

**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

MEMO FILED ON BEHALF OF THE APPLICANT

The Applicant respectfully submits as follows:

1. During the course of arguments, it was submitted and clarified on behalf of the Applicant that the grievance in the present Original Application is not that all non-compliant vehicles must necessarily be retrofitted.
2. The Applicant's consistent case, as borne out by the pleadings in the Original Application and I.A. No. 70 of 2025, has been that non-compliant diesel vehicles ought not to continue to ply in their existing condition and that compliance may be achieved either by (i) decommissioning and scrapping such vehicles; or (ii) fitting them with a retrofit that is capable of achieving at least 30% reduction in emissions.

3. Accordingly, the Applicant does not press the prayers in the Original Application insofar as they may be construed as seeking retrofitting as the sole mode of compliance and respectfully seeks that prayers (a) to (d) be read as follows:

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, operated or governed by the Respondent, the State of Karnataka, and its lease route operators in public transport, shall not be permitted to continue in operation in their existing condition and shall, within such time as may be fixed by this Hon'ble Tribunal, either (i) be decommissioned and scrapped in accordance with law, or (ii) be fitted with RTC field-tested, non-engine modifying retrofit devices capable of achieving 30% or more reduction in emissions, with implementation progress being monitored by this Hon'ble Tribunal.

b. Direct the Respondent to provide the number of heavy-duty diesel vehicles over the age of 10 years in addition to the number of pre-BS-IV heavy-duty diesel vehicles that it or any of its subsidiaries owns, operates or leases, as well as the corresponding numbers from all leased route operators for public transport in the State.

c. Under the "Polluter Pays Principle", direct the Respondent, the State of Karnataka, to fully provision and fund the measures required for compliance with prayer (a) hereinabove and further direct the Chief Secretary to Government, State of Karnataka, to file monthly status reports before this Hon'ble Tribunal indicating the progress made in complying with prayer (a), for consideration by this Hon'ble Tribunal and for passing such further orders as may be deemed necessary.

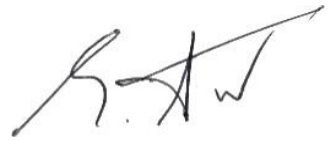
d. Direct the Respondent State of Karnataka to formulate and implement a policy for the private sector extending the requirements of prayer (a) as a condition precedent to the grant or renewal of their operating licence to reduce air

pollution statewide from commercial diesel vehicles, within such period as may be fixed by this Hon'ble Tribunal, with implementation progress being monitored by this Hon'ble Tribunal.

4. It is further submitted that the present Memo does not introduce any new factual foundation or cause of action. It merely clarifies the reliefs already sought, in conformity with the pleadings on record and the submissions advanced before this Hon'ble Tribunal.

It is therefore prayed that this Hon'ble Tribunal may be pleased to take on record this Memo in Original Application No. 87 of 2024 and pass such or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 14th day of July, 2026.



COUNSEL FOR THE APPLICANT

**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

MEMO FILED BY THE APPLICANT

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

COUNSEL FOR THE APPLICANT

Mobile: +91 99415 42415
anuganesan@capitallawchambers.in