

S.P. Singh Parihar, I.A.S

Chairman

एस. पी. सिंह परिहार भा.प्र.से.

अध्यक्ष



सत्यमेव जयते

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-17011/7/PWM(Direction)/2017

Date: 20-02-2019

To,

Principal Secretary (PWD),
Public Works Department,
Delhi Secretariat,
5th Level, B-Wing, I.P. Estate,
New Delhi - 110002

Sub- Direction under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 regarding open dumping/burning of garbage and C & D waste in Delhi and NCR-reg.

WHEREAS, Section 12 (2) (b), (f) & (j) of The Air (Prevention & Control of Pollution) Act, 1981 mandates the Central Pollution Control Board to execute nation-wide programme 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 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 trends indicate further increase in air pollution in Delhi during winter season between **15th October, 2018 to 15th February, 2019**;

WHEREAS, several meetings have been held in CPCB to review action taken by implementing agencies for controlling air polluting sources during winters in Delhi NCR;

WHEREAS, winter season being critical with regard to air pollution, CPCB teams have been deployed to visit various areas in Delhi-NCR w.e.f September 15, 2018 to provide feedback on air polluting mitigation activities & level of implementation of GRAP;

WHEREAS, direction under Section 5 of The Environmental (Protection) Act, 1986, was issued on 15.09.2018 to construction agencies and municipal corporations to ensure strict actions for improvement in air quality during winter 2018-19;

WHEREAS, Hon'ble NGT directed to all State Governments and State Pollution Control Boards /Pollution Control committees in Judgement dated 20.07.2018 in OA No 247/2017 to ensure implementation of PWM Rules, 2016 as amended 2018;



'परिवेश भवन' पूर्वी अर्जून नगर दिल्ली-110 032 (भारत)

'Parivesh Bhawan' East Arjun Nagar, Delhi-110 032 India

Tel. +91-11-22307233, Tele Fax : +-11-22304948, e-mail: ccb.cpcb@nic.in

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WHEREAS, Hon'ble NGT in its order dated 31.08.2018 in OA 606/2018 directed to all State Government/Urban Local Bodies to comply with the provisions of SWM Rules, 2016 and prepare time-bound action plans for Management of Solid Waste.

WHEREAS, as per the observations reported during field visits, the prominent activities reported include open dumping, littering of garbage, burning of garbage & plastic waste at the Landfill Sites, Dhalaos, vacant plots in industrial areas, running of illegal plastic recycling units in non-conforming & residential areas (as reported in Newspaper "Times of India" on 4th Dec, 2018), thus contributing air pollution due to following activities, which are as below:

WHEREAS, all the open drains carrying sewage are filled with plastic waste such as Shahdara drain, Kasthurba Nagar drain, Drain at Narela, drain near Bhalaswa, landfill site, drain near Vivek vihar, etc.

WHEREAS, a team of CPCB, carried out an inspection in Narela, Bawana, Patparganj, Okhla Industrial Areas, other open/vacant plots, etc. During inspection following points emerged;

- i) Open dumping of household waste, PVC insulated cable wires, construction & malba, footwear waste, industrial solid waste, plastic waste & other waste in vacant plots.
- ii) Dumping of solid & plastic waste on open drains which are choked by solid & plastic waste.
- iii) Open burning of plastic & other solid waste on vacant plots.
- iv) DSIIDC, DDA and PWD are not collecting the waste generated by industries nor complying the provisions of Plastic & Solid Waste Management Rules, 2016.
- v) Release of untreated industrial waste water into drains, maintained by I&FCD.

Note: The vacant plots, parks, industrial areas, etc. fall under Delhi Development Authority & DSIIDC, Delhi University, etc. respectively. Further, the open drains (Nala) are under the Control of Irrigation & Flood Control Department, Govt. of Delhi.

WHEREAS, Ministry of Environment, Forests & Climate Change, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control

Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards, other standards & Rules for hazardous chemicals, industrial solid waste, municipal solid waste including plastic waste notified under the Environment (Protection) Act, 1986.

WHEREAS, Chairman, CPCB has issued directions to DPCC with copies to all concerned Authorities/Departments on dated: **05.11.2018** for the implementation of Municipal Solid Waste & Plastic Waste Management Rules, 2016. However, the concerned Authorities have not complied with the abovesaid directions.

NOW THEREFORE, in view of the above and in exercise of the powers delegated to the Chairman, CPCB under Section 31 A of Air (Prevention and Control of Pollution) Act, 1981 **Public Works Department** has been held responsible for open burning, dumping of Plastic and C&D waste, lack of regular sweeping on roads, thus non-complying of Graded Response Action Plan. Therefore, Environmental Compensation of Rs. 1, 00, 000, 00/- (Rs. One Crore only) is levied on **Public Works Department**. The amount be deposited with CPCB by **07.03.2019**, failing which prosecution shall be initiated in accordance with law.



(S.P. Singh Parihar)
Chairman

24.04.19

Copy to:

1. **Joint Secretary,**
CP Division,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jorbhag Road,
New Delhi -110003
2. **Divisional Head, IT Division, CPCB**



(Prashant Gargava)
Member Secretary