

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, 3<sup>rd</sup> Floor, Pandu Klix Plaza  
New No.330,0Id No.  
168, Thambu Chetty Street,  
Chennai- 600 001

...Applicant

Vs

1. Union of India,  
Represented by its Secretary to  
Government, Ministry of  
Environment & Forests,  
6<sup>th</sup> 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 , Repre-  
sented 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

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

**INTERIM ACTION PLAN FILED ON BEHALF OF THE RESPONDENTS 7 TO 9**

I, S.Natarajan S/o Shinnamuthu, aged about 57 years, Hindu, Working as 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 the 7<sup>th</sup> to 9<sup>th</sup> 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;

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

A. It is submitted that the 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 tons 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 utilization 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.

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 resources 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 in our State, thus it would reduce the pollution by 50% for the new vehicles.

C. In the year 2021, 38 Retrofitment Kits approved by the Transport Commissioner which will be utilized in the 17 Retrofitment centres are approved. This will enhance the usage of alternate fuels like CNG and LPG in the vehicles.

D. E - Vehicle Registration: As per the direction issued in the MoRTH notification in S.O.No.5333 (E) dated: 18.10.2018 permit shall not apply to Battery operated vehicle, Methanol fuel vehicle and Ethanol fuel vehicle. This notification has been followed and Battery operated vehicles are being registered without permit in our State. Further, new proposal to Government of Tamil Nadu has been submitted by the Transport Commissioner to grant permission to register all Battery operated Transport vehicles with the same permit conditions.

E. Further, as per the MoRTH Notification in GSR No.525(E) dated:02.08.2021 Battery operated vehicle shall be exempted from the payment of fee for the purpose of issue or renewal of Registration Certificate and assignment of New Registration Mark. National Informatics Centre addressed to incorporate the same in the Vahan software.

F. In the MoRTH notification GSR 653(E) dated: 23.09.2021 has introduced Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules 2021 and to be implemented in all States. Hence, it is submitted that the necessary orders are awaited from the Government of Tamil Nadu.

**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.

**(Diesel Vehicle)**

Sr.No	Method of test	Maximum smoke density	
		Light absorption coefficient (1/meter)	Hartidge units
(1)	(2)	(3)	
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

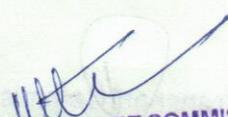
  
**JOINT TRANSPORT COMMISSIONER,**  
 (ROAD SAFETY)  
 CHEPAUK, CHENNAI - 600 005.

  
**Transport Commissioner,**  
 Chennai - 5.

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

Category	Classes	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)	PI	CI	L2 (mg/km)	PI	CI	L3 (mg/km)	PI	CI	L4 (mg/km)	PI	CI	L2+L3 (mg/km)	PI	CI	L5 (mg/km)
M(MI & M2)	All	All	1000	500	100	-	68	-	60	80	-	170	4.5	4.5	6.0	6.0	$\times 10^{11}$	$\times 10^{11}$
NI	I	RM < 1305	1000	500	100	-	68	-	170	80	-	170	4.5	4.5	6.0	6.0	$\times 10^{11}$	$\times 10^{11}$
	II	1305 < RM < 1760	18010	630	130	-	90	-	75	105	-	195	4.5	4.5	6.0	6.0	$\times 10^{11}$	$\times 10^{11}$
	III	1760 < RM	2270	740	160	-	108	-	82	125	-	215	4.5	4.5	6.0	6.0	$\times 10^{11}$	$\times 10^{11}$
N2	All		2270	740	160	-	108	-	82	125	-	215	4.5	4.5	6.0	6.0	$\times 10^{11}$	$\times 10^{11}$

G From the above table it is found that the emission level is far below from BS-IV engines. With the BS VI standards, the 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 emitted from the diesel engines have come down by 80% by the BS VI engine. Our State has taken the earnest efforts to reduce the pollution caused 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 level 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 and Particulate Matter/Number are same for both fuels.

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

  
Transport Commissioner,  
Chepauk, Chennai - 5.

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**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.*

- 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 kmswhichever occurs later	8 years or 1.6 lakhs Kmswhichever occurs later
2	Diesel Driven vehicles such as Jeeps, Vans, Lorry etc.	10 years or 2.5 lakhs kmswhichever occurs later	8 years or 2 lakhs kmswhichever occurs later
3	Motor cycles	6 ½ years or 80,000 kms, whichever occurs later	5 years or 65,000 kmswhichever occurs later
4	Trailors	10 years	10 years

B. The G.O clearly mandates 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 stipulates that all the condemned vehicles should be disposed of by the Director, Motor Vehicle Maintenance Department following the procedure ordered by Government.

C. Thus the entire Government departments are following the procedures in the above Government order and hence the old vehicles are being condemned on completion of 10 years period. Further after the test of fitness only the vehicles are allowed to ply and there are only about 0.5% of vehicles in the state department which will also be condemned based on the fitness test. For all non Transport Vehicles, revalidation of vehicle is done once it completes 15 years and thereafter every 5 years.

D. Tamil Nadu State is strictly following condemnation norms as per the above Government order and reducing the pollution caused by the vehicles of the Government Departments. 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 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 Tamil Nadu 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 and State Transport Undertaking buses are updated for roadworthiness 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 on the road.

F. It is humbly submitted in the State of Tamil Nadu, strictly compliance 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), thereby reducing vehicular pollution. It is humbly submitted that, at present as per the above instructions, all the Pollution Testing Centres (425) in this State are linked with vahan database, thereby improving qualitative reduction in pollution and to have a overall control of the Pollution testing Centres. It is humbly submitted, as per the steps taken by the State Government the enforcement officials of Transport department have checked the vehicles, and issued the check reports to those vehicles without valid Pollution under Control certificate (PUC) If the vehicle found without valid PUC, penalty of Rs 10,000 will be levied.

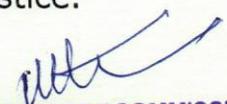
The details of Check report issued for the violation:

2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-2021
36,003	36,928	44,748	46,697	44,847	39,845	47,876	32,732	11,789

The number of vehicles checked and issued PUC as follows.

2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-2021
4,30,220	4,87,099	5,09,511	5,75,301	6,20,264	6,70,257	7,62,038	8,26,900	10,05,283

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 deemed fit and proper in the facts and circumstances of this case and thus render justice.

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

  
**Transport Commissioner,  
 Chepauk, Chennai - 5.**

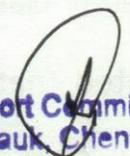
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**VERIFICATION**

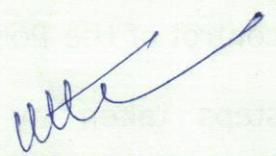
I, S.Natarajan, S/o Shinnamuthu, aged about 57 years, Hindu, working as Transport Commissioner having office at Ezhilagam, Chepauk, Chennai-05. do hereby submit that the contents of the above report are true to the best of my knowledge through records.

Verified at Chennai on this 7<sup>th</sup> day of January 2022.

and signed his name in my presence

  
Transport Commissioner,  
Chepauk, Chennai - 5.

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