

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:

Proceedings initiated based on the  
News item published in "Malayala Manorama News  
Paper" – Malayalam Edition dated 25.03.2017 on  
the Caption "BLACK CITY".

*Versus*

The Chief Secretary,  
Government of Kerala and others.

...Respondent(s)

*With*

Lawyers Environmental Awareness  
Forum (LEAF) ...Applicant(s)

*Versus*

State of Kerala and others.

...Respondent(s)

*With*

Lawyers Environmental Awareness  
Forum (LEAF) ...Applicant(s)

*Versus*

State of Kerala and others.

....Respondent(s)

**REPORT FILED BY THE KSRTC / 3<sup>RD</sup> RESPONDENT**

The report submitted by the KSRTC sincerely states as follows :-

1. It is submitted that KSRTC has floated tender for the procurement of 310 CNG buses to replace its upper class busses like Deluxe, Express, Super Fast & Fast Passenger which attain the age of 7 years and hence needed to be converted as ordinary class as per KMVR. The new CNG buses will be put on road in a year time.

2. Government of Kerala accorded sanction for KSRTC to convert 400 Nos of HSD buses to LNG. After converting 50 NOS in the initial phase for evaluating its merits and. conversion of 400 HSI buses to LNG in tendering. Three firms participated in tender and 1<sup>st</sup> stage of Pre-qualification evaluation going on in the II stage one bus each will be converted by each successful bidder under Proof of Concept and those will be got approved at ARAI/CAT etc. Thereafter massive conversion of buses will be started. The project is expected to be completed in a year time.

3) Conversion of 1-ISD buses to CNG - KSRTC has floated tenders for the conversion of 5 Nos of I-JSD buses to CNG with a view to survive with CNG conversion if there is any uncertainty in the conversion of buses to LNG since it being a novel venture in the country itself and hence a lot of hurdles to overcome.

4) Promoting battery operated vehicle Government of India had sanctioned 250 e-buses to KSRTC under FAME-II scheme to operate on wet' lease. But the per Kilometer hiring rate obtained in tender was Rs. 75.90 where the revenue / Km is Rs.40/- Revenue, expenditure gap was around 70 crores every year. As such it is planned to go for procurement of 50 e-buses, for Thiruvananthapuram zone instead of hiring to obtaining soft

loans from KIIFB. The process is fast progressing. It is expected that the project can be completed in a year time. These are the steps taken by KSRTC to contribute to the steps taken by the state to reduce air pollution.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said Report filed by the Mechanical Engineer incharge of Executive Director (M&W) on Record and thus render justice.

Dated at Chennai on this the 8<sup>th</sup> day of March 2021.

(E. K. KUMARESAN)  
Counsel for 3<sup>rd</sup> Respondent  
Standing Counsel for State Government of Kerala  
NGT (SZ) Chennai Bench.





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LS7/OA-76/2017/NGT(SZ)

Dated: 05/03/2021

From

**CHAIRMAN AND MANAGING DIRECTOR**

To

**Sri.Kumaresan.E.K**

Advocate

No.141, K.K.Nagar

1<sup>st</sup> Main Road,

Arignar Anna Nagar 625 020

Sir,

**Sub:** *Order of the National Green Tribunal (sz) dtd:12/06/2020 & 20/01/2021 in OA 76/2017 (OA 259/2017 & M.A.No.209 to 214/2017) - Request to filing of Independence Status Report for and on behalf of Kerala RTC--Reg.*

**Ref:** *Order of the NGT dtd. 12/06/2020 & 20/01/2021.*

Attention is solicited for the reference above.

This case is related to the order of the National Green Tribunal Southern Zone, Chennai dtd 12/06/2020 in OA 260/2017 being directed Respondents including KSRTC (Kerala RTC) to submit a report as to the action plan, both long term and short term with specific guideline to implement the phasing of old vehicles and replacing the same with alternate greener and clean fuel efficiency vehicles.

The main issue was the Pollution caused due to uncontrolled use of vehicles especially large trucks, bus, taxi etc and further health ailments and premature death due to it. In OA 260/2017, KSRTC is the 5<sup>th</sup> Respondent and the Hon'ble NGT ordered to the State Government, KSRTC and the Commissioner of Transport of State of Kerala to submit a present status regarding the no. of old diesel

vehicles being used by the Corporation and also what are the steps taken by the Government and Corporation to implement the policy of the Central Government using cleaner and Green Alternate Fuel Policy. So as to improve the ambient air quality in the State and what are the steps taken by them to phase out the old vehicles by replacing the issue with model vehicles including CNG and Electric Vehicles to control air pollution.

The NGT tagged the cases vide OA No. 76/2017, OA 259/2017 & MA No. 209 to 214/2017 together and heard all this cases relating to air pollution and pronounced order to file report vide referred.

Hence an **Independent Status Report has to be filed by KSRTC before Hon'ble NGT on or before 09/03/2021**. Report are ready. But as there is no Standing Counsel for KSRTC to handle cases at NGT Chennai and our present Counsel Adv.P.C.Chacko, Standing Counsel at Ernakulam is unable to go to Chennai in this Covid Pandemic situation KSRTC is unable to adhere to the orders of Hon'ble NGT on time. Since your goodself is appearing on behalf of State of Kerala in this particular case KSRTC is honoured to suggest your name to appear for an on behalf of KSRTC before NGT on 09/03/2021.

