



SPEED POST

No. B-31013/71/2017-18/UPC-I /

Date: 02/04/2018

To,

The Chairman
BSES Rajdhani Power Limited
BSES Bhawan, Nehru Place,
New Delhi 110019

Sub: Direction under section 5 of “The Environment (Protection) Act, 1986” to stop construction & demolition activities in Delhi and ensure strict implementation of “Construction and Demolition Waste Management Rules, 2016” - regarding.

WHEREAS, Ministry of Environment, Forest and Climate Change (MoEF&CC) has notified “Construction and Demolition Waste Management Rules, 2016” vide GSR 317(E); dated 29th March, 2016 henceforth known as the said rules;

WHEREAS, in exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government has made Environment (Protection) Amendment Rules, 2018 vide G.S.R. 94(E); dated 25th January, 2018;

WHEREAS, in compliance of Rule 10 sub rule 1(a) of the said rules CPCB has developed and published “Guidelines on Environmental Management of Construction & Demolition (C&D) Wastes” to promote an integrated approach, whereby environmental management of construction and demolition waste and approach towards reduction of environmental impacts;

WHEREAS, in continuation of the said rules CPCB has developed and published “Guidelines of dust mitigation measures in handling construction material and C&D wastes” to address dust arising during handling of construction material and C&D wastes on site and off site;

WHEREAS, the said rules, guidelines and dust mitigation measures available at www.cpcb.nic.in;

WHEREAS, air pollution in Delhi and NCR is a matter of serious concern especially with regards to high levels of particulate matter exceeding much beyond National Ambient Air Quality Standards, 2009;

WHEREAS, the matter is also being heard by Hon'ble Supreme Court of India in the matter W. P. (Civil) no. 13029 of 1985 of M. C. Mehta Vs. Union of India, and the Hon'ble Court had issued directions from time to time;

WHEREAS, a Graded Response Action Plan (GRAP) was notified by MoEF&CC on 12th January, 2017 for implementation of identified actions under different Air Quality Index (AQI) categories for prevention and mitigation of air pollution and dealing with air pollution emergencies, and concerned agencies are required to take actions as per the plan, which includes stringent enforcement of rules for dust control in construction activities & closure of non-compliant sites, and stopping of all construction activities during air pollution emergencies;

WHEREAS, construction and demolition activities and disposal of wastes along the roads contribute significantly to ambient particulate matter pollution and therefore, CPCB teams were deployed for site visits during 14th – 15th March, 2018, for verification of implementation of "C&D Waste Management Rules, 2016" and its successive Amendments/Guidelines in Delhi. The observations made by the teams in respect of visited BSES sites as given below are in violation of the said rules and guidelines:

Sl. No.	Location	Activity	Observation
1.	Pilar No. 90-98 Near Punjabi Bagh Metro Station, West Patel Nagar, Delhi	Laying of cable line	Dust emissions due to digging of road and open dumping of excavated soil along road side.
2.	Near Ashok Park Main Metro Station. Rohtak Road, Pillar Na. -52, Rampur, Delhi		
3.	Arvindra Marg, Near PWD office, Hauz Khas, Delhi		


WHEREAS, the observations are in violation of the Environment (Protection) Amendment Rules, 2018 vide G.S.R. 94(E); dated 25th January, 2018.

Now therefore, in exercise of powers vested under section 5 of "The Environment (Protection) Act, 1986", it is directed to stop all civil work involving construction and demolition activities at above sites until and unless strict implementation of the rules and guidelines for management of construction and demolition activities and wastes including the following measures is ensured:

- (i) Construction material and waste shall be stored only within earmarked area. No waste should be dumped on road side, and wastes already dumped along the roadside and at BSES construction sites shall be lifted and stored at a designated place.
- (ii) Water sprinkling system shall be adopted to suppress dust.
- (iii) Wind-breaker of appropriate height i.e. 1/3rd of the construction height and maximum up to 10 meters shall be provided at site.

- (iv) Grinding and cutting of building materials shall be within closed area made by Curtains/Barrier etc.
- (v) Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing. Details of all construction sites in the NCR of Delhi shall be reported to CPCB and concerned State Pollution Control Boards within 15 days of receipt of these directions.

It is further directed that receipt of the directions should be acknowledged within 07 days from date of issue and action taken report submitted to this office within 15 days.


(S. P. S. Parihar)
Chairman


02/04