

# Green Tax on Outside Vehicles in Uttarakhand: A Path Towards Sustainable Mobility

**Prof. (Dr.) Shikha Dimri**

Professor, UPES School of Law

## Abstract

The increasing vehicular traffic in ecologically sensitive regions like Uttarakhand has become a major cause of environmental degradation. To tackle this growing concern, the Uttarakhand government has introduced a green tax on vehicles entering the state from outside. The initiative is designed to curb pollution, lower carbon emissions, and promote sustainable mobility. This paper explores the framework of the green tax policy, its methods of implementation, and the socio-economic impact it has on both local communities and travellers. Additionally, it highlights the tax's contribution to fostering eco-tourism and responsible travel habits, ensuring the preservation of Uttarakhand's delicate ecosystems.

The paper also examines the challenges in enforcing the green tax, such as public opposition, administrative hurdles, and the complexities involved in coordinating across state boundaries. Drawing insights from global best practices, it offers practical recommendations to address these issues and improve the policy's efficiency. Measures such as increasing public awareness, investing in sustainable transport alternatives, and ensuring transparent allocation of tax revenues are identified as key strategies for long-term success.

By providing a detailed analysis, this paper emphasizes the importance of green taxation as a crucial step toward achieving environmental sustainability in Uttarakhand. It advocates for a balanced approach that aligns development with conservation, ensuring that the state's natural heritage is safeguarded for future generations while supporting its economic growth through sustainable tourism and eco-friendly practices.

**Keywords:** Green Tax, Sustainable Mobility, Uttarakhand, Environmental Policy, Pollution Control, Sustainable Development

## Introduction

Uttarakhand, a picturesque Himalayan state in northern India, is celebrated for its pristine environment, rich biodiversity, and vibrant cultural heritage. The state attracts millions of tourists annually, drawn to its scenic landscapes, religious sites, and adventure opportunities. However, this growing influx of visitors, coupled with the steady rise in non-local vehicular traffic, has placed immense pressure on the region's fragile ecosystems. The increase in vehicular emissions has led to deteriorating air quality, heightened carbon footprints, and adverse effects on public health. Furthermore, the unregulated movement of vehicles has contributed to traffic congestion, soil erosion, and habitat destruction, posing a threat to the state's natural and cultural assets.

The Uttarakhand government has implemented a green levy on cars coming into the state from outside in response to these urgent environmental issues. This strategy seeks to accomplish a number of goals, such as reducing pollution, raising funds for environmental restoration, and encouraging environmentally

friendly travel. The government aims to encourage visitors to use eco-friendly mobility options like carpooling and public transit by enforcing financial penalties on non-local automobiles. The money raised from the green tax is also used to carry out conservation initiatives, upgrade regional infrastructure, and preserve the area's biological equilibrium. The green tax seems as a calculated move to achieve a balance between growth and environmental sustainability as Uttarakhand struggles to maintain its tourism-driven economy and protect its natural resources.

### **Definition and Objectives**

A green tax, often referred to as an environmental tax or eco-tax, is a monetary levy placed on goods or activities that negatively impact the environment. Its main goal is to encourage people and companies to embrace eco-friendly practices by internalizing the external costs of environmental damage. The polluter pays theory, which guarantees that those who cause pollution pay for efforts to lessen its effects, is the foundation of green taxes.

A green tax serves as a multifaceted tool that goes far beyond its primary goal of reducing pollution. It plays a critical role in promoting sustainability by addressing the economic, environmental, and social dimensions of development, fostering a balanced approach to ecological preservation and economic growth. This tax mechanism has become increasingly significant in contemporary environmental governance due to its wide-ranging objectives and benefits.

Funding environmental initiatives is one of the main purposes of green tax money. The money raised is frequently used for projects like biodiversity preservation, afforestation, and the advancement of renewable energy sources. These initiatives support long-term ecological stability and resilience in addition to reducing the negative effects of human activity on the environment.

Green taxes also serve as a powerful incentive for encouraging sustainable behaviour among individuals and organizations. By imposing financial disincentives on polluting activities, these taxes promote the adoption of cleaner technologies, the reduction of emissions, and the transition to eco-friendly alternatives such as public transportation and electric vehicles. This shift not only benefits the environment but also supports innovation in sustainable industries.

