

Writ Petition 13029/1885
April 26, 1996

By our order dated 21.10.94 we had taken note of the decision taken by the Ministry of Environment and Forest in regard to the supply of lead free petrol and incidental matters. Thereafter by a subsequent order dated 28.3.95 after dealing with the question regarding the total number of outlets supplying lead free petrol to be set up in the four Metropolitan and surrounding areas, we pursued the suggestion made on 21.10.94 in regard to the conversion of Government Cars belonging to various departments to CNG with a view to reducing pollution. In regard to that suggestion we are told that the Government of India had obtained views of various departments and in all 37 departments had responded. We do not know how many departments did not respond. We were at that time told that there were certain inherent difficulties in converting all Government vehicles to CNG but the details of the problem had not been indicated. As a first step it was thought that government vehicles located in the proximity of existing 5 CNG retail outlets could switch over to CNG. We had also desired to know the details of the problems in regard to the conversion of Government vehicles to CNG. In the submissions made by Mr. Mehta in this connection he had produced Annexure "I" (page 441) which indicated that the question of conversion of Government vehicles was considered by the Ministry and it was felt that since the time needed for conversions is hardly two or three days per car the Government vehicles of the 37 departments which had responded, totaling 1260, could be converted in a phased manner at the rate of 30 cars per month. This schedule has, however, not been adhered to and, therefore, it has become necessary for us to take a serious view of the matter since the Government has not taken steps to keep to that schedule even though the Court had accepted their estimate. From affidavit that has been filed in this connection we find that only 97 cars have been thus far converted (four words omitted) schedule 720 cars should have completed the process of conversion. By our order dated 14.2.96 we referred to the earlier orders and thereafter noted the fact that the initial difficulty of securing the kit no more stares in our face. Our attention was drawn to a letter dated 16.1.96 which gave the indication that the existing cars could be equipped with CNG kit. The difficulty of procuring the kit therefore was totally eliminated. The second difficulty regarding the setting up of a Mother Station for the compressor has also been attended to because the DDA has now provided the and for the Mother Compressor. We were also told today in the course of the hearing that the cost of conversion to the CNG is higher than the cost of equipping the old vehicles with a catalytic converter. It would be for the Government to take a decision whether the cars can be fitted with catalytic converters etc. In the circumstances stated above we direct as follows.

All the concerned Ministries of the Government of India and offices under those Ministries in Delhi will have their old cars fitted with catalytic convertor or with CNG kits latest by the end of August 1996. If cars cannot be fitted with a catalytic convertor or a CNG kit on account of weak compression or for any reason they should be scrapped. Needless to say that the Court had shown indulgence in the matter of fitting the cars with CNG kits and the Government was expected to complete this exercise by the end of

April, 1996 according to their own schedule in relation to 720 cars but instead they have done so for a meager 97 cars. All these 720 cars should have by this date been equipped with CNG kits. Since we were told that catalytic convertor would be more economical, we have left the option with the concerned Ministry. We have also been told that these catalytic convertors are easily available. As regards the other 540 cars out of 1260 which were to be equipped with CNG kits falling within phase 3, we were told that the exercise would be completed by October, 1996. We direct that they either fit them with CNG kits or catalytic convertors by that date and if they cannot be so fitted they should be scrapped. The basic idea is that the Government of India should be a model user of vehicles so that others may follow suit. If the total number of cars used by the Ministries and Offices subordinate there to are more than 1260, the additional cars shall also be subject to the outer limit of October, 1996. We must impress upon the Secretary, Ministry of Surface Transport as well as the Secretary, Ministry of Environment to co-ordinate and ensure that the time schedule is strictly complied with. If there is any delay or breach in the time schedule the concerned secretaries of the two Ministries will be held responsible for the same. The learned ASG appearing on behalf of the Union of India will communicate this order to both the Secretaries or their successors in office to ensure compliance. We will not brook any delay.

Mr. Sorabjee appearing for the Association of India Automobiles Manufacturers says that any assistance needed in this behalf from the manufacturers will be readily available. Let the matter come up immediately after vacation.