

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

O.A. No. 87 OF 2024

Mr. Krishnan CS

...Applicant

Versus

The State of Karnataka & Anr.

...Respondents

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Dated at Chennai on this the 13th day of January, 2025.



COUNSEL FOR THE APPLICANT

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

O.A. No. 87 OF 2024

Krishnan CS
Son of Mr. Sreenivasan
Residing at F-205, Nandi Woods Apartments,
Yelanahalli, Bangalore – 560 076.

...Applicant

-Vs-

1. The State of Karnataka,
Through the Department of Transport,
Vidhana Soudha, Ambedkar Veedhi,
Bengaluru – 560 001
Represented by its Chief Secretary

2. Karnataka State Pollution Control Board
“Parisara Bhavana”, No. 49,
Church Street, Bengaluru – 560 001
Represented by its Chairman

...Respondents

COMMON REJOINDER FILED ON BEHALF OF THE APPLICANT

THE APPLICANT MOST RESPECTFULLY SHOWETH

1. At the outset, it is submitted that as per Rule 16 of the NGT Rules, 2011, the Respondents ought to have filed their reply on or before 12.04.2024. However, despite repeated directions and numerous orders passed by this Hon'ble Tribunal on various occasions, the Respondents have filed their reply after an inordinate and unjustified period of nine months which clearly shows their deliberate attempt to obfuscate legal proceedings. Upon perusal of such a belated reply filed by the Respondents, the Applicant is filing this common rejoinder in response to the averments made therein. The Applicant denies all averments, allegations and contents of the reply Affidavits of the Respondents, except to the extent expressly admitted or dealt with hereunder.



2. It is submitted that the first and foremost defense of the respondents pertains to the question of maintainability of the instant application on the ground that the same is hit by the principle of *res judicata*. In response to the same, it is submitted that the present original application is filed *inter alia* seeking to
- a. Direct that all pre-BS - IV diesel trucks and buses and BS – IV diesel trucks and buses over 10 years of age that are owned or operated or governed by the Respondent, the State of Karnataka, and its lease route operators in public transport be decommissioned and scrapped or, in the alternative, immediately use non-engine modifying retrofit devices which reflect 30% or more reduction in emissions.
 - b. Direct the Respondent to provide the number of heavy-duty diesel vehicles over the age of 10 years & number of pre-BS-IV heavy duty diesel vehicles that it or any of its subsidiaries owns, operates or leases as well as the same numbers from all leased route operators for public transport in the state.
 - c. Under the “Polluter Pays Principle” direct that the Respondent, the State of Karnataka, pay for the scrapping or retrofits requested in prayer (a.) hereinabove and, in the case of retrofits, place said devices into Central Stores for its various entities to access.
 - d. Direct the Respondent, State of Karnataka, to formalize and implement a policy for the private sector that will require the mandated retrofit or replace measures on non-BS-IV commercial diesel vehicles and BS – IV commercial diesel vehicles over 10 years of age prior to granting the extension of their operating license to reduce air pollution statewide from commercial diesel vehicles.
3. It is the specific claim of the Respondents that the subject issues involved in the present original application have already been dealt with and are squarely covered under the decision of this Hon’ble Tribunal passed in O.A. No. 183 of 2016 *Vinay Shivanand Naik Vs. State of Karnataka & Ors.* However, it is pertinent to note that



the subject matter therein was with regard to phasing out of older vehicles and implementation of green and clean fuel policy which in fact, to this day, is due to be complied with by the Respondent State. On the other hand, it is submitted that the reliefs stated supra, as sought by the Applicant in the present original application is based on settled proposition of laws / precedents as laid down by the Hon'ble Courts / Tribunals which remain in effect and have not been altered, overruled or superseded and the present application seeks full and actual physical implementation of the same by the Respondent State. When these decisions are yet to be complied with and the directives remain unimplemented to this day, plea of *res judicata* taken by the Respondents is nothing but a reflection of the lack of concern on the part of the State among others.

4. In so far as the suppression of facts as alleged by the Respondents are concerned, it is submitted that *Vinay Shivanand Naik's* case stated supra, was a six year long litigation seeking use of green fuel like CNG in buses operated by the Respondent state pertaining to vehicles operating in Bangalore city only, wherein various proposed CNG and / or electric bus purchase schedules came to be included in the order for adhering to the statutory stipulations of KSPCB after reaching a consensus with the Respondent transport corporations. Furthermore, this Hon'ble Tribunal was pleased to direct the Respondent State to form a monitoring committee to review the action plan prepared for the implementation of the National Clean Air Programme (NCAP) and implementation of Clean and Green Fuel Policy in the State and to evolve modified action plans to fill up the gap and fulfill the obligation of providing clean air which is to be periodically reviewed by the Chief Secretary of the Respondent State.
5. It is submitted that the Applicant's appeal thereof was disposed of by the Hon'ble Apex Court with a specific direction to the monitoring committee to submit its report before this Hon'ble Tribunal, after duly factoring the suggestions put forth by the applicant. Pursuant thereto, a letter dated 30.03.2023 was sent to the monitoring committee, to which no response has been forthcoming. Furthermore, a letter dated 27.03.2023 seeking a copy of reports submitted by the Respondent State in



compliance with the order dated 13.04.2022 was sent to the Chairperson of this Hon'ble Bench. However, the website of this Hon'ble Tribunal continues to reflect the status of the matter as "Report Awaited". This sequence of events on the other hand casts serious doubts as to whether the Respondent State has even adhered to the mandated requirement of forming the said committee in as much as when the required quarterly reports has never been filed since the date of order. The state of affairs as narrated above also makes it amply clear that appointment of another "committee" instead of an order directing compliance / a positive direction will not change or correct the problem. Under these circumstances, the Respondent State's persistent inaction and non-compliance by ignoring the judicial orders necessitates immediate intervention by this Hon'ble Tribunal to ensure actual implementation of the long-established obligations, policies and directives as prayed for. More so, when it is clear that raising questions of maintainability without dealing with the matter on its merits as well as the allegations of suppression of facts are all meek attempts of the Respondents to escape compliance with the settled laws.