The Hon'ble NGT has directed to file the Status Report by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with the necessary hard copies as peruse to be produced before NGT.

In the circumstance it is requested to take necessary arrangement to appear before the NGT on 09/03/2021 for and on behalf of KSRTC and filing of the Independence Status Report of KSRTC as per direction of the Hon'ble NGT. Status Report will be furnish through our Standing Counsel Adv.P.C.Chacko, Standing Counsel to KSRTC.

**CHAIRMAN & MANAGING DIRECTOR**

No.ML3/005249/19



Mechanical Section

Date: 19.02.2021

Note

Sub:- The order dated 20.01.2021 of Hon'ble National Green Tribunal in OA No. 76/2017, OA No. 259/2017 & OA No.260/2017- Dealing with air pollution and related matters reg:-

Ref:- Note No. 46/EMCell/CSO/2021(i) dated 02/02/2021

Kind attention is invited to the subject matter and reference. As desired vide reference above, following remarks are furnished with respect to para 14,16 & 17 of the recommendations of committee;

Para 14

1) Purchase of 310 CNG buses:- ✓

KSRTC has floated tender for the procurement of 310 CNG buses to replace its upper class buses like Deluxe, Express, Super Fast & Fast Passenger which attain the age of 7 years and hence needed to be converted as ordinary class as per KMVR. The new CNG buses will be put on road in a year time.

2) Action plan for public transport to CNG/LNG

Government of Kerala accorded sanction for KSRTC to convert 400 Nos of HSD buses to LNG after converting 50 Nos in the initial phase for evaluating its merits and conversion of 400 HSD buses to LNG in tendering. Three firms participated in tender and 1<sup>st</sup> stage of Pre-qualification evaluation going on. In the 1<sup>st</sup> stage one bus each will be converted by each successful bidder under Proof of Concept and those will be got approved at ARA/ICAT etc. Thereafter massive conversion of buses will be started. The project is expected to be completed in a year time.

(4)

3) Conversion of HSD buses to CNG:-

KSRRTC has floated tenders for the conversion of 5 Nos of HSD buses to CNG with a view to survive with CNG conversion if there is any uncertainty in the conversion of buses to LNG since it being a novel venture in the country itself and hence a lot of hurdles to overcome.

4) Promoting battery operated vehicle:-

Government of India had sanctioned 250 e-buses to KSRRTC under FAME-II scheme to operate on wet lease. But the per Kilometer hiring rate obtained in tender was Rs. 75.90 where the revenue / Km is Rs.40. Revenue, expenditure gap was around 70 crores every year. As such it is planned to go for procurement of 50 e-buses for Thiruvananthapuram zone instead of hiring obtaining soft loans from KJIFB. The process is fast progressing. It is expected that the project can be completed in a year time.

These are the steps taken by KSRRTC to contribute to the steps taken by the state to reduce air pollution.

Enclosure: Letter under reference and OA's before NGT(SZ) and order in it.

  
MECHANICAL ENGINEER IN CHARGE OF  
EXECUTIVE DIRECTOR (M&W)

  
S/ 2/19/21  
MCM/2021

To:

Chief Law Officer- With request to comply the instruction of Chief Secretary vide Letter No.46/EMCell/CSO/2021(1) dtd 02.02.2021, that independent departments are directed to file independent status report to the NGT on or before 09.03.2021.

(R.67  
19/2/21)

*[Handwritten signature]*

**Dr. VISHWAS MEHTA**  
Chief Secretary



**Government of Kerala**  
Secretariat

No:46/EMCell/CSO/2021(1)

02/02/2021

*[Large handwritten signature]*  
**NOTE**  
**WE HC OF ED (I)**  
Ref: The order dated 20.01.2021 of the Hon'ble National Green Tribunal in O.A. No. 76/2017, O.A No. 259/2017 & O.A No. 260/2017 - dealing with air pollution and related matters.

Pollution and related matters.

Attention is sought to the order under reference. The above cases are related to air pollution and its abatement. The Joint Committee constituted by the Tribunal has come up with recommendations on the short term & long-term steps to be adopted by various authorities viz. Motor Vehicle Department, State Police Traffic, Local Self Government Department, Police Department, Kerala State Pollution Control Board, State Highway Authority, Public Works Department, Agriculture Department, Department of Electrical Inspectorate, for curbing air pollution, which is included under para 4 of the order.

Individual Departments are to come up with definite plans on how they are going to implement the recommendations in an effective manner (reference para 1). Independent Departments are directed to file independent status

reports to the NGT on or before 9.03.2021, with definite action plan on

98/02/21  
11/02/21

13/01/21  
12/01/21

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implementing the recommendations made by the committee (see paras 14, 16 & 17).

You are requested to ensure the compliance to the NGT directions at the earliest.



Dr. Vishwas Mehta

To

1. Shri. T.K. Jose, Additional Chief Secretary, Home Department
2. Smt. Sarada G Muralaeddharan, Principal Secretary, LSGD
3. Shri. Biswanath Sinha, Principal Secretary, LSGD-Urban
4. Shri. K.R. Jyothilal, Principal Secretary, Transport Department
5. Shri. Anand Singh, Secretary, Public Works Department
6. Shri. Saurabh Jain, Secretary, Power Department
7. Dr. Rathan U. Kelkar, Secretary, Agriculture Department
8. Shri. Biju Prabhakar, Managing Director, KSRTC
9. Shri. Er. Pradeep Kumar A.B. Chairman, Kerala State Pollution Control Board