Green taxes play a key role in encouraging sustainable tourism in areas like Uttarakhand, where the industry is extremely important to the local economy. The tax ensures that tourism continues to be a viable source of revenue for local communities while also preserving the state's natural and cultural assets by controlling the number of vehicles and promoting appropriate travel patterns.

Furthermore, green taxes contribute to balancing development and conservation. By monetizing the environmental costs of activities, these taxes create a framework where economic growth and ecological preservation are not mutually exclusive. Instead, they coexist, allowing governments to pursue infrastructure and industrial development while safeguarding natural resources for future generations. In this way, green taxes act as a bridge between economic priorities and the urgent need for environmental stewardship.

### **Legal and Constitutional Considerations**

A cess tax on external cars must be imposed in accordance with current legal frameworks and constitutional rules. States may impose taxes under Article 245 of the Indian Constitution, so long as they don't discriminate against interstate trade or violate basic rights. The freedom of trade, business, and sexual relations across India's territory is also guaranteed under Article 301. However, states can impose

reasonable restrictions under Article 304(b) to protect public interest. Courts have upheld similar measures in the past, such as the entry tax in Delhi, which was deemed necessary to curb pollution. Uttarakhand's cess tax must be designed to withstand legal scrutiny by demonstrating its necessity for environmental and infrastructural sustainability.

### **Judicial Interpretations**

Indian courts have consistently upheld the legality of environmental and entry taxes when they align with constitutional principles and serve a legitimate public interest. In *M.C. Mehta v. Union of India* (2001), the Supreme Court validated the imposition of environmental taxes, such as Delhi's entry tax on commercial vehicles, emphasizing their necessity to curb pollution and protect public health. Similarly, in *Jindal Stainless Ltd. v. State of Haryana* (2017), the Court clarified that state-imposed entry taxes must adhere to the principles of non-discrimination, reasonableness, and proportionality, ensuring they serve a genuine public purpose without unfairly impeding interstate trade. Earlier, in *Automobile Transport (Rajasthan) Ltd. v. State of Rajasthan* (1962), the Supreme Court upheld the taxation of vehicles entering Rajasthan, underscoring that such levies must maintain equity and not disproportionately hinder the freedom of trade and commerce. These landmark cases highlight the judiciary's balanced approach in endorsing state measures aimed at environmental and infrastructural sustainability while safeguarding constitutional guarantees.

### **Uttarakhand's Green Tax Policy**

Uttarakhand's green tax policy is a strategic environmental initiative aimed at reducing vehicular pollution, managing traffic congestion, and conserving the fragile Himalayan ecosystem. The tax applies to non-local vehicles entering the state, particularly in ecologically sensitive areas such as Mussoorie, Nainital, and Rishikesh. The tax rates are determined based on factors such as the type of vehicle, its emission standards, and the duration of stay. By monetizing the environmental costs of vehicular influx, the policy seeks to encourage eco-friendly travel behaviors and generate revenue for environmental restoration projects.

### **Rationale for Implementing Green Tax in Uttarakhand**

The influx of non-local vehicles poses significant environmental challenges to Uttarakhand's fragile Himalayan ecosystem. Increased vehicular emissions in popular tourist destinations have resulted in deteriorating air quality, adversely affecting public health and ecosystems (CPCB, 2020). Additionally, the exponential growth in tourist numbers has led to severe traffic congestion in hill stations, further exacerbating pollution levels. The movement of non-local vehicles also contributes to soil erosion, deforestation, and the disturbance of wildlife, threatening the ecological balance of the region.

The green tax policy aligns with key Sustainable Development Goals (SDGs), particularly SDG 13 (Climate Action) and SDG 11 (Sustainable Cities and Communities). By mitigating vehicular emissions, the policy directly addresses climate change and fosters environmentally sustainable urban development in Uttarakhand's key tourist hubs, ensuring the long-term preservation of its natural and cultural heritage. From an economic perspective, the green tax makes it easier to generate funds designated for important environmental preservation initiatives including waste management, pollution prevention, and afforestation. The fee encourages the use of local transportation services, which increases job prospects in the local taxi and transportation industries, even if it may deter tourists on a tight budget. Additionally, a

cost-benefit study shows that long-term advantages like better air quality, less traffic, and a healthier environment for locals and tourists exceed the financial burden on non-local car owners.

