



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

SPEED POST / E-Mail

No. B-31013/71/2018-19/UPCD-I / 12730

Date : 16.11.2018

To,

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

Sub: Revocation of Direction dtd. 26.10.2018 issued under section 5 of "Environment (Protection) Act, 1986" to NHAI , New Delhi to Stop Construction & Demolition activities at NHAI Site at Dhaula Kuan, New Delhi and ensure strict implementation of "Construction and Demolition Waste Management Rules, 2016" .

Ref : NHAI Project titled as 'Improvement of T Junction near Dhaula Kuan Metro Station including widening of National Highway up-to end of junction on NH-8 and improvement of T Junction near Defence area including widening of National Highway up-to Defence area on NH-8 and RR Hospital link underpass on EPC Mode in the State of Delhi"

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; and

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

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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 for environmental management of construction and demolition waste and approach towards reduction of environmental impacts; and

WHEREAS, in continuation of the said rules, CPCB has developed and published "Guidelines on Dust Mitigation Measures in handling Construction Materials and C&D wastes" to address dust arising during handling of construction material and C&D wastes on site and off site; and

WHEREAS, the said rules, guidelines and dust mitigation measures are available on the website of CPCB at the web-link www.cpcb.nic.in; and

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; and

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; and

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

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construction activities & closure of non-compliant sites, and stopping of all construction activities during air pollution emergencies; and

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 March - June, 2018, for verification of implementation of "the C&D Waste Management Rules, 2016" and its successive Amendments/Guidelines in Delhi. Based on the observations made by the teams in respect of visited sites CPCB already issued directions under section 5 of "The Environment (Protection) Act, 1986" to stop construction & demolition activities and ensure strict implementation of "Construction and Demolition Waste Management Rules, 2016".

WHEREAS, Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, CPCB visited following site of M/s **National Highways Authority of India (NHAI)**, G 5&6, Sector-10, Dwarka, New Delhi - 110 075 on 17th Oct, 2018 and observations at the visited site which are in violation of the said rules and guidelines were as follows:

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Sl. No	Location	Activity	Observations
1.	T Junction near Dhaula Kuan metro to NH-8 (Improvement of Dhaula Kuan Airport Corridor)	Highway Construction	<ul style="list-style-type: none">• Construction material (excavated soil etc.) kept along road and without any cover causing dust pollution throughout the stretch.• Dust mitigation measures like (water sprinkling, barricading, covering etc) not taken as per guidelines.• No display arrangement for C&D waste management as per the directions issued dated 08.05.2018 for other sides.

WHEREAS, the aforesaid observations were in violation of the Environment (Protection) Amendment Rules, 2018 vide G.S.R. 94(E); dated 25th January, 2018; and WHEREAS, based on the material facts available as described above , following directions were issued on 26.10.2018 to M/s **National Highways Authority of India**, G 5&6, Sector-10, Dwarka, New Delhi - 110 075 in exercise of powers vested under section 5 of "The Environment (Protection) Act, 1986" :

- (i) To stop all civil works involving construction and demolition activities at above sites with immediate effect.
- (ii) To implement the notified rules and guidelines for management of construction and demolition activities and wastes including following measures:
 - a. 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 construction sites shall be lifted and stored at a designated place with covering.

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- b. Water sprinkling system shall be adopted to suppress dust.
- c. Wind-breaker of appropriate height i.e. 1/3rd of the construction height and maximum up to 10 meters shall be provided at site.
- d. Grinding and cutting of building materials shall be within closed area made by Curtains/Barrier etc.
- e. Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

(iii) Activities at above sites shall not resume until adequate dust control measures are ensured and without prior permission from CPCB.

WHEREAS, M/s National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi - 110 075 vide its letter dated 09.11.2018 received in CPCB on 12.11.2018 , has communicated compliance of the CPCB directions dtd. 26.10.2018. Further, a team of senior officers from NHAI also visited CPCB on 13.11.2018 to apprise about steps taken by them in compliance of the CPCB Directions dtd. 26.10.2018. Accordingly, request has been made by M/s NHAI, New Delhi for revocation of CPCB directions dtd. 26.10.2018 and grant of permission to resume the civil construction works ; and

WHEREAS , CPCB officers have subsequently inspected NHAI construction site as referred above on 13.11.2018 and 14.11.2018 so as to verify compliance of CPCB directions dtd. 26.10.2018. The observations are as follows :

- (i) All civil works involving construction and demolition activities at above site have been stopped.
- (ii) Initiatives are taken by M/s NHAI for management of construction and demolition activities and wastes by way of following measures:
 1. Construction material and waste are stored within earmarked area.

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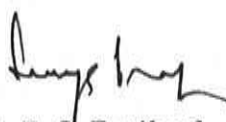
2. Water sprinkling system has been deployed to suppress dust.
3. Wind-breakers / green curtains are provided to isolate construction site and containment of dust emissions.
4. Display Boards in context to arrangements made by the company for C&D Waste are however yet to be put in place for easy public viewing.

Now , therefore , in view of the above and importance of the aforesaid construction project for public utility and in exercise of the powers delegated to the Chairman , CPCB u/s 5 of the Environment (Protection) Act, 1986, the 'Directions' issued by CPCB on 26.10.2018 to M/s **National Highways Authority of India**, G 5&6, Sector-10, Dwarka, New Delhi - 110 075 are hereby revoked subject to following conditions :

1. These Revocation Directions are applicable to only project of NHAI titled as *'Improvement of T Junction near Dhaula Kuan Metro Station including widening of National Highway up-to end of junction on NH-8 and improvement of T Junction near Defence area including widening of National Highway up-to Defence area on NH-8 and RR Hospital link underpass on EPC Mode in the State of Delhi'*
2. During construction phase , strict compliance to provisions of 'C&D Waste Management Rules - 2016' and its subsequent amendments dtd. 25.01.2018 and CPCB Guidelines with regard to dust mitigation measures, be ensured by NHAI in letter & spirit.
3. Wind barriers , curtains and water sprinkler system for dust mitigation be maintained as per norms through-out the construction phase.
4. Display Boards regarding arrangements made by the company for management of C&D Waste be put in place for easy public viewing before resuming the construction activity.

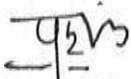
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These Revocation Directions shall stand withdrawn automatically without any further notice in the matter in case any violation of the conditions as stipulated in 1 to 4 above, is committed and legal action as per provisions of the Environment (Protection) Act, 1986 and other laws as applicable, shall be initiated.


[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. **Divisional Head, IT Division, CPCB, Delhi** : For information please.


[Prashant Gargava]
Member Secretary