6. With respect to the Respondents' contention that the prayers sought in the present application are matters of policy is concerned, it is submitted that the Applicant is not seeking framing of a new policy. On the other hand, is seeking for an urgent intervention of this Hon'ble Tribunal to pass orders for ensuring the implementation of existing orders and guidelines issued in a catena of decisions and for compliance of the same by the Respondents within a maximum period of six months effective immediately. It is pertinent to submit that Applicant has approached this Hon'ble Tribunal on the basis of principle laid down in the case of *M.C. Mehta Vs. Union of India & Ors.* reported in 2002 (4) SCC 356 wherein the Hon'ble Apex Court emphasized that the spiraling pollution levels in the state has resulted due to the lack of effort and concern on the part of the State and Governmental agencies and thereby had issued directions on account of steadily decreasing air quality and further by taking into consideration of the fact that no effective steps were being taken by the administration in this behalf.



7. It is further submitted that the conduct of the Respondent State in the present circumstances of the case is also reflecting the same attitude and neglect to comply with the orders and directions given by the Courts from time to time despite the critical need for an effective action, and as held by the Hon'ble Supreme Court, Article 39(e), 47 and 48A of the Constitution of India collectively imposes a duty on the State to secure the health of its people, improve public health and protect and improve the environment. In light of this constitutional mandate, it has become inevitable to pass orders for the immediate implementation of the directives as the Respondent State's practice of indefinitely extending timelines under the guise of policy matters cannot be permitted, as courts are well empowered to intervene in cases where administrative inaction undermines fundamental rights and environmental safeguards.
8. At the risk of repetition, it is submitted that the question in the present original application as well as interim application is binary i.e., whether the settled laws apply collectively or individually statewide to the Respondent State's vehicles or not. If they do, in the facts and circumstances of the case when the compliance is long overdue, it is sought the Respondent State must comply with the same within 6 months by either decommissioning and scrapping non-compliant vehicles or retrofitting them. Therefore, it is left open to the Respondent State to scrap all non-compliant diesel vehicles within 6 months. However, in the event scrapping isn't opted for by the State, non-engine-modifying retrofits that does not require new type approval is suggested as an alternative to scrapping and the same will also allow renewal of registration in terms of the Auto Fuel Policy.
9. It is further submitted that the retrofits, at a small fraction of the price for a new vehicle, cut pollution from vehicles allowing time to spread out replacement schedules of non-compliant vehicles over time with little policy / political or economic disruption. If retrofits are refused by the Respondent State, well settled law requires scrapping all affected diesel vehicles statewide within 6 months. However, from the sequence of events narrated herein, it is clear that the Respondent State often promises emission compliances but lacks any meaningful action beyond

paper policies or proposals. The KSPCB report asserts that courts should leave the state government to evolve policy with financial implementations, implying the courts should not force financially impactful orders. In this regard, Section 20 of the National Green Tribunal Act, 2010 states that the Tribunal shall, while passing any order or decision or award, apply the principles of sustainable development, the precautionary principle and the polluter pays principle. Therefore, the Respondent State must implement ordered measures, regardless of cost.

10. In any event, the State of Karnataka collects significant revenue from taxing fuel, the major source of air pollution when burned, generating over Rs 20,000 crores income annually. A copy of the State wise Collection of Sales Tax / VAT on POL Products as published in the website of Ministry of Petroleum & Natural Gas is enclosed as **Annexure-A1**. It is also crucial to note, as per the Central Government's Portal for Regulation of Air Pollution in Non-Attainment Cities (PRANA), between 2019 and 2023, the Union Government has disbursed Rs 541.1 Crores to Bengaluru, but shockingly, only 1.01% of this amount i.e., Rs. 5.47 Crores has been utilized by the Respondent State in discharge of the objectives of National Clean Air Programme. A copy of the newspaper article titled "It is unfair treatment" published on the subject in BangaloreMirror is produced herewith as **Annexure – A2**.
11. Under these circumstances, it is incumbent upon the State to fulfill its constitutional duty to protect the environment and the health of its citizens by allocating necessary funds towards mitigating the air pollution caused by burning the fuel first in its own vehicles, then in the private sector. The State-owned RTCs are the largest single purchaser of diesel fuel in Karnataka, making them the largest single mobile source polluter of the air. It is respectfully submitted that the Polluter Pays Principle should be applied to the Respondent State and the State must lead by example, not circumvent meaningful action.
12. It is further submitted that in a *Suo Moto* public interest litigation viz., WP No. 39432/2013, the Bengaluru Metropolitan Transport Corporation (BMTC) submitted that the phased conversion of diesel powered public transport vehicles to CNG



vehicles is taken up seriously and natural gas pipelines are already laid from Dhabol in Maharashtra to Bengaluru and that the Committee would consider all aspects of the matter of replacement of the entire fleet of buses of BMTC in a phased manner and also discuss the financial aspect and make an action plan with the time-lines for the phased conversion and such proposal will be submitted before the court within two months, whereby the Hon'ble High Court of Karnataka vide order dated 01.07.2015 directed the State to implement the directions issued by the Pollution Control Board.

