LMV - TRAILER	17
1	Transport	MGV - TRAILER	8
1	Transport	HGV - TRAILER	13
1	Transport	LMV - MOBILE CLINIC	24
1	Transport	MGV - MOBILE CLINIC	5
1	Transport	HGV - MOBILE CLINIC	3
1	Transport	LMV - MOBILE X-RAY VAN	3
1	Transport	HGV - MOBILE LIBRARY VAN	1

4

1	Transport	LMV - GOODS TRUCK CONTAINER	34
1	Transport	MGV - GOODS TRUCK CONTAINER	18
1	Transport	HGV - GOODS TRUCK CONTAINER	12
1	Transport	LMV - ROAD ROLLER	14
1	Transport	MGV - ROAD ROLLER	14
1	Transport	HGV - ROAD ROLLER	4
1	Transport	LMV - ANIMAL AMBULANCE	6
1	Transport	LMV - HEARSE AMBULANCE	30
1	Transport	LMV - FIRE FIGHTING VEHICLE	1
1	Transport	HGV - FIRE FIGHTING VEHICLE	23
1	Transport	LMV - FIRE TENDER WITH SNORKED LADDER	3
1	Transport	HGV - FIRE TENDER WITH SNORKED LADDER	2
1	Transport	MMV - HAULAGE VEHICLE	1
1	Transport	HMV - HAULAGE VEHICLE	3
1	Transport	Heavy Goods Vehicle	280
1	Transport	POWER TILLER WITH TRAILOR	53
1	Transport	HGV WATER CANNON	6
1	Transport	MEDIUM GOODS VEHICLE-NATIONAL PERMIT	920
1	Transport	HEAVY GOODS VEHICLE-NATIONAL PERMIT	5227
1	Transport	LMV - ZONAL TOURIST TAXI	29
1	Transport	LMV-MOBILE LAB	6
1	Transport	LMV-DRIVING SCHOOL VEHICLE	182
1	Transport	MPV-DRIVING SCHOOL VEHICLE	4
1	Transport	HPV-DRIVING SCHOOL VEHICLE	261
1	Transport	HGV-DRIVING SCHOOL VEHICLE	191
1	Transport	HGV ARTICULATED NATIONAL PERMIT	413
1	Transport	LIGHT GOODS VEHICLE-NATIONAL PERMIT	59
1	Transport	THREE WHEELER PASSENGER - 7 SEATER	1
1	Transport	MOTOR CAB Imported Vehicle	1
1	Transport	ALL INDIA TOURIST TAXI Imported Vehicle	4
1	Transport	LMV ALL INDIA TOURIST Vehicle (Imported)	1
1	Transport	LGC Imported Vehicle	12
1	Transport	HGC Imported Vehicle	1

1	Transport	LMV STAGE CARRIAGE Imported Vehicle	1
1	Transport	HPV STAGE CARRIAGE Imported Vehicle	3
1	Transport	LMV AMBULANCE (Imported Vehicle)	1
1	Transport	HGV - FIRE TENDER (IMPORTED VEHICLE)	5
1	Transport	LMV MOBILE RESTAURANT	7
1	Transport	MMV MOBILE RESTAURANT	1
1	Transport	LMV MOBILE SHOP	1
1	Transport	HGV - MULTI AXLE NATIONAL PERMIT	8
1	Transport	All class of Vehicles	19
2	Non-Transport	MOTOR CYCLE - BELOW 95CC	652
2	Non-Transport	MOTOR CYCLE - ABOVE 95CC	5708
2	Non-Transport	LMV - MOTOR CAR Below 1500 CC	181263
2	Non-Transport	LMV - PSV For Personal Use Below 1500 CC	11522
2	Non-Transport	MPMV - PSV For Personal Use Below 1500 CC	315
2	Non-Transport	LMV - TRACTOR	4495
2	Non-Transport	MGV - TRACTOR	96
2	Non-Transport	HGV - TRACTOR	81
2	Non-Transport	LMV - TRAILER FOR PERSONAL USE	8
2	Non-Transport	LMV - THREE WHEELED VEHICLE FOR PERSONAL USE	1904
2	Non-Transport	LMV - MOUNTED WITH GENERATOR	168
2	Non-Transport	MGV - MOUNTED WITH GENERATOR	46
2	Non-Transport	HGV - MOUNTED WITH GENERATOR	164
2	Non-Transport	LMV - MOUNTED WITH COMPRESSOR	156
2	Non-Transport	MGV - MOUNTED WITH COMPRESSOR	6
2	Non-Transport	HGV - MOUNTED WITH COMPRESSOR	80
2	Non-Transport	MGV - MOUNTED WITH RIG	7
2	Non-Transport	HGV - MOUNTED WITH RIG	30
2	Non-Transport	LMV - MOUNTED WITH CRANE	63
2	Non-Transport	MGV - MOUNTED WITH CRANE	608
2	Non-Transport	HGV - MOUNTED WITH CRANE	186
2	Non-Transport	IMPORTED MOTOR VEHICLE - CAR Below 1500 CC	10
2	Non-Transport	LMV - TREE TRIMMING VEHICLE	2
2	Non-Transport	LMV - FORK LIFT	73

