

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 76 OF 2017 (SZ)**

**REPORT FILED BY THE SECRETARY, TRANSPORT DEPARTMENT / 3RD
RESPONDENT**

Index

S.No	Particulars	Page No.
1	Report filed by the Secretary, Transport Department / 3 rd Respondent	1-6

Dated at Chennai on this the 31st day of January, 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No.76/2017

Proceedings initiated based on the news item published in Malayala Manorama News Paper-Malayalam Edition dated 25/03/2017-Suo Moto, by Court.....Applicant.

State of Kerala and Others Respondents

Report on behalf of the respondent (Secretary, Transport Department) in compliance with the order of The honorable National Green Tribunal dated 24/12/2021 in OA 76/2017

As per the suggestions filed by the Joint Committee, the Hon'ble National Green Tribunal has ordered for submitting the report on the compliance of the programmes on short term and long term basis. A report on steps taken by the Motor Vehicles Department as per the orders of the Hon'ble National Green Tribunal, South Zone, Chennai is furnished below:-

Short term suggestions:-

- (a) Launching extensive awareness drive against polluting vehicles;
- (b) Ensuring strict actions against visibly polluting vehicles;
- (c) Steps to prevent parking of vehicles in non designated areas;

Long term suggestions:-

- (a) Retrofitting of diesel vehicles with particulate filters;
- (b) Promoting Battery Operated Vehicles;
- (c) Banning of old diesel Vehicles;
- (d) Prepare an action plan for public transport on CNG mode;

Short term steps

In order to ensure strict action against visibly polluting vehicles, the department conducted a special drive "Operation Green Awareness". In this drive, strict actions were taken against visibly polluting vehicles. Awareness campaigns were conducted in each district by the Regional Transport Officers with the help of personnel from Pollution Testing Centers, NGOs and Vehicle Dealers. Stringent actions were also taken against the vehicles which were parked in non designated areas.



The Motor Vehicles Department is conducting pre - learners road safety awareness classes for the Driving License aspirants, in all Regional Transport Offices/Joint Regional Transport Offices in the State of Kerala. One of the major areas covered in such classes include Air Quality Control, its importance and measures to be adopted for controlling air pollution due to vehicle emission etc. Questions related to the pollution control due to vehicle emission are included in the questionnaire for learner's tests also.

All the officers, especially officers of the enforcement wing of the Motor Vehicles Department have given strict direction to launch special drive for checking all the polluting vehicles. Computerised pollution testing centers are launched in the state. All pollution testing centers were networked and linked with Parivahan site. The quality of testing centres have been improved. Web based Vahan PUCC module was implemented from 01/11/2020. Government are also contemplating to strengthen the vehicle pollution control testing centres.

As regards unauthorized parking of vehicles in non designated areas, effective enforcement activities are being carried out to prevent parking of vehicles in non - designated areas. The vehicle owners were given strict instructions to park the vehicles only in designated areas. The local bodies are requested to provide sufficient space in public places in their jurisdiction, for vehicle parking as per the provisions of the Kerala Panchayat Raj (Landing place, Halting place, Car stands and other vehicle stands) Rules 1995 and Section 472 of the Kerala Municipality Act, 1994. The details of checking and vehicles booked for violating pollution norms and unauthorised parking is furnished in the table below.

Month	Vehicles without PUCC		Unauthorised Parking	
	No. of cases	Fine collected (Rs.)	No. of cases	Fine collected (Rs.)
January - 2021	209	78500	3008	747750
February - 2021	220	56750	1738	430750
March - 2021	383	103000	1118	277000
April - 2021	1368	1827900	1439	974250
May - 2021	29	111000	53	46000
June - 2021	49	125500	4845	192300
July - 2021	389	1238250	5283	2189350
August - 2021	750	1926250	2330	1143500



September - 2021	438	1432050	1513	915100
October - 2021	504	1586000	2230	1198400
November - 2021	712	2426250	2083	1296000
December - 2021	646	2480150	1872	977150
Total	5697	13391600	27512	10387550

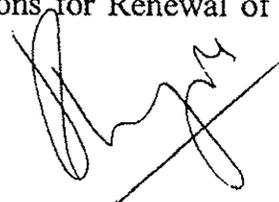
Long term steps

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. KSEB was appointed as the State nodal agency for installation of charging station in the state. An amount of Rs. 5 Crores has been given to Kerala State Electricity Board for the installation of the charging Stations. 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.

Government as per notification issued as G.O(P) No.12/2021/Trans dated, 23/02/2021 and published as S.R.O No.231/2021 in the Kerala Gazette Extra Ordinary No.917 dated, 23/02/2021 have granted a reduction of 50% for a period of 5 years with effect from 01/04/2021 on the rate of tax levied u/s. 3 of the KMVT Act to new electric vehicles and exempt the tax on new electric autorickshaws for a period of first 5 years on and from the date of their registration.

Government as per GO(Rt)No.240/2020/Tran dated 15/07/2020 has accorded sanction for hiring electric vehicles from EESL through ANERT. Accordingly 66 electric vehicles were hired by the department for the SAFE KERALA project. In the view of e-vehicle policy, a subsidy of Rs.30,000/- has been granted to the owners of the e-autorickshaws.