13. Subsequent to the aforesaid decisions, several mandates and directives issued by the Central and State Pollution Control Boards, and other orders passed by various Courts and this Hon'ble Tribunal including *Vardhaman Kaushik Vs. Union of India & Ors.* directing the State that diesel vehicles over 10 years of age must not ply, and in *Vinay Shivanand Naik Vs. State of Karnataka & Ors.*, directing the Respondent State to strictly follow the directions passed by the Principal Bench in O.A. No. 681 of 2018 for the implementation of National Clean and Green Fuel Policy. However, the directions are once again not complied with.
14. It is pertinent to submit that the as per the information obtained through RTI (**Annexures – A3, A4 & A5**), the details of present number of buses being operated by the four transport commissions of the Respondent State are as follows:

Type of Buses	Kalyana Karnataka Road Transport Corporation (KKRTC) (as on 16.12.2024)	North West Karnataka Road Transport Corporation (NWKRTC)	Bangalore Metropolitan Transport Corporation (BMTC) (as on 13.12.2024)	Karnataka State Road Transport Corporation (KSRTC) (as on 21.12.2024)	
BS-I	0	Information Awaited.	0	0	
BS-II	123		0	177	
BS-III	2,327		454	4,778	
BS-IV	1,596		Awaited		2,800
BS-VI	1,014				1,138
CNG / LPG	0		0	0	
Electric Buses	0		1,260	50	
Over 10 years of age	1,602		1,901	3,706	

15. Although the prescribed 30 day period has expired since the submission of RTI request, from the above limited / incomplete information supplied (**Annexure – A6**), it is clear that even after two decades, transition plans and reports / strategies only remain on paper and there is not a single CNG nor a single retrofitted bus operating in the Respondent State’s fleet which in turn establishes that the Respondent State is yet to adopt / implement the specific actions / directions as repeatedly laid by the Hon’ble Courts. In addition to the same, the Respondent State is continuing to renew registration of BS-IV and non-BS-IV commercial diesel vehicles over 10 years of age despite the Registered Vehicle Scrapping Policy, 2022 which formulates the scrapping of diesel vehicles beyond 10 years of age or 10 Lakh Kms, framed in terms of Section 65 of the Motor Vehicles Act, 1988.
16. In light of the abovesaid facts and circumstances, it is submitted that the Respondents’ persistent inaction in implementing court orders, policies, and guidelines has significantly delayed the removal of non-compliant public transport vehicles, which were scheduled to be replaced with new buses featuring lower emissions years ago. This failure to enforce diesel mandates and the consequential regulations has not only undermined efforts to improve air quality but has also set a precedent of indifference, leading to similar non-compliance in the private sector. Resultantly, the Respondents' inaction has been continuing to worsen the already critical air pollution levels, posing severe health risks to the citizens of Karnataka by undermining the constitutional duty to ensure a clean and safe environment. A copy of the news article titled “Toxic air is claiming more lives each year” published in BangaloreMirror is enclosed herewith as **Annexure – 7**.

Under these facts and circumstances, it is prayed that this Hon’ble Tribunal may be pleased to take on record this Common Rejoinder and allow the Original Application No. 87 of 2024 as prayed for and/or pass such other order/orders as this Hon’ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.



COUNSEL FOR THE APPLICANT



APPLICANT

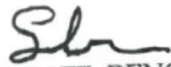
VERIFICATION

I, CS Krishnan, Son of Mr. Srinivasan, aged about 50 years and residing at F-205, Nandi Woods Apartments, Yelahalli, Bengaluru – 560 076, the Applicant in the above original application, do hereby verify and confirm that the contents of the above Rejoinder are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.



Solemnly affirmed at Bengaluru on this the 13th day of January, 2025 and signed his name in my presence.

BEFORE ME


ADVOCATE, BENGALURU
Sathies Kumar
D/3495/2014

MULTI STATE COLLABORATIVE LEGAL
204, Second Floor, 134, M.B. Centre,
Infantry Road, BANGALORE - 560 001.
Ph : 74111 53334, 88600 63400, 80732 11311



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												RS. CRORE	
S.NO.	STATE/UT	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24 (P)	6M 2024-25(P)	
1	Andaman & Nicobar islands	-	-	-	50.9	92.5	93.9	73.6	80.3	63.2	55.3	29.0	
2	Andhra Pradesh	8,777.1	7,806.4	8,908.4	9,693.4	10,784.2	10,167.6	11,013.5	14,724.2	16,428.6	16,688.0	7,973.6	
3	Arunachal Pradesh	56.5	54.3	61.9	66.6	48.9	26.4	104.2	135.9	158.1	176.7	96.1	
4	Assam	2,267.8	2,162.9	2,570.6	3,108.2	3,878.9	3,641.0	3,747.1	3,901.2	5,073.1	5,669.5	2,979.6	
5	Bihar	2,884.6	3,638.3	4,500.7	5,446.8	6,584.2	6,238.1	5,854.1	6,866.9	9,848.4	9,359.9	4,183.5	
6	Chandigarh	84.2	75.4	54.2	53.6	61.8	60.1	60.1	86.8	99.4	97.2	49.2	

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Petroleum Planning & Analysis Cell

Table Posted: (20-11-2024)

