

AQM/ ULB/2018-19/

SPEED POST

November 12, 2018

To:

The Managing Director
Delhi State Industrial & Infrastructure Corporation Ltd
Head Quarter
N-36, Bombay Life Building
Connought Circus
New Delhi -11001

Sub.: Show Cause Notice under Section 5 of Environment (Protection) Act, 1986 regarding open dumping of garbage and industrial waste in Patparganj Industrial Area Delhi-NCR –.

WHEREAS, Section 16 (2) (b), (f) and (j) of The Air (Prevention & Control of Pollution) Act, 1981 mandates the Central Pollution Control Board to execute nation- wide program for prevention, control and abatement of air pollution and organize a comprehensive program and perform such other functions as may be prescribed; and

WHEREAS, rising air pollution in Delhi during winter season is a matter of serious concern, especially with regard to high levels of particulate matter exceeding National Ambient Air Quality Standards, 2009; and

WHEREAS, many towns and cities, where ambient air is monitored under National Ambient Monitoring Programme, are not complying with the National Ambient Air Quality Standards, particularly with respect to particulate matter pollution, and NO₂, benzene and Ozone are becoming a matter of concern; and

WHEREAS, in pursuant to the Hon'ble Supreme Court's order dated December 02, 2016 in the matter of M. C. Mehta vs. Union of India regarding air quality in National Capital Region of Delhi, a Graded Response Action Plan (GRAP) was prepared for implementation under different Air Quality Index (AQI) categories namely, Moderate & Poor, Very Poor, Severe and Sever + as per National Air Quality Index, and, that Ministry of Environment, Forests & Climate Change vide notification dated January 12, 2017 entrusted responsibility of implementation of Graded Response Action Plan to Environment Pollution (Prevention & Control); and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. GSR 913 (E) dated 24.10.89, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and the rules notified under the Environmental (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, Chairman, CPCB in exercise of the powers vested under Section 5 of The Environment (Protection) Act, 1986 issued the following directions on October 29, 2018 to **Delhi State Industrial & Infrastructure Development Corporation Ltd (DSIDC)**:

- a. Ensure no open dumping and burning of wastes on the lands owned or in possession.
- b. Deployment of special teams to ensure no open dumping and burning of wastes on land owned or in possession.
- c. Land owning agencies will be accountable for any open dumping/burning field and will be penalized as per NGT orders.
- d. All construction agencies to adhere to the instructions of NGT with respect to C&D waste.
- e. Any violation noticed may be strictly dealt as per law/NGT orders including closure Directions/ direct prosecution of defaulters.


WHEREAS, inspection of Patparganj Industrial Area in Delhi-NCR was carried out during November 02 and November 04, 2018 by a team consisting of officials from MoEF&CC, CPCB, DPCC, MCD and Sub-District Magistrate deputed on field under Clean Air Campaign and it was observed that industrial waste /municipal solid waste was dumped in several areas of the Industrial Area

Whereas Challan was issued by EDMC to DSIDC as per NGT Orders;

WHEREAS, the above status reflects non-compliance of CPCB directions dated October 29, 2018


NOW THEREFORE, in view of the above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, Notice is hereby served to DSIDC to Show Cause as to why Environmental Compensation of Rs 1,00,00,000/- (Rs. One Crore only) shall not be levied, and prosecution should not be initiated against DSIDC for non-compliance of directions;

DSIDC on its behalf shall file its reply/ objections to above notice within 24 hours of receipt of this Notice failing which action as deemed fit under the Environment (Protection) Act, 1986/ National Green Tribunal Act 2010 will be initiated.


(S.P. Singh Parihar)
Chairman

Copy to:

1. **Joint Secretary,
CP Division,
Ministry of Environment, Forests and Climate Change,** :for information please
Indira Prayavaran Bhawan, Jorbagh Road,
New Delhi - 110 003
2. ✓ **Divisional Head,**
IT Division, CPCB


(Prashant Gargava)
Member Secretary