BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. $101(T_{HC})$ of 2012

Daya Ram Sihare & Ors. Vs. Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER

HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Applicant: None appeared.

Respondent No. 1: Ms. Panchajanya Batra Singh Advocate,

Mr. S. Khan, Advocates

Respondent Nos. 2,3,5to7: Mr. C.D. Singh, Advocate and Ms. Shreya

_	Dubey, Advocate Mr. British Shripestone Adv
Date and Remarks	Mr. Rajul Shrivastava, Adv. Orders of the Tribunal
Item No. 6	Nobody is present on behalf of the Applicant and in
July 7, 2014	fact none has been appearing despite Notice for quite some time.
	The Learned Counsel appearing for the State of
	Madhy <mark>a Pradesh submits tha</mark> t upon physical inspection
11	and continuous checking, it has come to the knowledge
	that it is not mixing of Kerosene with petrol that is
	resulting in air pollution, but it is the condition of the
	engines which is causing serious pollution hazard. He
	further states that in furtherance to the Orders passed by
V 11/2	the Tribunal the State Government had taken various
	measures including cancellation of the registration given
	to the Vikram Tempos whose emissions were found to be
	in excess of the parameters. He further states that
-3	efforts are being made to ensure that these vehicles do
	not ply on the roads in the City of Gwalior, State of
	Madhya Pradesh.
	Learned Counsel appearing for the State of Madhya
	Pradesh Pollution Control Board also supports the
	contention made on behalf of the State.
	In view of the statement made, we dispose of this
	Application with the following directions:
	1. It will be ensured by the State Government as well
	as the Pollution Control Board that no Vikram
	Tempos which are causing air pollution are
	permitted to ply on the roads. There should be

continuous check on all such vehicles.

- 2. In respect of all the 120 Vikram Tempos whose registration has been cancelled by the Authorities, it shall be ensured by the State and all its Departments including the Police that these vehicles do not ply on the roads. If found plying, these vehicles should be seized in accordance with law.
- 3. Further, drive shall be carried out by the State to ensure that Vikram Tempos whose emission parameters are excessive, do not ply on the roads and their registration should be cancelled in accordance with law.
- 4. The State Government and the Pollution Control Board shall also ensure that no other vehicles, whose emissions are causing air pollution, are also taken off the road.

The Learned Counsel appearing for the Respondents submit that they would take similar steps in relation to other cities of State of Madhya Pradesh and shall not allow use of such vehicles in the entire State.

Thus, the Application is disposed of with the above Order leaving the parties to bear their own costs.

(Swatanter Kumar)
,,JM (M.S. Nambiar)
,EM (Dr. D.K. Agrawal)
,EM (Prof. A.R. Yousuf)
,EM