

**Speed Post**

F. No B-29016 (SC)/1/2018-19/WM-II/

14147

December 18, 2018

To,

The Commissioner  
South Delhi Municipal Corporation  
9<sup>th</sup> Floor, Civic Centre  
New Delhi-110002

**Sub.: Direction under Section 31A of The Air (Prevention and control of Pollution) Act, 1981 for control of air pollution from illegal dismantling activities in Delhi-NCR – Modified Thereof.**

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;

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

WHEREAS, directions were issued to Municipal Corporations vide CPCB letters dated November 01, 2017 to take appropriate measures to control or regulate polluting activities such as dumping/burning of garbage and C & D waste dumping;

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 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);

WHEREAS, Hon' ble National Green Tribunal vide order dated December 18, 2017 and July 27, 2018 in OA No. 44/2018; Vardhman Kaushik Vs Union of India & Ors., finalized four categories in relation to pollution levels in ambient air in Delhi - NCR and specified actions for implementation by enforcement agencies under each category and submission of reports to CPCB;

WHEREAS, a meeting was held under Chairmanship of Chairman, CPCB on August 30, 2018, to discuss status of preparedness for controlling air polluting sources during winters in Delhi NCR;

WHEREAS, concerned agencies were requested to prepare targeted action plans by 5<sup>th</sup> September 2018;

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WHEREAS, in the matter of Original Application (OA) No. 807 of 2018 proceedings has been initiated by the Hon'ble National Green Tribunal in view of the news item published in Times of India authored by Paras Singh titled "Ignoring NGT orders, Mayapuri". The activities of scrap business spew toxic fumes and chemicals and oils are also emitted. Such toxic fumes create severe air pollution affecting public health. In the said matter, the Hon'ble Tribunal, vide orders dated 23/10/2018, has directed to constitution of Special Task Force (STF). The STF has been directed to take steps forthwith for stopping illegal activities and initiate proceedings against those identified being involved in contributing to pollution;

WHEREAS, Central Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (HOWM Rules, 2016) in exercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986, for safe storage, packaging, transportation, use, treatment, processing, recycling, recover, transfer or disposal of the hazardous and other wastes;

WHEREAS, handling, storage, packaging, transportation, use, treatment, processing, recycling, recover, transfer or disposal of the hazardous and other wastes are to be carried out upon obtaining authorization from concerned SPCB/PCC and in accordance with the procedures laid down under the HOWM Rules, 2016;

WHEREAS, officials of CPCB, Delhi, visited Mayapuri Industrial Area, Phase II, New Delhi on November 27, 2018 and made following observations:

- i. More than 80% of the shops in C, E and W Block of Mayapuri Industrial Area, Phase II, New Delhi are involved in vehicle dismantling activities and having Trade License issued by Municipal Corporation.
- ii. During vehicle dismantling engine oil; transmission oil; coolant; brake fluid; used and waste oils; battery; air filter; oil filter; brake shoe clutch plates/discs; rubber; glass; electronic parts; refrigerant gases; wheel and tyres; etc. generated.
- iii. The vehicle dismantling activities are being carried out manually and in open area i.e. outside the shop area and on public road.
- iv. The hazardous fluids such as coolant; engine oil; brake fluids; used and waste oil was spilled on the road whereas the hazardous solid substances such as wheels and tyres; rubber and oil filter were observed stored out the shop area. Further, broken glasses of the vehicles were found dumped on the road.
- v. Oil, Grease and broken glasses of vehicle were spilled/ dumped in the maximum part of the area. There is possibility of soil and ground water contamination in the area due to oil spillage on the road.
- vi. Hazardous and other solid waste/scrape such as tyres, rubber; seat covers; batteries; engine; etc are either sold for reuse or recycling of the same.
- vii. For dismantling of car hulk (i.e remaining part of vehicle left after dismantling and recovering parts) the shopkeepers are using gas cutter for converting into small pieces and also pressing machine to convert it into suitable size for easy transportation of the same.
- viii. The brake shoe clutch plates/discs (containing asbestos) are not removed prior to cutting/pressing and is sold as such alongwith the car hulk which is used supplementary energy resource.

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- ix. The above shopkeepers/scrap dealers do not possess authorization for handling, generation, collection, storage, offering for sale, transfer, etc. as required under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
- x. The road inside Mayapuri Industrial Area, Phase II, New Delhi is being utilized by the shoppers for dismantling of the vehicles.
- xi. Roads and storm water drains of the area are not clean since vacant space is not available on road.



WHEREAS, the Hon'ble NGT, in the matter of Original Application No. 996 of 2018, has made observations with regard to photographs published in Times of India authored by Paras Singh titled "In factory setting, Mayapuri's scraping through" that large number of vehicles are dumped in Mayapuri scrap market between C and E blocks. This has resulted in road space being occupied on account of open air metal dismantling workshops. Trucks are struck on the road for hours on account of this causing huge air pollution;

WHEREAS, vide orders dated 27/11/2018 in the aforesaid O. A. No. 996 of 2018, the Hon'ble Tribunal has directed the Chief Secretary, Delhi, to take steps and prepare an action plan for shifting the scrap yards from busy localities of Delhi to other appropriate locations, within three months;

WHEREAS, as per minutes of the meeting held under the Chairmanship of Hon'ble Lt. Governor on 22<sup>nd</sup> August, 2014 at Raj Niwas, the Hon'ble Lt. Governor, Delhi has directed that the Municipal Corporation would take necessary steps for the removal of encroachments from common areas in joint operations with DSIIC and Delhi Police;

NOW THEREFORE, in view of the above, and, in exercise of powers vested under Section 31A of The Air (Prevention and Control of Pollution) Act, 1981, South Delhi Municipal Corporation is, herewith, directed to immediately stop illegal activities of vehicle dismantling outside the shops and on roads of Mayapuri Industrial Area, Phase II, New Delhi.

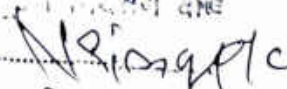
Further, receipt of these directions be acknowledged and action taken report in compliance with the above directions be submitted to this office within 15 days from issuance of this direction.

  
20/12/18  
**(S.P. Singh Parihar)**  
Chairman  


**Copy to:**

1. The Chairman  
Delhi Pollution Control Committee  
4<sup>th</sup> Floor, ISBT Building, Kashmere Gate,  
Delhi - 110006.
2. Head, AQM Division, CPCB, Delhi
3. Head, IT Division, CPCB, Delhi

कॉन्ट्रोल बोर्ड, दिल्ली  
निर्गत.....  
दिनांक.....

  
20/12/18

  
**(Prashant Gargava)**  
Member Secretary