

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

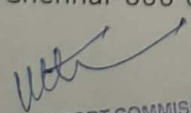
Original Application No.586 of 2018
(Earlier in Application No.422 of 2013 (SZ))

Thiru L.G.Saha Devan
S/o L.Gurusamy
No 27-H, 3rd Floor, Pandu Klix Plaza
New No.330, Old No.168,
Thambu Chetty Street,
Chennai- 600 001.

...Applicant

Vs

1. Union of India,
Represented by its Secretary to Government,
Ministry of Environment & Forests,
6th Floor, CGO Complex.
Paryavaran Bhavan,
Lodhi Road,
New Delhi 110001.
2. Indian Oil Corporation
Limited
Corporate Office
Represented by its Chairman
3079/3 J.B.Tito Marg, Sadiq
Nagar New Delhi -110 049.
3. Indian Oil Corporation Limited,
Rep. by its Executive Director (Retail
Sales), Indian Oil Bhavan, G-9,
Ali Yavar Jung Marg,
Bandra East, Mumbai.
4. Indian Oil Corporation
Limited, Rep. by its General
Manager, Indian Oil Bhavan,
139, Mahatma Gandhi Road,
Chennai-600 034.
5. Bharat Petroleum Corporation Limited ,
Represented by its Chairman,
Bharat Bhavan,
4 & 6 Currim Boy Road,
Ballard Estate,
Mumbai- 400 001.
6. Bharat Petroleum Corporation Limited,
Represented by its General Manager,
24 B, Anna Salai, Saidapet,
Chennai-600 015.


JOINT TRANSPORT COMMISSIONER,
(ROAD SAFETY)
CHEPAUK, CHENNAI - 600 005.


Additional Chief Secretary /
Transport Commissioner
Chennai 600 005.

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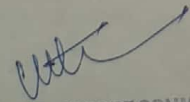
7. The Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George, Chennai-600 009
 8. The Secretary to Government of Tamil Nadu,
Transport Department ,
Fort St. George, Chennai-600 009.
 9. The State Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk, Chennai — 600 005.
 10. The Chairman, Tamil Nadu Pollution Control Board,
No 76, Mount Salai, Guindy,
Chennai- 600 032.
 11. The Managing Director,
Chennai Metropolitan Transport Corporation,
Pallavan Salai, Chennai.
 12. The Commissioner of Police, E.V.R.Salai,
Vepery, Chennai 600 007.
 13. Joint Commissioner of Police (Traffic),
E.V.R.Salai, Vepery,
Chennai — 600 007.
- Respondents

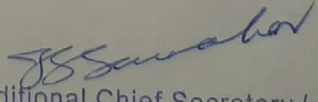
ACTION PLAN FILED ON BEHALF OF THE 7th to 9th RESPONDENT .

I, Tenkasi S Jawahar, S/o (Late) Thiru.T.P. Subrahmanyam aged about 55years, Hindu, Working as Additional Chief Secretary / Transport Commissioner having office at Ezhilagam, Chepauk, Chennai-05 do hereby solemnly affirm and sincerely state as follows:-

1. I am filing this Action Plan report on behalf of 7th to 9th Respondents in the official capacity

2 It is respectfully submitted that the State of Tamil Nadu have various action plans to reduce the pollution level in the air through the vehicles. In this view, Tamil Nadu Government is taking various steps to increase the purchase of E-vehicles which will in turn reduce the pollution level in the air. Thus the Hon'ble Chief Minister of Tami Nadu had released the Tamil Nadu Electric Vehicle Policy 2019 which provides various concessions to manufacturers and users of E-vehicles.


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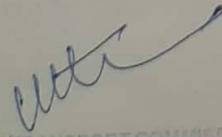

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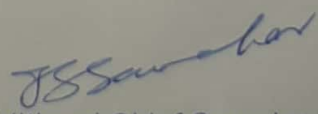
3. It is respectfully submitted, the vision of the Government of Tamil Nadu is to attract rupees 50,000 Crores of investment in EV manufacturing providing infrastructure for charging, shared mobility, recycle and reuse used batteries and disposed the rejected batteries in an environment friendly manner to avoid pollution.

4. In order to emphasis the purchase of E-vehicles which results in Zero pollution in the State and to produce more number of eco-friendly vehicles, the State of Tamil Nadu had issued Government orders for concessional rate of life time tax in respect of E-vehicles.(G.O.Ms.No.342 Home (Tr.I) dept. dated:12.3.2008 and G.O.Ms.No.1156 Home (Tr.I) dept dated:11.9.2008). Moreover, the Tamil Nadu E-vehicle Policy gives 50% Tax exemption till 2022 for all E-vehicles of two and four wheelers. The number of E-vehicles registered in 2020 is gradually increasing, compared to the previous years. (Annexure enclosed).

