

Item No.04

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No.02/2026(CZ)

Babu Lal Jajoo & Ors.

Applicant(s)

Vs.

Union of India & Ors.

Respondent(s)

Date of Hearing: 08.01.2026

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER**

For Applicant (s): Mr. Lokendra Singh Kachhawa, Adv.

For Respondent(s):

ORDER

1. The submissions of the Learned Counsel for the applicant Mr. Lokendra Singh Kachhawa are that vehicular pollution in Rajasthan significantly impacts public health by causing respiratory and cardiovascular diseases like COPD, with asthma, bronchitis, and disproportionate effects on children, the elderly and the pregnant women and the vehicular pollution has impact of environmental and atmospheric impacts like: -

- a) Air Quality Degradation: Vehicle emissions are a primary cause of declining air quality in cities like Jaipur.
- b) Smog formation: The release of volatile organic compound and other pollutants can contribute to the formation of smog.
- c) Particulate matter: The burning of fossil fuels from vehicles released particulate matter (PM_{2.5} and PM₁₀) which poses a significant health risk.

d) Gaseous pollutants: Rising trends in nitrogen dioxide and carbon monoxide indicate a 'multipollutant crisis' that needs aggressive measures to control gaseous emissions.

2. Further submissions are that the vehicle exhaust is one of the major sources of air pollution. Further, the Commercial vehicle segment trucks, buses, taxis and three-wheelers contribute 60-70% to total vehicular pollution. The instant Original Application has been filed raising a substantial question relating to utilisation of Green Tax being collected by the State of Rajasthan from vehicles. That the Department of transport, Government of Rajasthan vide notification dated 11.10.2017 has imposed Cess called Green Tax for different class of vehicles. The sole purpose of imposing Green Tax was to control the air pollution. The Ministry of Road Transport & Highways, Govt. of India, New Delhi issued draft guidelines dated 02.02.2021 for 'imposition of Green Tax on older vehicles by State/ UT Governments'. That since 2015-2016 to 2024-2025, the Government of Rajasthan has collected 2009.66 Crores as per the information provided under RTI. However, the amount so collected has not been utilised to control air pollution, contrary to this major cities of Rajasthan are affected by air pollution due to vehicular pollution.
3. Learned Counsel for the applicant has further argued that more than an amount of Rs. 2009.66 Crores have been deposited in the State of Treasury but the guidelines have not been followed and no effective remedial measures have been undertaken to control the air pollution within the State. Funds are diverted for the other purposes or kept unused which is not in public interest and violating the environmental norms.
4. A substantial issue of environmental has been raised.

5. In view of the facts as narrated, we deem it just and proper that followings persons should also be arrayed as respondent being proper and necessary party.
 - (i) Respondent no. 4 - Principal Secretary, Environment, State of Rajasthan (Rajasthan)
 - (ii) Respondent no. 5 -Principal Secretary, Urban Development Department, State of Rajasthan (Rajasthan)
 - (iii) Respondent no. 6 -Principal Chief Conservator of Forest, State of Rajasthan (Rajasthan)
6. Issue notice to the respondents. Returnable within four weeks.
7. Applicant/Registry is directed to take necessary steps for service to the respondents by both ways and also on available email.
8. Applicant is directed to supply the required documents and copy of the application to the committee and the respondents within a week and after compliance of service, the Applicant has to submit an affidavit that notices and copy of the application have been served upon the committee and respondents.
9. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
10. In view of the seriousness of the matter we constitute a Joint Committee consisting the following members to visit the site and submit the action taken report.
 - i. One representative from the Principal Secretary, (Environment) State of Rajasthan (Rajasthan)
 - ii. One representative form the Commissioner Transport, State of Rajasthan, (Rajasthan)
 - iii. One representative from the Central Pollution Control Board,
 - iv. One representative from the Rajasthan State Pollution Control Board

11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
12. Registry is directed to supply the required documents and copy of the application to the committee and respondents within a week.
13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **23rd March, 2026.**

Sheo Kumar Singh, JM

Sudhir Kumar Chaturvedi, EM

08th January, 2026,
Original Application No.02/2026(CZ)
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