WEB COPY

W.P.No.15120 of 2019 and W.M.P.No.15112 of 2019
W.M.P.No.31696 of 2023 & 8422 of 2024 & 24121 of 2024
AND
W.P.Nos.11049 of 2023, 6315, 6864 & W.P.(MD) No.10348 of 2024
&
W.M.P.Nos.10931, 10932 of 2023, 7023 & 7661 of 2024
&
W.M.P(MD) Nos.9318 and 9321 of 2024

N. SATHISH KUMAR, J.
AND
D. BHARATHA CHAKRAVARTHY, J.

(A) W.P.No.15120 of 2019 & W.M.P.8422 of 2024:

(i) **E-Pass / Carrying Capacity**

Today, a status report by the District Collector, The Nilgiris District, is filed.

2. Mr.P.S.Raman, the learned Advocate General would submit that steps are being taken in the right direction and it will be completed within a short time.

3. Upon a perusal of the status report filed, it is stated that the place of stay with reference to the particulars in the e-pass viz., serviced apartments, rented rooms, other than hotel, rented home stay, own house, relative's house or friend's house have been brought in the field and with reference to the apartments, rented rooms, etc., a list has been forwarded and steps are being taken to integrate the same by way of dropdown menu.

https://www.mhc.tn.gov.in/judis

WEB COPY

4. By this it is made clear that the entire place of stay of the persons who are visiting the Nilgiris will be made known by which it can also be further brought to the light as to whether there are any unlicensed or illegal home stays or other guest houses operating also.

5. As far as ensuring of the process that all the vehicles that enter the hill stations – The Nilgiris District as well as the Kodaikanal in Dindigul District only after obtaining e-passes is concerned, it is stated in the status report that a number of staff members involved in the exercise has been reviewed and steps are now being taken to ensure that checks are being made.

6. As far as installation of Automatic Number Plate Recognition (ANPR) Cameras is concerned, it is stated that the same is under process and will be installed and put in operation in due course.

7. A similar statement is also made with reference to the integration of payment of Green Tax along with the e-pass and it is stated that the matter is now pending with the Tamil Nadu e-Governance Agency (TNeGA) for integration and also for installation of touch screen systems at the respective check-posts and installation of kiosks well before the entry points to the hill stations.

8. On a query being made by this court, the learned Advocate General

https://www.mhc.tn.gov.in/judis

WEB COPY

answered that the Government may need another three months' time to complete the process.

9. The learned Advocate General would further submit that permission to install the boom barriers has been given by the Ministry of Road Transport and Highways (MoRTH) by their letter dated 18.11.2024. The entire work of installation of boom barriers, Automatic Number Plate Recognition (ANPR) Cameras, Integration of Green Tax with the e-pass coupled with installation e-kiosks will all happen within a short time and in any event the same will be completed within a period of three months from today.

10. The Government shall also do well to complete the same, because next season will also start by March, 2025 and if only this is made ready before March, 2025, at least, the data will be reliable, authentic and complete.

11. The completion of this part will benefit the authorities in a number of ways, including through increased Green Tax collection, assisting other agencies in tracking tourists, keeping illegal resort operations under control, and aiding in the investigation of crimes.

12. The installation of kiosks will also make the entire process seamless and user-friendly. Therefore, every care must be taken to complete

https://www.mhc.tn.gov.in/judis

WEB COPY

all the above, before end of February, 2025.

13. Let a compliance report / report be filed before this court on the next date of hearing.

14. It is also to be noted that the permission given by the MoRTH is with reference to the National Highways only that would govern the entry and exit at Kallar and Kakkanalla. As far as Kothagiri Road is concerned, as the same is State Highway, no permission from MoRTH is necessary and State Government shall install boom barriers on their own.

15. We make it clear that boom barriers must be installed on all entry and exit points to the hill stations in The Nilgiris and Dindigul District so that the vehicle can be thoroughly checked, without any exception whatsoever and that data collected would be reliable and authentic.

16. We further make it clear that as far as installation of Automatic Number Plate Recognition (ANPR) Cameras is concerned, it stated that it is under process with reference to Kallar,Kunjapanai, Nadugani and Kakkanalla (where the scanning has been shifted to Masinagudi and Thorapalli) check-posts. It is made clear that when the exercise is being done, it should be extended to all the entry points and check-posts, without any exception whatsoever.