10

2	Non-Transport	LMV - STATION WAGONS	5
2	Non-Transport	LMV - TOW TRUCK	19
2	Non-Transport	MGV - TOW TRUCK	1980
2	Non-Transport	HGV - TOW TRUCK	7
2	Non-Transport	LMV - CAMPER VAN FOR PRIVATE USE	5
2	Non-Transport	LMV - BREAKDOWN VAN RECOVERY VEHICLE	204
2	Non-Transport	MGV - BREAKDOWN VAN RECOVERY VEHICLE	10
2	Non-Transport	HGV - BREAKDOWN VAN RECOVERY VEHICLE	28
2	Non-Transport	LMV - JEEPS DRAWING TRAILORS	137
2	Non-Transport	MOTOR CYCLE WITH TRAILOR / SIDE CAR	3
2	Non-Transport	INVALID CARRIAGE - MOTOR CYCLE	2
2	Non-Transport	LMV - TOWER WAGON	1
2	Non-Transport	HGV - TOWER WAGON	3
2	Non-Transport	LMV- TRACTOR (AGRICULTURE PURPOSE)	77
2	Non-Transport	LMV - CAR ATTACHED WITH TRAILER	3
2	Non-Transport	INVALID CARRIAGE - LMV	13
2	Non-Transport	HGV - CAMPER TRAILER FOR PERSONAL USE	1
2	Non-Transport	BULLDOZER	7
2	Non-Transport	EARTH MOVING EQUIPMENT	648
2	Non-Transport	VIBRATORY COMPACTERS	3
2	Non-Transport	LMV - ROAD ROLLER	394
2	Non-Transport	MGV - ROAD ROLLER	7427
2	Non-Transport	HGV - ROAD ROLLER	76
2	Non-Transport	EXCAVATOR	3621
2	Non-Transport	HPV - MOBILE EXHIBITION VAN	2
2	Non-Transport	OMNI BUS FOR PRIVATE USE	2321
2	Non-Transport	MGV-FORK LIFT	7
2	Non-Transport	HGV-FORK LIFT	28
2	Non-Transport	LGV MOUNTED WITH RIG	3
2	Non-Transport	HPMV-OMNI BUS FOR PVT USE	59
2	Non-Transport	LMV CONSTRUCTION EQUIPMENT	57
2	Non-Transport	POWER TILLER	500
2	Non-Transport	HPV Imported PSV Personal Use	2

2	Non-Transport	LMV BULLDOZER	1
2	Non-Transport	MMV BULLDOZER	1
2	Non-Transport	LMV EARTH MOVING EQUIPMENT	75
2	Non-Transport	MMV EARTH MOVING EQUIPMENT	73
2	Non-Transport	HMV EARTH MOVING EQUIPMENT	25
2	Non-Transport	LMV VIBRATORY COMPACTERS	3
2	Non-Transport	MMV VIBRATORY COMPACTERS	6
2	Non-Transport	LMV EXCAVATOR	361
2	Non-Transport	MMV EXCAVATOR	854
2	Non-Transport	HMV EXCAVATOR	37
2	Non-Transport	LMV CONSTRUCTION EQUIPMENT	22
2	Non-Transport	HMV CONSTRUCTION EQUIPMENT	19
2	Non-Transport	LMV - MOTOR CAR 1500 CC and above	74191
2	Non-Transport	LMV - PSV For Personal Use 1500 CC and above	33955
2	Non-Transport	MPMV - PSV For Personal Use 1500 CC and above	289
2	Non-Transport	IMPORTED MOTOR VEHICLE - CAR 1500 CC and above	44
2	Non-Transport	LMV IMPORTED CONSTRUCTION EQUIPMENT VEHICLE	2
2	Non-Transport	All class of Vehicles	16



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STATE GOVERNMENT

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