

SPEED POST

No. B-31013/71/2018-19/UPCD-I/ 11845

Date: 12/10/2018

To,

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

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 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, CPCB visited following sites on 4th Oct, 2018 and the observations at visited sites which are in violation of the said rules and guidelines are as follows:

Sl. No	Location	Activity	Observations
1.	Delhi Meerut expressway (DME), Package-I, Sarai Kale Khan to UP gate	High way construction	<ul style="list-style-type: none">• Construction & demolition activities were underway despite the directions issued (dated 08.05.2018) to stop the same and to submit action taken report to CPCB within 15 days.• Uncovered storage of excavated soil under flyover at Sarai Kale khan is causing dust pollution.• Dust mitigation measures like (water sprinkling, barricading, covering etc) not taken as per guidelines.


			<ul style="list-style-type: none"> No display arrangement for C&D waste management as per the directions issued dated 08.05.2018.
2.	Delhi Meerut expressway (DME), Package-II, UP gate to Dasna	High way construction	<ul style="list-style-type: none"> Construction & demolition activities were underway despite the directions issued dated 08.05.2018 to stop the same and to submit ATR to CPCB within 15 days.
3.	Delhi Meerut expressway (DME), Package-III, Dasna to Hapur	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.

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

- (i) **To stop all civil works involving construction and demolition activities at above sites 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 sites shall not resume until adequate dust control measures are ensured and without prior permission from CPCB.**

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

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

