

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))

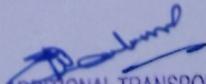
Thiru L.G.Saha Devan
S/o L.Gurusamy
No 27-H, 3rd Floor, Pandu Klix Plaza
New No.330, Old No.
168, Thambu Chetty
Street, Chennai- 600001

...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-110 001.
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.


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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 — 600005.
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.

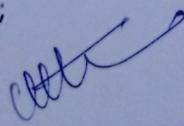
.... Respondents

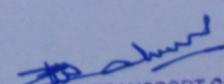
ACTION PLAN FILED ON BEHALF OF THE RESPONDENTS 7 TO 9

I, M.Manakumar S/o S.P.Muthusamy aged about 56 years, Hindu, Working as Additional 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 the 7th to 9th Respondents in the official capacity. The reports/ plans filed by this Respondent earlier may be taken as part and parcel of the present report.

2. The details of action plan taken by the state of Tamil Nadu in order to improve the air quality in the State, with respect to vehicular pollution is as follows;

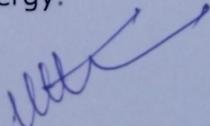

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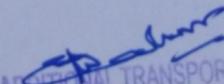

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1) Green and Clean Fuel Policy in the State of Tamil Nadu:

A It is submitted that the a number of compressed bio-gas(CBG) plants entailing a total investment of about Rs.450 Crore are to be set up in Tamil Nadu for the supply of green fuel in the State. The first CBG plant has been established at Namakkal by IOT, a joint venture of Indian Oil Corporation with Oil tanking GmbH of Germany. The Namakkal plant will process 290 tonnes per day of feedstock to produce 15 tonnes per day of CBG, which shall be sold for use in vehicles from five petrol pumps in Namakkal and Salem besides two industrial units. CBG has properties similar to CNG and hence can be used in vehicles that run on CNG fuel without any modifications. Indian Oil Corporation and Hindustan Petroleum Corporation Ltd have already awarded 13 letters of Intent in Tamil Nadu for production and supply of 30 thousand metric tonnes per annum(TMTPA) of CBG. The estimated investment in these plants is likely to be about Rs.450 crore. The CBG potential in Tamil Nadu from existing waste and biomass sources is estimated to be about 2.4 MMTPA. The utilisation of this entire potential shall result in the setting up of about 600 plants across the State, at an investment of about Rs.21,000 crore .The Government of Tamil Nadu had set up a separate Agency as registered society called the Tamil Nadu energy Development Agency(TEDA) as early as 1985, as per G.O.Ms.No.163 P & D(EC) dept. dated:29.11.1984, with the following specific objectives.

- i)To promote the use of new and renewable sources of energy(NRSE) and to implement projects therefore.
- ii) To promote energy conservation activities
- iii)To encourage research and development on renewable sources of energy.


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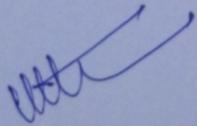
Of the renewable energy systems like Wind Power, Bagasse Cogeneration, Hydro, Solar Power, Biomass Power, the cumulative achievement upto 31.1.2020 of Biomass Power is of 265.59 MW which will improve the usage of this fuel energy in the State of Tamil Nadu. Moreover out of 86,321 MW renewable resource as on 31.1.2020 in India, Tamil Nadu bears 14,205 MW.

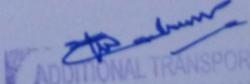
B. The BS VI vehicles introduced from 1.4.2020 has reduced the pollution level by 50%, than the BS IV vehicles. As per MoRTH guidelines only BS VI vehicles are being registered from 1.4.2020 in the State of Tamil Nadu. The guidelines of the MoRTH is strictly followed by the State, thus it would reduce the pollution by 50% for the new 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	
		CO%	HC (n hexane equivalent) ppm	CO%	Lambda (RPM-2500 200)
(1)	(2)	(3)		(4)	
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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(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)	
			PI	CI	PI	CI	PI	CI	PI	CI	PI	CI	PI	CI	PI	CI
M(MI & M2)	All		1000	500	100	-	68	-	60	80	-	170	4.5	4.5	6.0 x10 ¹¹	6.0 x10 ¹¹
NI	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

C. From the above table it is found that the emission level will be far below from BS-IV engines. With the BS VI standards, the NOx emission rate can come down by approximately 25% in the case of petrol engines and 70% in the case of diesel engines. The cancer causing particulate matter emissions from

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the diesel engines have come down by 80% by the BS VI engine. The State has taken the earnest efforts to reduce the pollution by the vehicles to improve the air quality. Further the CNG in the country are available only in 13 states and the evolution of the BS VI has brought down the emission from vehicles drastically. From the study of Director R&D, Indian Oil Corporation, it is stated that Emission control limits of key pollutants are the same for BS VI standard liquid fuels namely petrol & diesel and CNG. For Carbon monoxide, a key pollutant, it is 4g per kWh, exactly the same for diesel or CNG. Similarly, the limits on NOX and Particulate Matter/Number are same for both the fuels.

