

EPCA Status report on status of implementation of the Hon'ble Supreme Court order on environment compensation charge on transit truck in Delhi

October 29, 2015

The Environment Pollution (Prevention and Control) Authority would like to apprise the Hon'ble Court about the status of implementation of its directive on October 9, 2015. This order had directed the following:

Environment compensation charge may be imposed on all light and heavy duty commercial vehicles and the amount so collected ought to be exclusively used for augmenting public transport and improving roads, especially the most vulnerable users, that is, cyclists and pedestrian in Delhi.... It was necessary to impose ECC to equalize the difference in cost of traveling through alternative routes.

ECC ought to be imposed by the Delhi Government at the following rate:

- (i) Category 2 (light duty vehicles etc) and category 3 (2 axle trucks): Rs 700*
- (ii) Category 4 (3 axle trucks) and Category 5 (4 axle trucks and above) – Rs 1300*

Passenger vehicles and ambulance, vehicles carrying essential commodities that are food stuff and oil tankers are exempted.

The charge will be collected by the toll operators without any deduction and handed over to the Delhi government on every Friday.

The toll collectors will put in place Radio Frequency Identification system at their own cost at nine main entry points.

The Government of UP, Haryana and Rajasthan will provide large size bill boards at the exit points towards the alternative highways to inform the commercial traffic of the diversion.

The Government of NCT Delhi will issue advertisements to inform. The Government of NCT Delhi will install its own CCTV cameras at the nine entry points and organise surprise visits. This will be operative for a period of 4 months from November 1.

Status of implementation

EPCA would like to inform the Hon'ble Court that action has begun to gather momentum and the following has been done in compliance with the order:

1. Department of Environment has issued a notification on October 20, 2015 to notify implementation of the Environment Compensation Charge for the period of four months starting November 1, 2015 (see attached copy)

2. EPCA has reviewed the status of preparation to install the billboards to inform traffic of the possible diversions. The concerned state governments of Haryana, Uttar Pradesh and Rajasthan are installing the billboards. EPCA has been in touch with the chief secretaries of the different states.

3. The Delhi government has placed the tender to procure CCTV cameras, which will allow it to monitor traffic as per the Hon'ble Court order.

4. However, EPCA would like to draw the attention of the Hon'ble Court to the fact that the South Delhi Municipal Corporation (SDMC) has forwarded a letter from SMYR Consortium LLP the toll contractor of SDMC objecting to the proposed charge. Their key objection is that their original contract with SDMC does not include the collection of additional levy. They have argued that imposition of Environment Compensation Charge will ultimately reduce the traffic counts which in turn will affect their profits. Also collection of additional levy would require checking of each and every vehicle to ascertain the nature of the good, if it is carrying exempted goods. This will add to the cost, as they will have to provide for additional workforce and infrastructure. They have therefore demanded a rebate in the event of drop in the vehicle count based on mutually acceptable appropriate compensation for the service of charges of the collection of the levy.

EPCA is of view that if the implementation of the Court order is successful there will be drop in truck numbers. This is the intended objective of the initiative to reduce air pollution in the city. In such a situation a mechanism for compensation can be worked out from the additional revenue from Environment Compensation Charge. But that decision should be taken only after the completion of the four-month of the pilot project and review of the results. EPCA intends to conduct a traffic survey to ascertain the numbers and then will resolve the issue of compensation based on this.

Based on the above, it is clear that there is a clear momentum that has been built up to implement this crucial order of the Hon'ble Supreme Court. There should not be any delay in the implementation of the pilot project. Otherwise, Delhi will not be able to address the problem of winter pollution.

EPCA would therefore seek direction that all concerned implementing agencies in the concerned states should adhere to the original schedule of implementation that has been directed by the Hon'ble Court without further delay. As directed by the Hon'ble Supreme Court, problems if any, will be reviewed and suitably addressed as the implementation is done.

