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IPC-V(SS1)/Air-Pollution/2017

November 08, 2017

To

The Chairman
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi – 110006

Directions under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the Pollution Control Boards/Committees is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the concerned State/UT and to secure the execution thereof; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, 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 emission and effluent standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, complaint was received from Shri Vikas Kumar, R/o H.No. 68, VPO Barwala, Delhi through email dated 23.03.2017 regarding Air Pollution from unauthorized industries operated in village Pooth Khurd, Delhi-110039. The National Human Right Commission also forwarded the same complaint to CPCB vide case no 1518/30/6/2017/OC, dated 28.04.2017 for investigate and necessary action.

WHEREAS, CPCB has forwarded the complaint to DPCC vide letter no: B-12015/60(237)/2017-AS/3463, dated 26.05.2017 for investigation and appropriate action, but so far Action Taken Report has not received from DPCC till date; and

WHEREAS, National Human Right Commission again forwarded the same complaint vide case no 1518/30/6/2017/OC, dated 09.09.2017 to CPCB for necessary action in the matter; and

WHEREAS, DPCC has not taken any action in the matter, then the areas in question was inspected by officials from CPCB on 13/10/2017, to investigate the matter. The inspected team has given following findings:

1. The Pooth Khurd village has around 30,000 populations and has area of about 12,000 bigas, out of which 8,000 bigas is used for agriculture and rest is used for residential and industrial purpose.

2. There are approximately 50 unauthorized small scale industries involved in extraction of Aluminum, Zinc, Rubber, Plastic and Cast Iron from scrap by heating in crude furnaces in unscientific manner, using mostly coal and wood as a fuel. The furnaces of all the industries visited, do not have any air pollution control devices and hence releases harmful poisonous toxic fumes directly into atmosphere which is spreading to nearby villages.
3. All the industries are operating in non-confirming areas i.e. residential areas.
4. As per local survey with residents, the industries are mostly operating in night hours and releasing toxic air, thus creating various respiratory problems like asthma, lung cancer, throat congestion, irritation of eyes. This event is also causing minimal visibility and smog in early morning.
5. The inspection team has visited 10 units and found none of these have any air pollution control device nor have consents under Air Act, 1981 from Delhi Pollution Control Committee.
6. There are 8 schools around the industrial units in Pooth Khurd village area, having strength of about 10,000 children. And being located inside residential area and at such proximity to schools has immediate threat to local populace.
7. The residents have filed a number of complaints to SDM, Narela Zone, Delhi Govt, Lieutenant Governor office however no concrete action have been taken.

WHEREAS, on basis of the inspection and observations, the inspecting team has made following recommendations:

1. All the units should have proper air pollution control devices to arrest air pollutants.
2. All the industries should obtain consents under Air Act, 1981 from DPCC.
3. The area should be investigated door to door to know the number of units operating illegally.
4. Until recommendations 1 & 2 are complied; all the units should be closed/ sealed immediately by concerned authorities.

NOW THEREFORE, in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the following directions are issued to Delhi Pollution Control Committee for compliance:

1. The area should be investigated door to door to know the number of units operating illegally.
2. The units operating without consent in residential areas of Pooth Khurd village shall close down all their operations with immediate effect.
3. The units not having air pollution control devices shall also close down all operations with immediate effect.




4. Local administration should ensure that operation of Air & Water polluting industries not be allowed in residential areas.
5. DPCC should take necessary action in the matter and monitor the compliance status.


DPCC should submit compliance status report by 20th November, 2017 to the Central Pollution Control Board. In case of default, CPCB will be constrained to initiate appropriate action against the Unit, without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.


(S.P. Singh Parihar)
Chairman

Copy to:

1. **District Magistrate (Delhi-North West)** : for necessary action please
Old Middle school Building
Lawrence road, Rampura
Delhi-110035
2. **The Chief Engineer,** : with a request to disconnect
Dakshinanchal Vidyut Vitaran Nigam Limited, electricity supply those industries
Urja Bhavan, Agra-Delhi Bypass Road, operated without Consent from
Sikandra, Agra, 282002 DPCC and operating without Air
Pollution Control Devices
3. **The Assistant Registrar (Law)** : for information please
National Human Rights Commission
Manav Adhikar Bhawan, Block-C,
GPO Complex, INA New Delhi-110023
4. **The Advisor (CP Division)** : for information please
Ministry of Environment, Forests
& Climate Change
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi - 110 003
5.  **Divisional Head, IT Division, CPCB** : for information please




(A. Sudhakar)
Member Secretary