2) Action plan taken by Government Departments on the existing old Government vehicles, which are more than 15 years.

A. The G.O.(Ms) No.2275 Home(Tr.E) Dept, dated:10.10.90, the appendix of the said GO reads as follows;

"RULES FOR DISPOSAL OF MOTOR VEHICLES BELONGING TO THE DEPARTMENT OF GOVERNMENT OF TAMILNADU

- i) These rules are called as "The Tamil Nadu Departmental Motor vehicles Disposal Rules".*
- ii) These rules shall apply to the Motor Vehicles of all Departments of the Government of Tamil Nadu (including Police, Public Works and Highways and Rural Works Departments).*

Vehicles belonging to the local bodies, boards autonomous bodies, public sector undertakings, commercial departments, institutions etc., of State Government, Government of India Departments and other State Governments shall also be inspected under these rules and the Director, Motor Vehicles Maintenance Department shall issue condemnation certificate based on the norms Governed by separate rules intended, for them provided a sum of Rs.100/- being inspection charges, is collected wherever necessary.


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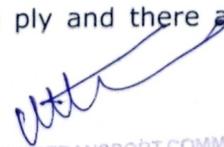

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iii) No departmental vehicle shall ordinarily be condemned before it has completed the following norms.

S.No	Type of vehicles	Use of Vehicles	
		In plains	In hilly areas
1	Petrol driven vehicles such as Jeeps, Cars & Vans etc.,	10 years or 2 lakhs kms whichever occurs later	8 years or 1.6 lakhs Kms whichever occurs later
2	Diesel Driven vehicles such as Jeeps, Vans, Lorry etc.	10 years of 2.5 lakhs kms whichever occurs later	8 years or 2 lakhs kms whichever occurs later
3	Motor cycles	6 ½ years or 80,000 kms, whichever occurs later	5 years or 65,000 kms whichever occurs later
4	Trailors	10 years	10 years

B. The G.O clearly says that action should be initiated to condemn the vehicles before six months or one year, from the date on which the vehicle completes 8 years in hilly areas and 10 years in plains. Provided that all the vehicles in the Fire Service Department shall normally be condemned and replaced after they have been in use for a period of 10 years. The GO also says that all the condemned vehicles should be disposed of by the Director, Motor Vehicle Maintenance Department following the procedure ordered by Government.

C. Thus all the Government department is following the procedures in the above Government order and hence the old vehicles are being condemned on completion of 10 years itself. Further after the test of fitness the vehicles are let to ply and there are only about 0.5% of vehicles in the state department


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which will also be condemned based on the fitness test. In the upcoming years there shall be no vehicles in the state which are more than 15 years old.

D. Tamil Nadu State is strictly following condemnation norms as per the above Government order and reducing the pollution due to vehicles of the Government Department. Further it is understood that the Central Government is under active consideration in introducing Scarping Policy throughout the country based on the orders of the Hon'ble National Green Tribunal, Principal bench. If the scrapping policy is brought up proper and in a scientific and systematic way , the same shall improve the standard of vehicular pollution. Once the guidelines are received from the Central Government, the State Government will take all the necessary initiative to follow the policy

E. At present in our state, the fitness certificate for all the new Transport Vehicles are and Undertaking buses are updated for roadworthy once in six months. For non Transport Vehicles, revalidation of vehicle is done once it completes 15 years and thereafter every 5 years. The said steps are being taken by the Government of Tamil Nadu to reduce the usage of old vehicles, which reduces more than 15 years model vehicle in the State.

Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to accept the present affidavit 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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VERIFICATION

I, M.Manakumar S/o S.P.Muthusamy aged about 56 years, Hindu, Working as Additional Transport Commissioner having office at Ezhilagam, Chepauk, Chennai-05 do hereby submit that the contents of the above report are true to the best of my knowledge through records.

Verified at Chennai on this 19th day of October, 2020


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