Motor Vehicles Department have imposed green tax on transport vehicles that are more than ten years old and non-transport vehicles that are more than 15years old from 01 January 2017. It is also informed that, Rule 52 of the Central Motor Vehicles Rule,1989 provides for the provisions for Renewal of



Certificate of registration. The Ministry of Road Transport and Highways as per the notification published as GSR 177 (E) dated 12.03.2021 has decided to insert a new rule, Rule 52A to the Central Motor Vehicles Rules, 1989, providing for the Non renewal of Certificate of registration of Government Vehicles, the draft of the said rule is as follows:-

“52A: Non-Renewal of Certificate of registration of Government Vehicles:

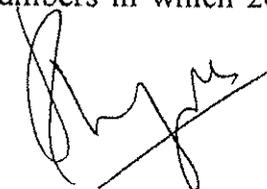
Notwithstanding anything contained in Rule 52, in the case of motor vehicles, owned by-

- (i) Central Government and its Departments;
 - (ii) State/UT Governments and their Departments;
 - (iii) Local Government Institutions namely, the Municipal Corporations or Municipalities or Panchayats;
 - (iv) State Transport Undertakings established under the Road Transport Corporation Act, 1950 (64 of 1950) and the Companies Act, 2013 (18 of 2013);
 - (v) Public Sector Undertakings;
 - (vi) Autonomous bodies with the Central Government and State Governments,
- The certificate of registration shall not be renewed after the lapse of fifteen years, as provided in sub-section (7) of Section 41, from the date of such certificate.”

On coming into effect of the said rules the Certificate of registration of the vehicles mentioned as items (i) to (vi) of rule 52 A shall not be renewed.

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 15 years, from 1st June, 2021. For the purpose the Government have amended the Kerala Motor Vehicles Rules, 1989, by inserting a new rule namely Rule 292 A, as per notification issued under G.O. (P) No.15/2021/Trans dated, 24/05/2021 and published as S.R.O No.414/2021 in the Kerala Gazette Extra Ordinary No.1642 dated, 27/05/2021.

As per GO(P) No.41/2018/Tran dated. 22/11/2018 Government of Kerala have directed the Regional Transport authorities to fix the limit for auto LPG/LNG/CNG/Electric Autorickshaws in each of the cities of Thiruvananthapuram, Kochi and Kozhikode as 3000 numbers in which 2000



permits will be allotted only for electric autos and a separate quota of 1000 permits will be allotted to other fuels like CNG/LNG/LPG apart from the autorickshaw permits already fixed.

A special team under Joint Transport Commissioner (Enforcement) has been formed for proposing a detailed action plan for public transport on CNG mode. Oil Companies have been directed to set up CNG & LNG stations across the state. Land has allotted at Anayara. KSRTC in tie up with IOCL is trying to introduce CNG/LNG/Electric buses. Private vehicles are also being converted to CNG.

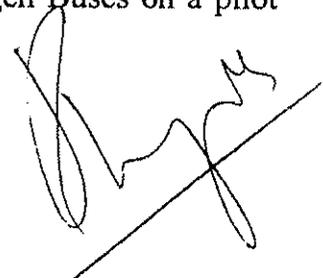
KSRTC has invited tender for the procurement of 310 CNG buses to replace the existing diesel buses. Two manufacturers participated in the tender and technical bid evaluation of the tender is under process. The new CNG buses will be put on road from 2022 March. KSRTC has also invited tender for the procurement of 50 Nos of electric buses. Five firms participated in the tender and technical bid evaluation is under process.

Government have announced Rs.100 Crores fund for the conversion of diesel buses of KSRTC to CNG. As a pilot project, KSRTC invited tender for the conversion of 5 diesel buses to CNG for evaluating the performance and work order issued.

KSRTC invited tender for the conversion of 400 diesel buses to LNG. Three firms participated and qualified in the technical bid. Preevaluation of the three buses were completed. LOI given for proof of Concept conversion. KSRTC is also planning to phase out 935 old aged diesel buses.

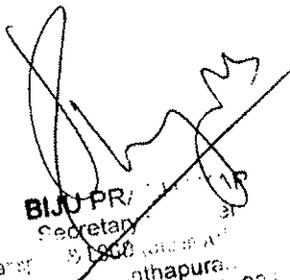
Most recently, the Government of India is in the process of preparing a Hydrogen Mission, with support from the MNRE and NITI Aayog. In addition, Government have took initiative to explore opportunities for Kerala to exploit the potential of green hydrogen technologies for green energy acceleration and the adoption of clean transport.

Travancore Cochin Chemicals Ltd (Public sector under taking owned by Government of Kerala) is the only company in Kerala producing green Hydrogen through electrolysis route, and the purity of hydrogen produced is 99.4%. This need to be further purified to meet the requirements of automotive fuel grade. Travancore Cochin Chemicals Ltd is planning to set up facility to purify, compress and dispense/ refuel hydrogen gas available at their premises. KMRL has been awarded Rs.10 Crore for running Hydrogen Buses on a pilot basis.



IOCL, Cochin has obtained an in-principle clearance from their management for investment of Rs.100 crores for setting up Green Hydrogen Fuel infrastructure one each at Cochin and at Trivandrum as a pilot project. IOCL has requested for allotting 2 acres of land at Vyttila mobility hub and Trivandrum for setting up hydrogen Refuelling Station .

Cochin Shipyard Ltd got funding approval from the Ministry of Ports and Shipping for their ongoing Projects in manufacturing fuel cell Boats and Vessels. First fuel cell Boat will be commissioned by the end of the year. So that, when the National Water Ways become functional, Government can put more fuel cell boats across the State.


BIJU PR/
Secretary
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Verification

I Biju Prabhakar, aged 56 years, S/o Thachady Prabhakaran residing at Thiruvananthapuram do hereby solemnly affirms and state as follows,

I am the Secretary, Transport Department, Government Secretariat, Thiruvananthapuram who is the respondent in the above Original Application, I am well conversant with the facts of the case and competent to swear to this rejoinder, in my official capacity.

All the facts stated above are true to the best of knowledge, belief and information.

Dated this 27th day of January 2022.




BIJU PRABHAKAR IAS
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