

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 237 (T_{HC}) of 2013
(M.A. Nos. 389/ 2014,151/2015, 423/2015, 425/2015, 498/2015 & 583/2015)
And
Original Application No. 492 of 2014**

IN THE MATTER OF:-

**Court on its own Motion Vs. State of Himachal Pradesh & Ors.
And
Abhimanyu Rathor Vs. State of H.P. & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER**

Present: **Applicant in M.A. No. 583/2015: Ms. Vibha Datt Makhija, Sr. Adv., Mr. Rajesh Gupta and Mr. Harpreet Singh, Adv.**
 Respondent Nos. 1,3to5: Mr. Suryanaraya Singh, Addl. AG for State of HP
 Respondent No. 2 : Mr. D.K. Thakur, Adv. For HPPCB
 Respondent No. 7: Ms. Panchajanya Batra Singh, Adv. for MoEF
 Mr. Amit Vaid, Adv.
 Mr. Ajit Pudussery, Adv. for Gail Gas Ltd.
 Mr. Rajesh Gupta and Mr. Harpreet Singh, Adv.
 Mr. A.D.N. Rao and Mr. Sudipto Sircar, Adv.
 and Mr. A.S. Rao, Law Officer

| Date and Remarks | Orders of the Tribunal |
|--|---|
| Item Nos. 2&3 August 19, 2015 | <p>We have heard the Learned counsel appearing for the parties. It is stated on behalf of the State of Himachal Pradesh that the State is making every effort to implement the directions passed by the Tribunal particularly in relation to the plying of CNG buses from Vashishtha to Rohtang Pass.</p> <p>Learned counsel further states that he has specific instruction from the Authority to say that they would place the order and ensure that there is no vehicular pollution in the eco-sensitive area of Rohtang Pass. He further prays that DMRC be permitted to loan vehicles so that they can place the entire system in furtherance to the directions of the Tribunal in place before the coming next year tourist season.</p> |

We are happy to note that Learned counsel appearing for the DMRC says though they have shortage of buses already but for trial basis they can provide two buses to the State of Himachal Pradesh on loan on charges, which is in any case very nominal, Rs. 70000 per vehicle for 7 days which is practically Rs. 10000 per day per vehicle and for a month of trial it will be 3 lakhs not 40 lakhs which is projected by the State of Himachal Pradesh incorrectly.

Learned counsel appearing for DMRC submit that they had taken Rs. 23000 as security of buses, which is refundable and would continue with the same arrangement. The arrangement of gas would be the responsibility of the State of Himachal Pradesh. However, we direct Indraprastha Gas Limited to ensure supply of gas to these two vehicles for a period of one month to the State of Himachal Pradesh at its own costs.

Since two buses are going to ply on regular basis, we direct the State of Himachal Pradesh to proportionately reduce the vehicular traffic to Rohtang Pass in terms of our order dated 05th May, 2015. The extended period lapsed on 14th August, 2015, we permit the period to be extended upto 30th November, 2015. We make it clear that in the coming season, no other vehicle would be permitted to go Rohtang Pass unless specifically directed by the Tribunal.

We direct the Himachal Pradesh Pollution Control Board to participate, cooperate and if necessary even contribute funds for implementation of this Project.

| | | |
|--|--|--|
| | | <p>List these matters on 17th September, 2015 at Shimla.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Dr. D.K. Agrawal)</p> |
|--|--|--|