Period : From 2014-15 to H1/6M 2024-25

State wise collection of Sales Tax/ VAT on POL products

Rs. Crore

S.No.	State/UT	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24 (P)	6M 2024-25(P)
1	Andaman & Nicobar islands	-	-	-	50.9	92.5	93.9	73.6	80.3	63.2	55.3	29.0
2	Andhra Pradesh	8,777	7,806	8,908	9,693.4	10,784.2	10,167.6	11,013.5	14,724.2	16,428.6	16,688.0	7,973.6
3	Arunachal Pradesh	56	54	62	66.6	48.9	26.4	104.2	135.9	158.1	176.7	96.1
4	Assam	2,268	2,163	2,571	3,108.2	3,878.9	3,641.0	3,747.1	3,901.2	5,073.1	5,669.5	2,979.6
5	Bihar	2,885	3,638	4,501	5,446.8	6,584.2	6,238.1	5,854.1	6,866.9	9,848.4	9,359.9	4,183.5
6	Chandigarh	84	75	54	53.6	61.8	60.1	60.1	86.8	99.4	97.2	49.2
7	Chhattisgarh	2,645	2,617	3,200	3,682.3	3,986.4	3,876.9	4,107.1	5,178.1	6,163.9	6,383.1	2,953.3
8	Dadra & Nagar Haveli and Daman & Diu	149	152	156	41.5	1.8	1.8	1.3	1.7	0.5	0.6	0.4
9	Delhi	2,798	3,158	3,589	3,944.0	4,378.7	3,832.8	2,652.6	3,658.7	4,398.1	4,002.1	2,289.8
10	Goa	478	534	650	657.4	694.4	753.6	681.5	993.6	1,278.1	1,182.7	617.2
11	Gujarat	15,879	14,701	15,958	15,592.9	16,228.6	15,337.1	15,140.8	20,697.0	24,631.2	23,604.9	12,444.8
12	Haryana	5,112	5,976	7,000	7,646.9	8,285.6	7,648.1	7,923.1	10,066.7	10,029.6	9,922.0	5,188.6
13	Himachal Pradesh	234	263	317	343.8	363.8	440.4	882.5	1,313.1	1,222.4	1,529.6	831.8
14	Jammu & Kashmir	951	1,004	1,110	1,328.8	1,449.4	1,459.0	1,443.5	1,858.9	1,542.6	1,621.4	862.7
15	Jharkhand	2,076	2,476	2,967	3,223.7	2,795.9	3,296.5	3,619.4	4,392.2	5,532.5	5,876.2	2,561.0
16	Karnataka	8,668	8,652	11,103	13,306.2	14,417.1	15,380.9	15,476.2	18,310.2	18,458.7	20,030.0	10,956.6
17	Kerala	5,378	6,121	6,899	7,299.7	7,994.8	8,074.2	6,923.8	9,264.8	11,827.4	12,240.5	5,223.6
18	Ladakh	-	-	-	-	-	14.2	49.4	81.4	67.7	77.3	45.9
19	Lakshadweep	-	-	-	-	-	-	-	-	3.3	19.1	8.4
20	Madhya Pradesh	6,832	7,631	9,160	9,379.6	9,485.0	10,719.5	11,907.8	14,157.2	15,573.2	15,038.4	6,991.3
21	Maharashtra	19,795	19,417	23,160	25,255.7	27,190.8	26,791.0	25,430.1	34,002.4	37,619.0	36,359.3	18,249.6
22	Manipur	116	114	117	161.8	180.8	192.3	264.6	318.6	330.7	263.6	134.7
23	Meghalaya	2	1	1	0.5	-	-	-	-	-	-	-
24	Mizoram	58	53	48	55.1	88.1	90.8	84.4	119.7	86.8	96.9	56.9
25	Nagaland	83	80	78	86.2	97.1	115.6	148.4	179.8	168.5	173.0	89.8
26	Odisha	2,865	3,027	4,283	6,870.2	5,659.8	5,495.0	6,224.2	7,655.5	9,328.3	9,761.5	4,374.4
27	Puducherry	22	18	22	14.5	8.3	4.9	9.7	10.6	8.5	0.7	0.1
28	Punjab	4,179	4,907	5,833	6,061.8	6,575.7	5,547.8	6,291.4	7,889.7	6,900.0	7,834.4	4,100.0
29	Rajasthan	8,373	9,211	10,591	12,094.2	12,714.3	13,319.1	15,118.6	17,401.4	18,573.7	19,235.7	9,288.6
30	Sikkim	74	98	105	110.0	133.9	129.1	110.5	155.4	179.4	186.1	93.1
31	Tamil nadu	12,316	11,004	12,563	15,507.2	18,142.6	18,174.9	17,063.2	20,586.2	24,309.2	24,470.8	12,045.9
32	Telangana	4,527	6,391	7,552	8,776.3	10,036.8	10,045.4	8,690.8	13,170.9	14,928.9	15,159.5	7,800.2
33	Tripura	180	197	168	205.4	276.6	384.0	444.6	473.9	624.5	578.4	214.0

34	Uttar Pradesh	12,579	14,175	15,850	17,419.6	19,167.5	20,111.7	21,955.8	26,333.2	28,170.2	30,411.4	14,089.0
35	Uttarakhand	1,157	1,221	1,414	1,322.7	1,595.2	1,494.6	1,523.8	1,846.5	2,072.7	2,390.2	1,124.6
36	West bengal	5,563	5,869	6,427	7,042.5	7,865.5	7,534.4	7,915.7	10,335.4	12,385.9	12,220.5	5,640.8
	TOTAL	137157	142807	166414	1,85,849.8	2,01,264.8	2,00,492.7	2,02,937.1	2,56,248.0	2,88,086.1	2,92,716.4	1,43,588.0

Source - oil & gas companies

Note:-1) In case of Meghalaya, the sales to Retail outlets are made thru inter- state CST basis hence the dealers are collecting the state taxes and depositing with the state Government. The OMCs are not realising the taxes directly.

2) As the amounts have been rounded off to the nearest crore, hence some amounts are zero.

Printed from

BangaloreMirror

It is unfair treatment

/ Jun 2, 2024, 06.00 AM IST



Highlights

Bengaluru has used only tiny fraction of National Clean Air Program funds and the result is: Particulate matter in city's air on the rise since 2020

Traffic snarls and high emission levels play havoc with city's air

In January 2019, the Ministry of Environment, Forest and Climate Change (MoEF&CC) launched the National Clean Air Program (NCAP). The idea was to improve air quality by reducing particulate matter (PM10 and PM2.5) concentration in cities by 20 to 30%, taking 2017 as the base year.

