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W.P.No.15120 of 2019 & WMPs

W.P.No.15120 of 2019
and
W.M.P.No.31696 of 2023
W.M.P.No.15112 of 2019
&
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N. SATHISH KUMAR, J.

AND

D. BHARATHA CHAKRAVARTHY, J.

(i) W.M.P.No.31696 of 2023:

Issue relating to Verticul cutting:

With reference to the sanction of funds, on the last hearing we have directed Mr.V.Chandrasekaran, learned Senior Panel Counsel, to get instructions with reference to the funds from the Ministry of Road Transport and Highways.

2. Today, the learned Senior Panel Counsel submitted that a communication is received through e-mail, which reads as under:-

“The subject work is under approval process in this Ministry. After approval, work will likely be commenced by the first week of April, 2025.

CE-RO, Chennai and CE (NH), PWD will take further necessary action in the matter under intimation to Ministry and coordinate with the advocate.

CE (NH), PWD will ensure the safety of traffic on NH



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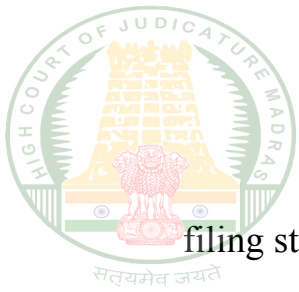
181 and may take remedial actions to mitigate any interruption in safe and smooth movement of traffic on account of any land slide.”

It can be seen that the work is being left incomplete for the present monsoon. Some of the places may get aggravated in the monsoon. Anyhow, immediately after the monsoon is over in the month of February, March, 2025, work has to be undertaken and it cannot be postponed until April 2025, as in the month of June 2025, the south-west monsoon will again set in and this area will again receive sporadic rain fall and it will be difficult to proceed work further.

3. Secondly, leaving the issue of vertical cutting, without tending to the completion work, will result in landslides and there is a grave danger. Therefore, when the respondents state that the same is in the process of approval, let the approval process be expedited, so that the work be commenced in the month of January 2025 and be completed by March 2025 itself.

4. Let the Government Order be produced before the concerned Ministry. The Ministry shall expedite the approval process and commence the work as directed above.

Call this matter on 04.02.2025 ‘for reporting compliance’ and for



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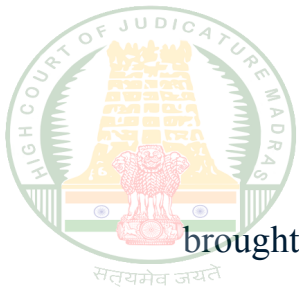
filing status report.

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(ii) **W.M.P.No.8422 of 2024**

e-Pass/Carrying Capacity:

With regard to the issue of e-pass, it is made clear that now the movement of any person entering to the Nilgiris District or Kodaikkanal in Dindigul District is not restricted and the only requirement is that every vehicle which enters should generate an e-pass. A very user friendly e-pass generation portal is already developed and is in place both for Nilgiris and Kodaikkanal. In spite of our directions, status report filed before this court does not seem to reflect the actual data e.g., even during the long holidays of Diwali, it is represented between 31.10.2024 and 03.11.2024, only a total number of 44 buses and 767 cars entered into the Nilgiris District. Similarly between 01.11.2024 and 05.11.2024, it is represented that only 54 buses and 1141 cars entered into Kodaikkanal. The same cannot be correct obviously. The Press reports of the excessive vehicles thronging both hill stations and huge traffic snarl were all widely reported and pictures were published even in the print and electronic media. As a matter of fact, the report itself recognizes that the system of ensuring should be enhanced. It is further



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brought to our notice that when the option is being obtained as to whether the entrants are day trippers or they are going to stay at hill station, in respect of the persons who are going at stay in Nilgiris or Kodaikanal, as the case may be, if they do not have relatives or own place, the commercial lodging house / licensed resort/hotels are being entered into by them manually. When the particulars of licensed lodging houses/resorts/hotels/homestays are with the District Administration, the same shall be uploaded by way of a drop-down menu so that the person who are applying for e-pass can just select it by a click of a button and it would become user-friendly. It would not only be a user friendly, but also would be helpful for the authorities to check out as to whether any incorrect or false information is furnished. Further, the operation of illicit resorts and unlicensed can also be weeded out if only such a facility is brought in in the existing e-pass system.

2. In view thereof, the place of stay with reference to the commercial establishments/resorts can also be uploaded in the website/portal by way of a drop-down menu so that the user can select the place at which he is going to stay at Hills.

3. This apart the place of stay as selected by the user shall also be reflected in the e-pass so that it may be useful for every other authority who is checking the e-pass as well. After the interaction with the District



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Collectors of The Nilgiris and Dindigul, who appeared through online and after hearing the learned amici curiae and the learned Special Government

Pleader (Forest), we are of the view that both the District Collectors shall come out with a detailed plan as to how they are going to ensure that each and every vehicle which enters the Nilgiris as well as Kodaikanal has an e-pass and that it is checked and ensured that the vehicles that do not possess e-pass do not enter the Nilgiris as well as Kodaikanal so that appropriate and accurate data will be furnished to the consultants.

4. The authorities concerned shall check each and every vehicle that enters Nilgiris or Kodaikanal, as the case may be, and if any of vehicles entered the hill station without an e-pass, the authorities concerned shall ensure that such a vehicle gets an e-pass, and after getting an e-pass only such vehicle shall be permitted to proceed further.

5. The progress so far made with reference to the coordination and starting of work by the consultants shall also be updated in writing on the next date of hearing.

6. Let a detailed affidavits / status reports be filed by the respective District Collectors on 02.12.2024.

7. The Tamil Nadu e-Governance Agency, which is technically assisting the District Administration, shall consider the installation of a



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touch-screen system and the integration of payment of green tax as well, along with e-pass, to make it more and more user-friendly and also, at the same time, to avoid any rush or congestion at the entry point to establish touch screen kiosks at several points well before the entry points as well.

Call on 02.12.2024.

(iii) W.M.P.No.15112 of 2019:

Ban on use of PET Bottles:

Call on 02.12.2024.

(N.S.K.,J.) (D.B.C.,J.)
08..11..2024

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