### Details of the Green Tax System

Uttarakhand has announced the introduction of a green tax to curb pollution and foster sustainable tourism. The green tax in Uttarakhand will be applicable to both private and commercial vehicles entering the state, ensuring that all non-local traffic contributes to the preservation of the region's environment. The tax is structured based on vehicle type, with rates set at ₹20 for three-wheelers, ₹40 for four-wheelers, ₹60 for medium-sized vehicles, and ₹80 for heavy vehicles. This tiered system ensures a proportional contribution based on the potential environmental impact of each vehicle category. To encourage sustainable transportation and avoid disrupting essential services, certain vehicles are exempt from the green tax. These exemptions include electric vehicles (EVs), which are excluded to promote the adoption of eco-friendly transportation options. Similarly, two-wheelers and CNG-powered vehicles are exempt to encourage the use of cleaner alternatives. Vehicles registered within Uttarakhand are also excluded from the levy, recognizing the need to prioritize local transportation needs. Additionally, emergency vehicles such as ambulances, fire trucks, and other essential service vehicles are exempt to ensure uninterrupted access to critical services. This balanced approach aims to address environmental concerns while maintaining fairness and practicality in implementation.

### Challenges and Limitations

For Uttarakhand's green tax policy to be successful, a number of obstacles must be overcome during implementation. First of all, there is opposition from travelers and carriers as foreign car owners sometimes view the fee as an extra expense, which may put off tourists. The idea may also be opposed by transport groups, who claim that it may result in fewer tourists and a consequent decline in business for their members.

Second, logistical challenges arise from implementation concerns. Robust measures are necessary to ensure compliance and monitoring at entrance points, and corruption and tax evasion might compromise the efficacy of the program in the absence of adequate control. To overcome these obstacles and maintain the goals of the tax, creative and effective enforcement techniques are required.

Another significant hurdle is **inadequate infrastructure**, particularly the lack of well-developed public transport systems and electric vehicle charging stations. This limitation restricts sustainable travel options, making it challenging for tourists to transition away from using private vehicles.

Lastly, the policy raises concerns about **economic inequalities**. Although the tax is applied uniformly, it disproportionately impacts lower-income travellers who rely on private vehicles for affordability and convenience. Addressing these challenges through targeted interventions, public awareness campaigns, and infrastructure development is essential to ensure the equitable and effective implementation of the green tax policy.

### Recommendations

To ensure the success of Uttarakhand's green tax policy, a multi-pronged approach is essential. Enhancing public awareness through targeted campaigns can help educate travelers about the environmental and social benefits of the green tax, fostering acceptance and compliance. Tourism boards and media platforms should be leveraged to promote the importance of eco-friendly travel practices, emphasizing the long-term

benefits for the region's natural heritage.

Investing in sustainable transport alternatives is another critical step. Developing robust infrastructure for electric vehicles and improving public transport systems can provide affordable and eco-friendly options for travellers, reducing reliance on private vehicles. Additionally, a gradual implementation strategy will allow tourists and transporters time to adapt to the new tax regime. Introducing the policy in phases and offering incentives such as discounts for carpooling or electric vehicle use can encourage greater compliance and smoother integration.

Effective monitoring and enforcement mechanisms are crucial to maintaining the integrity of the policy. Automated systems at entry points can ensure accurate tax collection, while technology-enabled real-time monitoring of vehicular emissions can help curb evasion and ensure adherence. Transparency in revenue allocation is equally important to build public trust. The funds generated from the green tax should be exclusively used for environmental conservation projects, including afforestation, pollution control, and the development of public transport systems.

By implementing these recommendations, Uttarakhand can strengthen its green tax policy, ensuring its alignment with environmental and economic goals while addressing the challenges of sustainability and ecological preservation.