In 2022, this target was revised to a 40% reduction in PM concentration.

However, the air quality data from the Karnataka State Pollution Control Board (KSPCB) shows that PM10 and PM2.5 levels in Bengaluru have been on the rise since 2020.

For instance, the Continuous Ambient Air Quality Monitoring Stations (CAAQMs) at Nisarga Bhavan in Saneguruvanahalli recorded the monthly average concentration of PM10 at 51.7 in April 2020; it has gone up to 57.4 in April this year. The concentrations of PM10 and PM2.5 at Hebbal have also gone up by 31 and 7 points respectively.

The rest of the stations have also recorded a surge in the concentration with the highest increase in Jayanagar. PM10 level in Jayanagar in April 2020 was recorded at 42, which has now reached 100.1. Similarly, PM2.5 concentration was 24 in 2019 and it has now touched 40. "Particulate matter concentrations in the city are about to touch pre-pandemic levels. This goes to show that the National Clean Air Program has been a failure in Bengaluru," said an air quality expert.

Funds unused

Experts say this was inevitable especially when Bengaluru has used only a tiny fraction of the NCAP funds

disbursed by the Centre. As per the Central government's PRANA website, between 2019 and 2023, the Union government disbursed Rs 541.1 crore to Bengaluru, but only 1.01% of this amount - Rs 5.47 crore - has been utilised so far. In 2023-24, Bengaluru received zero amounts under the program.

What is most polluting?

Air quality experts say traffic snarls and emission levels are very high in Bengaluru; leading to high levels of particulate matter. Moreover, a sizable portion of PM10 emission is from the construction industry and re-suspended road dust particles. "As per the outcomes of our study, the transportation sector in Bengaluru is still responsible for 63% of PM2.5 emissions and 50% of PM10 emissions. Until we take measures such as phasing out diesel-based vehicles and addressing emissions from heavy freight transport, levels of particulate matter in the environment will remain high. Strengthening public transport system is one way to bring down PM emissions," said Dr R Subramanian, sector head, of Air Quality, Centre for Study of Science, Technology, and Policy (CSTEP).

The April 2024 AQI report by KSPCB also shows that the daily average values of PM2.5 and PM10 exceeded NAAQS standards on multiple days across the majority of the stations.

Dr Subramanian cautions that the daily average concentration of particulate matter should not exceed the permissible levels too often. "US EPA states that the daily average levels of particulate matter should not exceed the permissible levels more than two to three times in a year. If it happens multiple times in a month, it is concerning," he added.

Experts say traffic management and improvement in existing road infrastructure should be taken up on a priority basis. Unpaved roads, poorly managed traffic, unscientific speed humps, and unregulated construction industry are some of the reasons behind the high PM concentration in the city's air.

Until we reform the transportation sector by taking measures such as phasing out diesel-based vehicles and addressing emissions from heavy freight transport, levels of particulate matter in the environment will remain high

— R Subramanian, CSTEP

Some experts opine it is probably time for Bengaluru to emulate Delhi and crackdown on emissions from construction industry. A couple of months ago, a new rule was announced for the national capital under which, all construction and demolition sites of over 5,000 sq m would soon have a real-time air quality monitoring device installed at their premises. This was after Delhi's environment department came up with a colour-coded four-stage warning system for C&D sites to bring down dust pollution levels in the city.

The system monitors PM 10 levels at these sites before relaying the data to the Delhi Pollution Control Committee. "If the value is found to be above permissible limits, SMS-based alerts are sent to the construction site for necessary action to be taken," said Dr Subramanian.

**Kalyan Karnataka Road Transport Corporation, Central Office, Kalaburagi
(Mechanical Department)**

NO/NEKT/CO/ME/ M-5/1335/2024-25

Date: 21.12.2024

To,
Sri, Anu Ganesan,
Capital Law Chambers,
No-158, New No.325, 3Rd Floor,
Linghi Chetty Street, Chennai-600001
Tamil Nadu State,
Sir,

Sub: About providing the information requested under RIT Act-2005
Ref: No: YOUR RTI ONLINE APPLICATION DATE: 08.08.2022

<<<<0>>>>

With reference to the above subject cited reference, the information requested under RTI Act-2005 is as mentioned below.

Sl no	Requested information	Information provided
01	Question No. 1 a) Please provide the information on current total number of buses operating in your fleet.	As on 16.12.2024, Total fleet size of KKRTC buses is 5060.
	b) Please provide a detailed breakdown of the total number of pre-BS IV buses (BS-I, BS-II, and BS-III) in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses.	As on 16.12.2024, the breakdown of pre BS-IV buses owned by KKRTC is as below. 1. BS-I,-Nill 2. BS-II,-123 3. BS-III,-2327 KKRTC does not have any leased buses in its Fleet.
02	Question No. 2 a) Please provide the total number of pre-BS IV buses in your fleet, including BS-I, BS-II, and BS-III categories.	As on 16.12.2024 the total number of pre BS-VI fleet is 2450
	b) Please provide a breakdown of the total number of buses in your fleet, including the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses.	As on 16.12.2024, the breakdown of total number of Buses in KKRTC fleet is as below. 1. BS-I,-Nill 2. BS-II,-123 3. BS-III,-2327 4. BS-IV,-1596 5. BS-VI,-1014
03	Question No. 3 a) Please provide the total number of CNG, LPG, and Electric buses currently operating in your fleet. b) Please provide a detailed breakdown of the total number of CNG, LPG, and Electric buses in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses.	KKRTC does not have CNG, LPG, Electric buses and leased buses in fleet.