5. Further the state will promote conversion of all auto rickshaws in 6 major cities Chennai, Coimbatore, Trichy, Madurai, Salem and Tirunelveli to EVs within the span of 10 years and this will be extended to other cities and towns in a gradual manner. Similarly the state will support conversion of all Taxis and app based transport operators and aggregators in the 6 major cities to EVs within a span of 10 years. And around 1000 EV Buses will be introduced every year and the private operators will be encouraged to transition to EV Buses. Similarly Education Institution Buses will encourage for conversion. It is submitted that the Government has also proposed to the following;

1. Proposal send to Government to give 100% tax exemption to all E-Vehicles till 30.12.2022.
2. Waiver of registration charges / fees will be done as per Government of India notification.
3. Permit fees will be waived till 30.12.2022.
4. Incentives from Government will be provided as capital subsidy to private operators to setup public charging stations.


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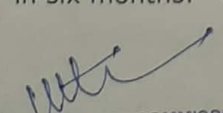

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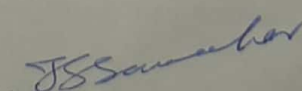
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5. The Government will take effort to setup 3*3 grid charging stations in Chennai, Coimbatore, Trichy, Madurai, Salem and Tirunelveli.
6. The distance between the charging stations both in NHAI and State Highways will be setup at 25 km distances.
7. Charging point will provided in the Government Office parking slots.
8. EV related and charging infrastructure manufacturing industries in the state will be provided 100 percent exemption on electricity tax till 31.12.2025 and also stamp duty exemption during purchase of land.

6. It is respectfully submitted, at present after the announcement of e-Vehicle Policy many new companies have started manufacturing and in dealing with electrical vehicles by which the public have started to know the importance and by which they are very sure that only Electric Vehicles will be the future auto mobile on the road. Further, it is respectfully submitted, the Indian Oil Corporation has come with a new project making availability of CBG (Compressed Bio Gas) in Salem and Namakkal Districts for use in automobile. This CBG is produced from Bio Mass / waste sources have a calorific value and other properties similar to CNG and can be used as an alternative renewable automotive fuel. Being a Green Gas and also environment friendly it promotes rural economy and development contributing to nation's growth. Permission will be granted for conversion of petrol driven vehicles to CBG.

7. It is submitted that the for reduction of pollution in air, due to the emissions from old Vehicles, shall be certainly implemented, for deregistration of the same when it is enforced in the country by the Central Government. Once the guidelines are received from the Central Government, the State Government will take all the necessary initiatives to follow the policy at present in our state the fitness certificate for all the new Transport Vehicles are undertaking buses are updated for roadworthy, once in six months. For non transport Vehicles, revalidation of vehicle is done


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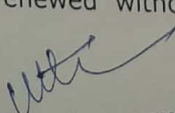

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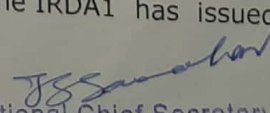
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once it is completed 15 years, the thereafter every 5 years. The issuance of Fitness Certificate, revalidation is done based on the Pollution Under Control Certificate. Apart from this, Vehicle checked on road should also carry PUC certificate. Those not carrying PUC certificate are being issued with CFX certificate and thereby keeping the Vehicles under emission norms. Green tax is being collected every year for vehicles which has covered 7 years for Transport Vehicle and once in 5 years for non transport vehicle which has covered 15 years of age. Moreover, in the new draft Toll Policy NHAI has suggested that E-vehicles should be given 50% concession on toll rates so that the Government is above to encourage people to buy E-vehicles. The concession will be for first five years from the date of announcement of Policy.

8. It is respectfully submitted, at present there are 8 Transport Corporations owning 20,709 stage carriages plying in our state and to the neighboring states (Andhra Pradesh, Kerala, Karnataka, Telengana, Puducherry) catering the need for the common public. They cover a distance of 85.23 lakhs kms per day total average passengers travelling in the vehicle is around 167.44 lakhs per day. The Vehicles are maintained well and there is replacement of new vehicles regularly. There are only about less than 0.5% of vehicles which have covered 15 years of age out of the fleets strength of 20,709. Moreover Government of Tamil Nadu in G.O Ms.No.2552 Transport Department dated 26.09.1991 in its order, after careful consideration has recommended express buses to replace after three years or after completion of 7 Lakhs km and other buses 6 years or after completion of 7 Lakhs kms. In all these vehicles pollution is kept under control by maintaining the vehicle standards, periodically and by issuance of fitness certificates, after testing, once in a year and by checking the vehicle once in six month by the Motor Vehicles Inspectors.

9. Moreover, the Insurance Regulatory and Development Authority has issued a new circular to obtain valid Pollution Under Control(PUC) certificate for the vehicle renewing the policy. The above circular was issued as per the direction of the Supreme Court that the insurance certificate should not be renewed without a Valid PUC Certificate. Thus the IRDA1 has issued a


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Circular to all General Insurance Companies to ensure that the direction of Supreme Court of India is followed scrupulously. Hence at the time of various works in Regional Transport Offices, the valid Insurance Certificate along with PUC certificate is ensured by the Transport Department Officials. Wherein the Regional Transport Officers have been repeatedly reminded to ensure the PUC certificate for any works.

