

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE BENCH, 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:

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

...Applicant(s)

Versus

The Chief Secretary,  
Government of Kerala, Kerala and Ors.

...Respondent(s)

Lawyers Environmental Awareness Forum (LEAF)

...Applicant(s)

Versus

State of Kerala and Ors.

...Respondent(s)

Lawyers Environmental Awareness Forum (LEAF)

...Applicant(s)

Versus

State of Kerala and Ors.

...Respondent(s)

**REPORT FILED ON BEHALF OF 3<sup>RD</sup> RESPONDENT/PRINCIPAL  
SECRETARY, TRANSPORT DEPARTMENT**

**M/s. E.K.KUMARESAN**

Counsel for R1, R3 & R4

Standing Counsel for State Government of Kerala

NGT(SZ) Chennai Bench

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**SECRETARY, TRANSPORT DEPARTMENT**

It is submitted that Principal Secretary, Transport Department / 3<sup>rd</sup> Respondent herein has filed a report in the above Original Application as per the direction of this Hon'ble National Green Tribunal dated 09.03.2021.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said Report filed by the Principal Secretary, Transport Department / 3<sup>rd</sup> Respondent on Record and thus render justice.

Dated at Chennai on this the 17<sup>th</sup> day of June 2021.



(E.K.Kumaresan)

Counsel for R1, R3 & R4

Standing Counsel for

State Government of Kerala

NGT(SZ) Chennai Bench

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TRIBUNAL (SOUTHERN ZONE)  
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3<sup>RD</sup> RESPONDENT/PRINCIPAL  
SECRETARY, TRANSPORT  
DEPARTMENT**

**M/s. E.K.KUMARESAN**

Standing counsel for Kerala (SZ)  
Counsel for R1, R3 & R4



**GOVERNMENT OF KERALA**

Transport (B) Department

No.B2/01/2021-Trans.

15/04/2021, Thiruvananthapuram

From

Principal Secretary to Government

To

Advocate General, Kerala  
Ernakulam.

Sir,

Sub: Transport Department-Filing of report before the Hon'ble National Green Tribunal (SZ) in O.A No. 260 of 2017 & connected cases relating to vehicular pollution-reg.

Ref: Orders dated 09.03.2021 in O.A No.260 of 2017, O.A No.259 of 2017 & O.A No.76 of 2017 of the Hon'ble National Green Tribunal (SZ)

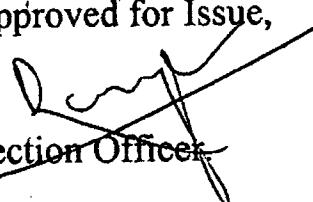
I am to invite your attention to the reference cited and forward herewith the statement on behalf of Government (Transport Department) for filing before the Hon'ble National Green Tribunal (SZ), as the case is next posted on 14.07.2021.

Yours Faithfully,  
**BINDU.R.**

**UNDER SECRETARY**

For Principal Secretary to Government.

Approved for Issue,

  
~~Section Officer~~

**Report on behalf of the Respondent (Principal Secretary, Transport Department) in OA No.76/2017 and related cases before the Hon'ble National Green Tribunal, South Zone, Chennai**

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:-

The short term steps suggested for improving Air quality and the steps taken are summarized as follows:-

1. **Launching extensive awareness drive against polluting vehicles.**

The Regional Transport Officers have given instructions to launch a one month drive from April 15 to May 15 on creating awareness on the subject through various programs in association with stake holders and also the Second week of every month for awareness building.

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. Operation Green Awareness is planned from April 15 - 30<sup>th</sup>, 2021.

2. **Ensuring strict action against visibly polluting vehicles**

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. 6488 vehicles were checked so far and e-chellan issued. A total amount of Rs.1,16,88,979/- (One Crore Sixteen

Lakhs Eighty eight Thousand Nine Hundred and seventy nine only) has been collected towards fine against visibly polluting vehicles during the period from 01/04/2020 to 31/03/2021. 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 PUC module was implemented from 01/11/2020. A total number of 27,44,987 PUC's were issued using this module. While conducting pollution tests, using the computerised testing module. 46,367 cases are recorded as failed.

### 3. Steps to prevent parking of vehicles in non-designated areas:-

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. 10,862 cases were detected and an amount of Rs.29,39,600/- was collected towards fine for the period from 01/04/2020 to 31/03/2021. 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.

#### Long term Steps

##### 1. Retrofitting of diesel vehicles with particulate filters:-

The retro fitment kits of particulate filters of approved standards are currently not available in the State. We hope that it can be insisted after ensuring its availability in the State.

##### 2. Promoting Battery Operated Vehicles.

As per the e-vehicle policy, 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.

As part of electric vehicles policy, 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. A total number of 258 applications were received for e-subsidy. Out of the said 258 applications payment for 82 cases amounts to Rs.24,60,000/- were effected. The payment for remaining cases will be met with in the current years budget provision. Charging stations are established at 32 centres in major cities with the help of Kerala State Electricity Board. An amount of Rs. 5 Crores has been given to Kerala State Electricity Board for the installation of the charging Stations.

### 3. Banning of Old Diesel Vehicles

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 1<sup>st</sup> January, 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.59/2020/Trans dated, 05/11/2020 and published as S.R.O No.779/2020 in the Kerala Gazette Extra Ordinary No.2652 dated, 05/11/2020.

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.

4. Prepare an action plan for public transport on CNG mode

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 IOC is trying to introduce CNG/LNG/electric buses. Private vehicles are also being converted to CNG.

Tax rate on CNG / LNG has been reduced to 5% from 14.5%.

We are promoting cleaner fuel ,ie Hydrogen through a pilot programme with fuel cell vehicles.