Thanking You,

Yours Faithfully,


Public Information Officer /
ಸಾಬ್ ಧನಿಕ ಮಾಹಿತಿ ಅಧಿಕಾರಿ
Deputy Chief Mechanical Engineer.
ಯಾರ್ತ್ರಿಕ ಇಲಾಖೆ, ಕಕರನಾ ನಗರ

ಕೇಂದ್ರ ಕಛೇರಿ, ಕಲಬುರಗಿ

**Kalyan Karnataka Road Transport Corporation, Central Office, Kalaburagi
(Mechanical Department)**

NO/NEKT/CO/ME/ M-5/1377/2024-25

Date: 31.12.2024

To,
Sri, Anu Ganesan,
Capital Law Chambers,
No-158, New No.325, 3rd Floor,
Linghi Chetty Street, Chennai-600001.
Tamil Nadu State,

Sir,

Sub: About providing the information requested under RIT Act-2005
Ref: No: YOUR RTI ONLINE APPLICATION DATE: 16.12.2024

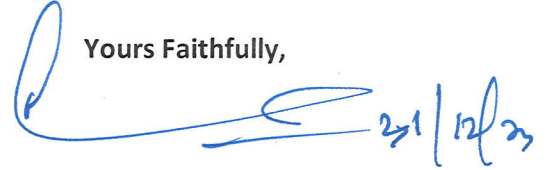
<<<<0>>>>

With reference to the above subject cited reference, the information requested under RTI Act-2005 is as mentioned below.

Sl no	Requested information	Information provided
01	Please provide the total number of buses over 10 years of age in your fleet.	Currently KKRTC has 1602 buses which have covered over 10 Years in its fleet
02	Please separate counts for leased buses, leased route buses operated by Private firms or individuals, and Volvo buses.	KKRTC does not have any leased buses in its fleet.

Thanking You,

Yours Faithfully,



Public Information Officer /
Deputy Chief Mechanical Engineer.
ಯಾಂತ್ರಿಕ ಇಲಾಖೆ, ಕಕರಸಾ ನಿಗಮ
ಕೇಂದ್ರ ಕಛೇರಿ, ಕಲಬುರಗಿ



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Sri Siddaramaiah
Honourable Chief Minister
Government of Karnataka



Government of Karnataka
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Online RTI Status Form

Note : Field marked with * are Mandatory

Registration Number	BMTCC/R/2024/60260
Name	ANU GANESAN
Date of Filing	03/12/2024
Public Authority	Bangalore Metropolitan Transport Corporation (BMTCC)
Status	REQUEST DISPOSED OF as on 13/12/2024
Reply :-	1. a) Total no. of buses operating in BMTCC Diesel buses-5447 & Electric buses on GCC-1260 2. a) Details of BS-1, BS-2, BS-3 buses are as follows. BS1-0, BS2-0 & BS3-454 3.a) Total no. electric buses which are in operating on GCC Model. The details are as follows CNG-0, LPG-0 & EV buses-1260 1(b),2(b) & 3(b) - The details sought pertains to Stat Department. Under RTI Act-2005 Colomn-5(4) transferred to Stat Department
Your RTI application has been forwarded to multiple CPIOs	Click here to view details
Concerned PIO	Ushadevi R AME CO Assistant Mechanical Engineer Email Id:-cme@mybmtc.com Telephone Number:- 08022537519
Nodal Officer Details	
Name	Sri Veerabhadrapa M(Deputy Chief Law Officer)
Telephone Number	08022537402
Email-ID	rticellno@mybmtc.com

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Bengaluru Metropolitan Transport Corporation

Average Age of Vehicles in Years

As on
31-10-2024

Age	Ordinary Vehicles (NON AC)		Volvo Vehicles (AC)		Total	
	No. of Vehs.	% Age	No. of Vehs.	% Age	No. of Vehs.	% Age
0- 1 year	455	9.4	0	0.0	455	8.5
1- 2 year	258	5.3	0	0.0	258	4.8
2-3 year	564	11.6	0	0.0	564	10.6
3-4 year	0	0.0	0	0.0	0	0.0
4-5 year	348	7.2	10	2.1	358	6.7
5-6 year	15	0.3	0	0.0	15	0.3
6-7 year	989	20.4	4	0.8	993	18.6
7-8 year	643	13.2	147	30.4	790	14.8
8-9 year	0	0.0	0	0.0	0	0.0
9-10 year	9	0.2	0	0.0	9	0.2
10-11 year	418	8.6	3	0.6	421	7.9
11-12 year	510	10.5	107	22.1	617	11.5
12-13 year	509	10.5	125	25.8	634	11.9
13-14 year	28	1	0	0	28	0.5
14-15 year	100	2	88	18	188	3.5
> 15 years	13	0.3	0	0.0	13	0.2
Total	4859	100	484	100	5343	100
%ge of Overaged Veh.s	113	2.3	0	0.0	113	2.1
Avg. Age of Vehicles in Years	6.9		10.9		7.3	

AC Vehs. 15 years and above & Non AC Vehs. 14 years and above are considered as overaged Buses

Age of Hired Vehicles are not considered


Assistant Statistical Officer
Bengaluru Metropolitan Transport Corporation
Central Offices, K.H. Road,
Bangalore - 560 027

KARNATAKA STATE ROAD TRANSPORT CORPORATION

Mechanical Engineering Department

No.KST/CO/ME/ 1501 /2024-25

Dated:- 02 .01.2025

Shri Anu ganesan,
Capital law chambers, No.158,
New no 325, 3rd floor, linghi
chetty street, Chennai - 600001
Mobile no:- 994 154 2415

Sir,

Sub:- Furnishing of information under RTI-2005-reg

Ref:- PIO No 755 Dated:- 03.12.2024

With reference to the letter cited above, you have requested this office to furnish the details under RTI-2005. Accordingly the details pertaining to Mechanical Engineering Department are furnished below.