17. It is also submitted by the learned Advocate General that a meeting

https://www.mhc.tn.gov.in/judis

WEB COPY

will also be convened in this regard facilitating the *Amici Curiae* to share their views and also to see to that details of the process are being implemented in a right manner.

Call on 04.03.2025.

(ii) <u>W.M.P.No.15112 of 2019 in W.P.No.15120 of 2019</u>

<u>Ban on use of PET Bottles and single-use plastic products:</u>

As far as the sale of pet bottles in Nilgiris and Kodaikanal, it is submitted by the Amici Curiae, that the pet bottles are readily available in these areas. Be that as it may, it is recommended that the authorities shall conduct continuous monitoring of the shops selling PET bottles on a 24/7 basis. Additionally, thorough checks must be carried out at all check-posts.

2. It is also submitted by the learned counsel for the petitioner that the water ATMs in Nilgiris District are not functioning properly, and water is unavailable in most of the ATMs.

3. Let the Government file a status report in this regard on the next date of hearing.

4. It is brought to our notice that in spite of the inspection being carried out in the Nilgiris District as well as in the Kodaikanal Hill area, percolation is happening from and around the adjoining districts. It becomes

https://www.mhc.tn.gov.in/judis

WEB COPY

extremely difficult for the authorities to control this percolation.

5. In view thereof, the Government shall also consider the issue whether it require restrictions in the adjoining districts also and file a status report.

4. Call the matter on 03.01.2025 for filing status reports.

(iii) **W.M.P.No.31696 of 2023 in W.P.No.15120 of 2019**

Vertical Cutting:

Call on 03.01.2025

(B) **W.P.Nos.15120 of 2019 and W.M.P.No.24121 of 2019 and W.P.Nos.11049 of 2023, 6315, 6864 & W.P.(MD) No. 10348 of 2024**

(i) BUY BACK SCHEME

With reference to the buy back scheme, today, a status report is filed. It is stated that the buy back scheme is operational in 16 Districts. In respect of other Districts also steps are being taken and before April 2025, all the Districts will come under the buy back scheme. The data with reference to the working of the buy back scheme is also given. It can be observed that in

https://www.mhc.tn.gov.in/judis

WEB COPY

the majority of districts, the percentage is more than 99%, and in most other districts, it is over 90%, except in Kanyakumari (where it is 50%) and Thiruvarur (where it is 81%).

2. On the whole, it can be seen that the extra amount collected is Rs.684,84,82,150/- of which Rs.641,78,06,230/- is refunded and the balance is Rs.45,06,75,920/-. Of the balance, already a sum of Rs.15,05,00,000/- has been deposited into the interest bearing separate accounts with the Indian Overseas Bank, State Bank of India, Union Bank of India, Indian Bank and Bank of Baroda, etc.,. The rest of the amount approximately amounting to Rs.30 Crores will be indicated in the subsequent status report, as to whether any part of the aforesaid amount is returned or part of the amount will be deposited into the account etc.

3. It is also stated that the TASMAC is implementing the end to end computerisation of the entire working of the Corporation, right from the purchase upto the sale of empty bottles. Under the new system, the manufacturers themselves are requested to generate the QR code with reference to each and every bottle and place the same even at the time of supply of the bottle itself. Henceforth, the same will be scanned at the time of sale and if the bottle is returned, it may be re-scanned, so that each and every bottle can be tracked. Thereafter, all the bottles which are collected are

https://www.mhc.tn.gov.in/judis

WEB COPY

being tendered periodically and supplied to the same manufacturers or for recycling, as the case may be.

4. As far as the grievance raised by the workmen are concerned, the learned counsel would submit that the earlier status report itself, it has been addressed.

5. Be that as it may, since the workmen are submitting that on account of the buy back scheme, their workload has increased, it is for the Management to assess the workload and accordingly address the grievance of the workmen and come up with a specific status report in that regard.

6. Let further status report be filed on 04.02.2025.

(ii) **W.M.P.No.24121 of 2024:** Call on 04.02.2025.

(N.S.K.,J.) (D.B.C.,J.)
03..12..2024

kmk/jer

https://www.mhc.tn.gov.in/judis

WEB COPY

N. SATHISH KUMAR, J.

AND

D. BHARATHA CHAKRAVARTHY, J.

kmk

W.P.No.15120 of 2019
AND
W.P.Nos.11049 of 2023, 6315, 6864 & W.P.(MD) No.10348 of 2024

03..12..2024

https://www.mhc.tn.gov.in/judis