



Speed Post

B-13011/UPCDII/MSW/2018-19/

Date: 16-04-2019

To,
The Commissioner,
South Delhi Municipal Corporation,
South Zone, Sector 9, RK Puram,
New Delhi, Delhi 110022

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 on land owning agencies to control air pollution in Delhi –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 to 15th February;

WHEREAS, several meeting 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;

WHEREAS, as per the observations reported during field visits, the prominent activities reported include open dumping and littering of garbage, burning of garbage & plastic waste at the Landfill Sites & Dhalaos, 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:

- Most of the roads are unpaved and encroachment by parked vehicles thus cleaning & sweeping of roads is done regularly, causing air pollution;
- The major fraction of the municipal solid waste & plastic waste is dumped on open land, dhalaos & along both sides of drains and dumping of waste by unauthorised industries.
- Mixed solid and plastic waste is dumped indiscriminately in the open lands belong to MCD, DDA, DSIIDC & I& FCD.
- No time-bound action plan is in place for prevention and management of fires, open burning etc.
- Illegal industries are operating in residential areas of South Delhi, these industries mainly manufacture flammable chemicals, rubber, metals, asbestos, plastic waste etc. is being burnt openly on the dumpsites during night, late evening hours, early morning hours and during holidays.

WHEREAS, during field visits by 52 teams under clean air campaign starting from 15th, September 2018 to 15th December, 2018, following major violations have been reported which confirms that there is gross violations of SWM & PWM Rules, 2016.

- Incidents of burning of plastic and garbage are more prominent
- Illegal industrial activities are continued in Okhla, Nazafgarh, Naraina, Motinagar and Kapashera etc.
- It was observed that open dumping of garbage contributes approx.13.1% and Open/Garbage/Leaf Burning contribute approx.11.1% in the Air Pollution incidents in Delhi- NCR Region.
- The areas under South Delhi Municipal Corporation wherein non- segregation, open littering, dumping, burning, animal eating garbage, etc. have been reported and are not complying Solid Waste Management Rules, 2016 are Okhla, Nazafgarh, Naraina, Motinagar and Kapashera.

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) has been prepared for implementation under different Air Quality Index (AQI) categories namely, Moderate & Poor, Very Poor, and Severe as per National Air Quality Index. The activities like open burning of plastic and garbage, dumping of garbage, C& D waste & running of illegal industries etc. are continued in the area resulting air quality index into very poor & severe categories.

WHEREAS, South Delhi Municipal Corporation has been held responsible for open burning/dumping of waste, illegal running of plastic industries in most of the areas mentioned above; and

WHEREAS, South Delhi Municipal Corporation (NDMC) was directed on 16.01.2019 to deposit Environmental Compensation of Rs 1,000, 00, 00/- (Rs. One Crore only) with CPCB by **31.01.2019**; and

WHEREAS, South Delhi Municipal Corporation has requested vide letter dated 31.01.2019 to waive off Environmental Compensation of Rs 1,000, 00, 00/- (Rs. One Crore only) and

WHEREAS, after examining the reply of SDMC, it is observed that time bound action plan has not been submitted by SDMC.

WHEREAS, during field visits by 52 teams under clean air campaign from 1st January, 2019 to 28th February, 2019 following observations are made which confirm that there is gross violations of SWM & PWM Rules, 2016.

- Incidents of burning of plastic and garbage are still prominent.
- Non- segregation, open littering, dumping, burning, animal eating garbage, etc. have been reported in the areas around Dwarka, Najafgarh, Kapashera, Saket, Kalkaji, Defence colony etc. under jurisdiction of SDMC.

WHEREAS, CPCB officers have visited randomly selected areas under jurisdiction of SDMC to verify the claims of SDMC with respect to implementation of SWM & PWM Rules ,2016 in April, 2019. During inspection, following non-compliances have been reported;

1. Some roads (e.g. Okhla industrial area, Madangiri etc.) are still unpaved.
2. The major fraction of the unsegregated municipal solid waste & plastic waste is dumped on open land, dhalaos (Madangiri area etc.) and drains (Okhla ind. area etc.).
3. Activities like open burning of plastic and garbage (at dhalaos near Modi mill, Okhla etc.), dumping of garbage, C & D waste (Madangiri etc.) etc. are continue in the area.
4. No segregation of MSW at source, open littering, dumping, cattles eating garbage etc. have been reported and thus non-compliance of Solid Waste Management Rules ,2016 & PWM Rules,2016 is observed.

NOW THEREFORE, in view of the above and in exercise of the powers delegated to the Chairman, CPCB under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, South Delhi Municipal Corporation is directed as follows;

1. South Delhi Municipal Corporation shall pay an Environmental Compensation of Rs 1,000, 00, 00/- (Rs. One Crore only) to CPCB immediately.
2. All the non-compliances as highlighted above shall be rectified immediately.
3. Time bound action plan for implementation of PWM Rules,2016 and SWM rules,2016 shall be submitted within 15 days from the date of receipt of these directions.

4. Action taken report be submitted along with necessary documentary evidences immediately after completion of action taken as a follow-up of the above said directions.

Any violations of these directions shall attract appropriate action in accordance with law.




(S.P. Singh Parihar)
Chairman

Copy to:

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



(A. Sudhakar)
Member Secretary



0/1