



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

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

Date: 11.12.2018

To,

The Vice Chairman
Delhi Development Authority
B- Block, 1st Floor, Vikas Sadan
New Delhi - 110023

Sub: Revocation of Direction issued earlier on 26.10.2018 under section 5 of "Environment (Protection) Act, 1986" to stop Construction & Demolition Activities for the Project titled ' In-situ Rehabilitation at A-14, Kalkaji Extension, Delhi ' and Ensure Strict Implementation of "Construction and Demolition Waste Management Rules, 2016".

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 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; and

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; and

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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; and

WHEREAS, the said rules, guidelines and dust mitigation measures are available on the website of CPCB at 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 include 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; and

WHEREAS, construction and demolition activities and disposal of wastes along the roads contribute significantly to ambient particulate matter pollution and therefore, CPCB teams are continuously being deployed for site visits during March - December, 2018, for verification of implementation of "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 to other DDA sites under section 5 of "Environment (Protection) Act, 1986" to stop construction & demolition activities and ensure

strict implementation of "Construction and Demolition Waste Management Rules, 2016"; and

WHEREAS, CPCB visited following site between 10th to 16th October, 2018 and the observations at visited site which are in violation of the said rules and guidelines were as follows:

Sl. No	Project / Location	Activity	Observations
1.	' Project : In-situ Rehabilitation at A-14, Kalkaji Extension, Delhi '	Construction of multi storied building	<ul style="list-style-type: none">• Heaps of loose soil found uncovered causing dust pollution due to wind.• No Wind barriers found other than road side.• No action taken inspite of reminders during the repeated visits.• No display arrangement for C&D waste management as per the directions issued dated 08.05.2018.

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

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, in exercise of powers vested under section 5 of "The Environment (Protection) Act, 1986", the Vice Chairman, Delhi Development

Authority , had been directed in the matter of its project titled as "In-situ Rehabilitation at A-14, Kalkaji Extension, Delhi" vide CPCB Directions dtd. 26.10.2018 as follows :

- (i) To stop all civil works involving construction and demolition activities at above site with immediate effect.
- (ii) To implement the rules and guidelines for management of construction and demolition activities and wastes including the 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.
 - 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 site shall not resume until adequate dust control measures are ensured and without prior permission from CPCB.

It was 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.

WHEREAS, M/s Delhi Development Authority , vide its letter dated 04.12.2018, has communicated action taken report in context to CPCB directions dtd. 26.10.2018 and made a request for revocation of closure orders ; and

WHEREAS , CPCB officers have inspected DDA construction site at Kalkaji Extension, Delhi as referred above on 07.12.2018 so as to verify compliance of CPCB directions dtd. 26.10.2018. The observations are as follows :

- ✓ Civil works involving construction and demolition activities at above sites have been stopped.
- ✓ Heaps of loose soil found covered with green curtains to control dust pollution due to wind.
- ✓ Wind-breakers / green curtains are provided to isolate construction site and containment of dust emissions.
- ✓ Water sprinkling system has been deployed to suppress dust.
- ✓ Tyre washing facility is available to check dust propagation.

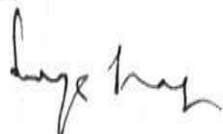

WHEREAS, the case and request of DDA to revoke the closure directions dtd. 26.10.2018 have been examined carefully based on the material facts available and also from view point of the importance of the aforesaid construction project for public utility .

Now , therefore , 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 Delhi Development Authority are hereby revoked subject to following conditions :

1. These Revocation Directions are specifically applicable to the project of DDA titled as “: In-situ Rehabilitation at A-14, Kalkaji Extension, Delhi” which involves construction of multi-storeyed Building.

2. During construction phase, 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 DDA in letter & spirit.
3. Deployment of wind barriers , curtains and water sprinkler system for dust mitigation shall be continued & maintained as per norms through-out the construction phase.
4. 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 3 above, is committed. Under such circumstances, the Closure Direction shall again become operative and DDA shall immediately report to CPCB regarding halt of its operation at the site under question.

Any violation of the conditions of this Revocation Order shall attract legal action as per provisions of the Environment (Protection) Act, 1986 and other laws as applicable , without any further opportunity in the matter.

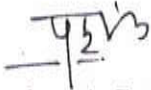

(S. P. S. Parihar)
Chairman
M. 11/11/18


Copy to:

- 1. The Chairman,**
Environmental Pollution Control Authority
Core 6A, 12th Floor, India Habitat Centre,
Lodhi road, New Delhi - 110003 : For Information please

- 2. The Joint Secretary**
CP Division,
Ministry of Environment, Forests & Climate
Change, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110003 : For Information please

- 3. Head, IT Division**
CPCB, Delhi - 110032 : For Information please


(Prashant Gargava)
Member Secretary