## Conclusion

Uttarakhand's green tax policy represents a pioneering approach to tackling the pressing environmental challenges posed by increasing vehicular traffic and mass tourism. By targeting non-local vehicles entering ecologically sensitive areas, this policy seeks to mitigate air pollution, reduce traffic congestion, and address the degradation of natural habitats, thereby preserving the state's fragile Himalayan ecosystem. Aligned with Sustainable Development Goals (SDG 13 and SDG 11), the green tax not only promotes climate action and sustainable urban development but also fosters responsible tourism and environmentally conscious behaviours among visitors.

The strategy promotes local transportation services, which increases employment and economic growth, while also raising money for ecological restoration programs including waste management, pollution control, and afforestation. Notwithstanding these advantages, specific actions are required to solve problems including opposition from travelers and transportation providers, implementation problems, infrastructural constraints, and economic disparities. The effectiveness of the policy depends on tactics including raising public awareness, funding environmentally friendly transportation options, implementing the policy gradually, and guaranteeing money allocation transparency.

Overall, the green tax is a progressive measure that strikes a compromise between Uttarakhand's dedication to environmental protection and its economic dependence on tourism. In the midst of mounting environmental concerns, the policy might serve as a model for other governments to follow by tackling these issues and wisely using its money to ensure that development and conservation live together.

## References

1. Central Pollution Control Board (CPCB). (2020). Air Quality Assessment in Hill Stations. Ministry of Environment, Forest, and Climate Change.
2. Ministry of Environment, Forest and Climate Change (MoEFCC). (2021). India's State of Environment Report. Government of India.
3. Sustainable Development Goals (SDGs). United Nations. Retrieved from <https://sdgs.un.org/goals>

4. Uttarakhand State Pollution Control Board. (2022). Environmental Impact of Tourism in Uttarakhand.
5. Winfield, P. H. (2020). Environmental Law and Policy in India. LexisNexis.
6. Singh, R., Sharma, V., & Joshi, A. (2021). "Vehicular Emissions in Himalayan States: Challenges and Mitigation Strategies." *Environmental Policy Review*, 14(3), 45-56.
7. Central Pollution Control Board (CPCB). (2020). Air Quality Assessment in Hill Stations. Ministry of Environment, Forest, and Climate Change, India.
8. Ministry of Environment, Forest and Climate Change (MoEFCC). (2021). India's State of Environment Report. Government of India.
9. Singh, R., Sharma, A., & Pandey, S. (2021). Impact of vehicular emissions on air quality in the Himalayan region: A case study of Uttarakhand. *Journal of Environmental Research*, 12(3), 45-56.
10. Uttarakhand State Pollution Control Board. (2022). Environmental Impact of Tourism in Uttarakhand. Retrieved from <https://ukspcb.uk.gov.in>
11. United Nations (UN). (2015). Sustainable Development Goals. Retrieved from <https://sdgs.un.org/goals>
12. Chandra, P., & Mishra, R. (2020). Managing tourism and environmental degradation in the Indian Himalayan region. *Tourism and Environmental Studies*, 15(1), 89-102.
13. Organisation for Economic Co-operation and Development (OECD). (2020). Taxing Energy Use 2020: Using Taxes for Climate Action. OECD Publishing.
14. Central Pollution Control Board (CPCB). (2020). Air Quality Assessment in Hill Stations. Ministry of Environment, Forest, and Climate Change, India.
15. United Nations (UN). (2015). Sustainable Development Goals. Retrieved from <https://sdgs.un.org/goals>
16. European Commission. (2021). EU Emissions Trading System (EU ETS). Retrieved from <https://ec.europa.eu>
17. Ministry of Environment, Forest, and Climate Change (MoEFCC). (2021). India's State of Environment Report. Government of India.
18. M.C. Mehta v. Union of India, AIR 2001 SC 1696.
19. Jindal Stainless Ltd. v. State of Haryana, (2017) 12 SCC 1.
20. Automobile Transport (Rajasthan) Ltd. v. State of Rajasthan, AIR 1962 SC 1406.
21. <https://www.newindianexpress.com/nation/2024/Dec/08/uttarakhand-set-to-introduce-green-cess-on-private-vehicles-from-other-states>