

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH  
Circuit Bench at Kochi**

**Application No.137 of 2016 (SZ)**

In the matter of :\_

Lawyers Environmental Awareness Vs. State of Kerala rep. by its Chief  
Forum,rep.by its Secretary Secretary,Thiruvananthapuram and ors.  
Smt. Keerthi Solomon

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR.BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present : Applicant : M/s.Peter T.Thomas, Jacob Abraham & John Numbeli

Date and Remarks	Orders of the Tribunal
Item No. 3 May 23, 2016.	<p>Date:23<sup>rd</sup> May, 2016</p> <p>Heard the learned counsel appearing for the applicant. Admit. Learned counsel appearing for the respondents 1 to 4 accepts notice and prays time for filing reply. Let the copy of application be furnished to the learned counsel appearing for the respondents during the course of the day. Reply shall be filed by the respondents within two weeks, after serving copy to the learned counsel appearing for the other side, who shall be entitled to file reply, within two weeks thereafter. Issue notice to the respondents 5 and 6.</p> <p>In the meanwhile, the State of Kerala shall not register any diesel vehicle with the capacity of 2000 CC and above, except Public Transport and Local Authority Vehicle. Further, we direct that all the diesel vehicles, whether light or heavy, which are more than ten years old, shall not be permitted to ply on the road in the major Cities like Thiruvananthapuram, Kollam, Kochi, Thrissur, Calicut and</p>

Kannur. Upon expiry of 30 days from today, if any vehicle is found to be violating this direction, then it would be liable to pay Rs.5,000/- per violation, as Environmental Compensation. This would be collected by the Traffic Police and/or the Pollution Control Board. The State Pollution Control Board shall maintain a separate account in this behalf. The fund so collected shall be spent only for betterment of environment in these cities, subject to orders of the Tribunal.

In this regard, we may also refer to the orders passed by the Larger Bench of the Principal Bench in the case of VARDHMAN KAUSHIK Vs. UNION OF INDIA and the order of the Supreme Court in the case of M.C. MEHTA Vs. UNION OF INDIA.

The State Government shall inform the Tribunal as to the availability of CNG gas for running of vehicles in the entire State.

Post the application on 29<sup>th</sup> July, 2016.

....., CP  
(Swatanter Kumar)

.....,EM  
(B.S.Sajwan)