Questions	Answers														
<p>Kindly provide the complete information on the following queries as soon as possible:</p> <p>Question no .1</p> <p>a) Please provide the information on current total number of buses operating in your fleet.</p> <p>b) Please provide a breakdown of the total number of buses in your fleet, including the counts for leased buses, leased route buses operated by private firms or individuals, and volvo buses.</p> <p>Question no. 2</p> <p>a) Please provide the total number of pre-BS IV buses in your fleet, including BS-I, BS-II and BS-III categories</p> <p>b) Please provide a detailed breakdown of the total number of pre- BSIV buses (BS-1, BS-II and BS-III) in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals, and volvo buses.</p> <p>Question no. 3</p> <p>a) Please provide the total number of CNG, LPG and electric buses currently operating in your fleet</p> <p>b) Please provide a detailed breakdown of the total number of CNG, LPG and Electric buses in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals and Volvo buses.</p>	<p>With respect to information requested below are the details</p> <p>Answer no.1</p> <p>a) As of 21.12.2024, the Karnataka State Road Transport Corporation (KSRTC) operates a total of 8,893 buses, in addition 50 hired buses.</p> <p>b) During November 2024, a total of 94 breakdowns occurred, including Volvo & hired electric buses.</p> <p>Answer no.2</p> <p>a) Eurowise total buses operating in KSRTC as on 21.12.2024 are as follows below.</p> <table border="1"> <thead> <tr> <th>EURO</th> <th>Total no of vehicles</th> </tr> </thead> <tbody> <tr> <td>BS-I</td> <td>-</td> </tr> <tr> <td>BS-II</td> <td>177</td> </tr> <tr> <td>BS-III</td> <td>4778</td> </tr> <tr> <td>BS-IV</td> <td>2800</td> </tr> <tr> <td>BS-VI</td> <td>1138</td> </tr> <tr> <td>TOTAL</td> <td>8,893</td> </tr> </tbody> </table> <p>b) Euro-wise breakdown details are not available. However, in KSRTC, a total of 94 breakdowns, including Volvo and hired electric buses, occurred during November 2024.</p> <p>Answer no.3</p> <p>a) In KSRTC, 50 hired electric buses are currently in operation. There are no CNG or LPG buses operating in the KSRTC fleet.</p> <p>c) Out of the 50 hired electric buses, a total of 40 breakdowns occurred during November 2024.</p>	EURO	Total no of vehicles	BS-I	-	BS-II	177	BS-III	4778	BS-IV	2800	BS-VI	1138	TOTAL	8,893
EURO	Total no of vehicles														
BS-I	-														
BS-II	177														
BS-III	4778														
BS-IV	2800														
BS-VI	1138														
TOTAL	8,893														

Thanking You,

Yours Faithfully


(Sumalatha. H)PUBLIC INFORMATION OFFICER
Asst Mechanical Engineer, KSRTC

Copy to: Public information Officer, KSRTC, Central Office, Bangalore, for information and necessary action.

KARNATAKA STATE ROAD TRANSPORT CORPORATION

Mechanical Engineering Department

No.KST/CO/ME/ 1500 /2024-25

Dated:- 02 .01.2025

Shri Anu ganesan,
Capital law chambers, No.158,
New no 325, 3rd floor, linghi
chetty street, Chennai - 600001
Mobile no:- 994 154 2415

Sir,

Sub:- Furnishing of information under RTI-2005-reg

Ref:- PIO No 784 Dated:- 16.12.2024

With reference to the letter cited above, you have requested this office to furnish the details under RTI-2005. Accordingly the details pertaining to Mechanical Engineering Department are furnished below.

Questions	Answers
Kindly provide the complete information on the following query as soon as possible: Please provide the total number of buses over 10 years of age in your fleet. Please separate counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses.	With respect to information requested, In KSRTC, as on November 2024, a total of 3,706 buses including Volvo have covered the age of 10 years and are in operation. Additionally, KSRTC currently operates 50 hired electric buses, all of which are less than 10 years old.

Thanking You,

Yours Faithfully



(Sumalatha. H)

PUBLIC INFORMATION OFFICER

Asst Mechanical Engineer, KSRTC

Copy to: Public information Officer, KSRTC, Central Office, Bangalore, for information and necessary action.



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Sri Siddaramaiah
Honourable Chief Minister
Government of Karnataka



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Online RTI Status Form

Note : Field marked with * are Mandatory

Registration Number	NWKUT/R/2024/60004
Name	ANU GANESAN
Date of Filing	03/12/2024
Public Authority	North West Karnataka Road Transport Corporation, Hubballi-Dharwad City Division(NWKRTC)
Status	REQUEST FORWARDED TO PIO as on 08/01/2025
Details of PIO :-	Name:-PRAVEEN IDUR(DME) Telephone Number:- 0836123456, Email Id:- dmehdcitydivnhbl@gmail.com Note :- You are advised to contact the above mentioned officer for further details.
Concerned PIO	PRAVEEN IDUR DME Email Id:-dmehdcitydivnhbl@gmail.com Telephone Number:- 0836123456
Nodal Officer Details	
Name	Guruprasad Hogadi(Assistant Administrative Officer)
Telephone Number	9606030545
Email-ID	aaonwkrtdctd@gmail.com

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Online RTI Request Form Details

Public Authority Details :-

* Public Authority	North West Karnataka Road Transport Corporation, Hubballi-Dharwad City Division(NWKRTC)
---------------------------	---