10. In the State of Tamil Nadu there are 87 Regional Transport Offices and 58 Unit Offices which are monitored under 12 Zonal offices and 2 Enforcement wings. Target has been fixed for the Enforcement officials of Transport Department to check the vehicles committing various offences which includes, the vehicles plying without carrying Pollution Under control certificates. BS-VI is introduced from 01.04.2020 by which pollution will be drastically reduced. As per the MoRTH guidelines only BS VI vehicles only register 01.04.2020 and no vehicles other than BS - VI will be registered in our state. This will be strictly followed in the State which will definitely reduce the pollution due to old vehicles.

AS PER BS-IV POLLUTION NORMS.

(Petrol/Compressed Natural Gas/Liquefied Petroleum Gas driven Vehicles, manufactured as per Bharat Stage - IV norms)

Sr.No	Type of Vehicle	Idle Emission Limits		High idle emission limits	
		(3)		(4)	
		CO%	HC (n hexane equivalent) ppm	CO%	Lambda (RPM-2500 200)
1.	Compressed Natural Gas/Liquefied Petroleum Gas driven 4-Wheelers manufactured as per Bharat Stages-IV Norms.	0.3%	200 ppm	-	-
2.	Petrol driven 4-Wheelers manufactured as per Bharat Stages-IV norms.	0.3%	200 ppm	0.2	1 (+ or -) 0.03 or as declared by the vehicle manufacturer.

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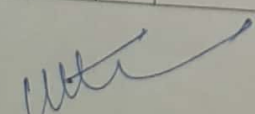
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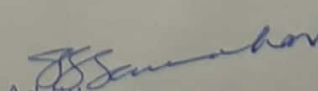
(Diesel Vehicle)

Sr.No	Method of test	Maximum smoke density	
(1)	(2)	(3)	
		Light absorption coefficient (1/meter)	Hartidge units
1.	Free acceleration test for turbo charged engine and naturally aspirated engine for vehicles manufactured as per pre-Bharat Stages - IV norms.	2.45	65
2.	Free acceleration test turbo charged engine and naturally aspirated engine for vehicles manufactured as per Bharat Stage-IV norms.	1.62	50

Limit Values for M and N category vehicles fitted with PI & CI Engines : BS - VI

Category	Class	Reference Mass (RM) (Kg)	Mass of Carbon Monoxide (CO)		Mass of Total Hydrocarbons (THC)		Mass of Non-Methane Hydrocarbons (NMHC)		Mass of oxides of Nitrogen (NOx)		Combined Mass of Hydrocarbons and oxides of nitrogen (THC + NOx)		Mass of Particulate Matter (PM)		Number of Particles (PN)	
			LI (mg/km)		L2 (mg/km)		L3 (mg/km)		L4 (mg/km)		L2+L3 (mg/km)		L5 (mg/km)		L6 (numbers/km)	
			PI	CI	PI	CI	PI	CI	PI	CI	PI	CI	PI	CI	PI	CI
M(M1 & M2)		All	1000	500	100	-	68	-	60	80	-	170	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹
N1	I	RM < 1305	1000	500	100	-	68	-	170	80	-	170	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹
	II	1305 < RM < 1760	18010	630	130	-	90	-	75	105	-	195	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹
	III	1760 < RM	2270	740	160	-	108	-	82	125	-	215	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹
N2	All		2270	740	160	-	108	-	82	125	-	215	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹


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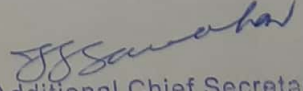

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From the above table BS-VI it is found that the Emission level will be far below BS-IV engines.

11. It is humbly submitted, in the State of Tamil Nadu strictly adheres the directions of the Hon'ble Supreme Court of India and notified the conversion of all petrol driven auto rickshaws registered in the Chennai City, Kancheepuram and Thiruvallur Districts, into Liquefied Petroleum Gas (LPG). There by reducing Vehicular pollution. It is humbly submitted at present, as per the above instructions, all the Pollution Testing Centers in this State are linked with Vahan database, thereby improving qualitative reduction in Pollution and to have a overall control of the Pollution testing Centers. It is humbly submitted as per the steps taken by the State Government the enforcement officials of Transport Department vehicles plying without Pollution Under Control certificates will be minimized to its maximum extent. Thus vehicle pollution will be reduced at its maximum in the state.

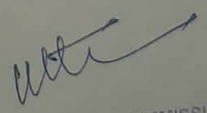
It is humbly submitted after the announcement of E-Vehicle policy many auto rickshaw owners have come forwarded for conversion of petrol driven Vehicles to battery operated vehicles and many existing car manufactures have entered into manufacturing of electric driven Vehicles which will attract car buyers there by reducing vehicular pollution in the near future.

Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to accept the present action plan report and pass such further or other orders as deem fit and proper in the facts and circumstances of this case and thus render justice.


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BEFORE ME

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