

SPEED POST

No. B-31013/71/2018-19/UPCD-I / 2463

Date: 08/06/2018

To,

The Chairman
National Highways Authority of India,
G 5&6, Sector-10, Dwarka,
New Delhi - 110 075

Sub: Revocation of Direction under section 5 of "The Environment (Protection) Act, 1986"

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 for dust mitigation 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, 3rd April, 2018, 09th – 19th April, 2018, and 16th – 21st May, 2018 for verification of implementation of "C&D Waste Management Rules, 2016" and its successive Amendments/Guidelines in Delhi.

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

WHEREAS, based on the observations made by the teams in respect of following listed sites, CPCB already issued directions on 8th May, 2018 under section 5 of "The Environment (Protection) Act, 1986" to stop construction & demolition activities and ensure strict implementation of "the Construction and Demolition Waste Management Rules, 2016" at the defaulting sites.

WHEREAS, CPCB team revisited during 16th - 21st May, 2018 at the said sites and found that following sites are complied with CPCB direction.

- i) IFFCO Chowk, Signature Tower, Delhi
- ii) Hero Honda Chowk, Delhi

iii) 6 Lane Delhi Agra Road, Escort Mujesar

WHEREAS, action taken reports dated 16.05.2018 for sites IFFCO Chowk, Signature Tower, Delhi & Hero Honda Chowk, Delhi and dated 14.05.18 for site 6 Lane Delhi Agra Road, Escort Mujesar are received.

NOW THEREFORE, in view of the compliance achieved by these sites to the direction issued and in exercise of powers vested under section 5 of "The Environment (Protection) Act, 1986", the direction issued to NHAI dated 08th May, 2018 is hereby revoked for above mentioned sites. However, you are asked to follow "the Construction and Demolition Waste Management Rules, 2016", Amendments and Guidelines in letter and spirit.

(S. P. S. Parihar)

Chairman



Copy to:

1. The Chairman, : For Information please
Environmental Pollution Control Authority
Core 6A, 12th Floor, India Habitat Centre, Lodhi road,
New Delhi - 110003
2. The Joint Secretary : For Information please
CP Division, Ministry of Environment, Forests &
Climate Change, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110003
3. Head, IT Division : For Information please
CPCB, Delhi - 110032



(A. Sudhakar)

Member Secretary