Personal Details of RTI Applicant:-

Registration Number	NWKUT/R/2024/60004
Date of Filing	03/12/2024
* Name	ANU GANESAN
Gender	Female
* Address	CAPITAL LAW CHAMBERS , NO. 158, NEW NO. 325, 3RD FLOOR, LINGHI CHETTY STREET, CHENNAI
Pincode	600001
Country	India
State	Tamilnadu
Location	Urban
Educational Status	Literate
Phone Number	Details not provided
Mobile Number	+91-9941542415
Email-ID	advocateanuganesan[at]gmail[dot]com

Request Details :-

Amount Paid	10 (Transaction ID : NWKUTR20240000000008)
Citizenship	Indian
* Is the Applicant Below Poverty Line ?	No

((Description of Information sought (upto 500 characters))

* Description of Information Sought	Kindly provide the complete information on the following queries as soon as possible: Question No. 1 a) Please provide the information on current total number of buses operating in your fleet. b) Please provide a breakdown of the total number of buses in your fleet, including the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses. Question No. 2 a) Please provide the total number of pre-BS IV buses in your fleet, including BS-I, BS-II, and BS-III categories. b) Please provide a detailed breakdown of the total number of pre-BS IV buses (BS-I, BS-II, and BS-III) in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses. Question No. 3 a) Please provide the total number of CNG, LPG, and Electric buses currently operating in your fleet. b) Please provide a detailed breakdown of the total number of CNG, LPG, and Electric buses in your fleet, specifying the counts for leased buses, leased route buses operated by private firms or individuals, and Volvo buses.
* Concerned PIO	PRAVEEN IDUR
Supporting document ((only pdf upto 1 MB))	

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Toxic air is claiming more lives each year

/ Dec 13, 2024, 06.00 AM IST



'Based on WHO guidelines, a total of 16.6 million deaths were attributable to PM2.5, amounting to 24.9% of total mortality'

Study reveals rise in mortality rates in Karnataka due to PM2.5 exposure, with millions of deaths in India since 2009, inadequate air quality standards

A new study shows a surge in the annual mortality rate in the majority of the districts in Karnataka due to PM2.5 (fine particulate matter in air) exposure. Researchers at Karolinska Institutet in Sweden noted that the annual mortality rate in most of the districts in Karnataka in 2019 has gone up compared with the yearly mortality rate in 2009 due to PM2.5 exposure. They highlight that a 10 $\mu\text{g}/\text{m}^3$ increase in annual PM2.5 concentration is associated with an 8.6% higher annual mortality.

The study included 655 Indian districts and found out that millions have died in India since 2009 due to long-term exposure to PM2.5. Based on the Indian National Ambient Air Quality Standards (NAAQS), a total of 3.8 million deaths between 2009 and 2019 were attributable to PM2.5, amounting to 5%. Based on the World Health Organisation (WHO) guidelines, a total of 16.6 million deaths were attributable to PM2.5, amounting to 24.9% of total mortality.

Views on current air pollution guidelines

The study also underscores that the current air pollution guidelines in India are insufficient to protect health. WHO revised the air quality guidelines for PM2.5 concentrations in 2021 based on mounting evidence of major health effects even at low exposure concentrations, resulting in stricter recommendations, going from not exceeding 10 $\mu\text{g}/\text{m}^3$ to not exceeding 5 $\mu\text{g}/\text{m}^3$ annual mean PM2.5 concentration. However, current Indian National Ambient Air Quality Standards (NAAQS) are less than or equal to 40 $\mu\text{g}/\text{m}^3$ for annual mean PM2.5 concentration, which is eight times higher than the WHO guidelines.

Need to conduct health analysis

City-based researchers say the current priority is to conduct a health analysis at emission hotspots. "We need to first focus on analysing the health conditions of people living or working around these hotspots. Bengaluru currently has 80 hotspots of PM2.5. However, there is no study to understand the impact of this exposure. For

the time being, an annual average of $40\mu\text{g}/\text{m}^3$ appears to be adequate,” said Professor Gufran Beig, chair at the National Institute of Advanced Studies (NIAS).

Experts say the priority should be to bring down ambient levels to the NAAQS, which can be followed by an interim target - $35\mu\text{g}/\text{m}^3$ or $25\mu\text{g}/\text{m}^3$. “We cannot come down to $5\mu\text{g}/\text{m}^3$ from $40\mu\text{g}/\text{m}^3$ suddenly, as it will not make a practical difference. We need to focus on reducing sources of emissions such as diesel exhaust, waste burning, and household emissions. Despite the considerable progress made under Pradhan Mantri Ujjwala Yojana (PMUY), poor families are still burning wood and other biomass as fuel. Moreover, National Clean Air Programme should also be implemented in villages and towns,” said Dr R Subramanian, sector head for Air Quality, Centre for Study of Science, Technology, and Policy (CSTEP).

The study titled ‘Estimating the effect of annual PM_{2.5} exposure on mortality in India: a difference-in-differences approach’ also states that while the full population of the country lived in areas with PM_{2.5} concentrations exceeding $5\mu\text{g}/\text{m}^3$ annual mean recommended in WHO guidelines, 1.1 billion of 1.4 billion (81.9% of the total population) lived in areas above the Indian NAAQS for annual mean PM_{2.5} not exceeding $40\mu\text{g}/\text{m}^3$.

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

O.A. No. 87 OF 2024

In the matter of:

Krishnan CS

...Applicant

-Vs-

The State of Karnataka,
Through the Department of Transport &
Anr.

...Respondents

**REJOINDER FILED ON BEHALF OF
THE APPLICANT**

ANU GANESAN	(MS 1881/2015)
VIGNESH VENKATACHALAM	(MS 3587/2012)
A.K.ABILASH	(MS 3409/2023)
RAKSHITA.M	(MS 5392/2021)

COUNSEL FOR THE APPLICANT

Mobile: +91 99415 42415

anuganesan@capitallawchambers.in