

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
AT NEW DELHI

ORIGINAL APPLICATION NO. 02 OF 2019

IN THE MATTER OF:

Pawan Kumar Sharma, MLA

.....Applicant

Versus

Govt. of NCT of Delhi

.....Respondent

**NDOH:- 13.08.2019**

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Filed by

(Sh. Deepak Kumar Singh)  
Sr. Env. Engineer,  
(Delhi Pollution Control Committee)

New Delhi  
Dated:- 08.08.2019.

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL

AT NEW DELHI

ORIGINAL APPLICATION NO 02 OF 2019

IN THE MATTER OF:

Pawan Kumar Sharma, MLA

.....Applicant

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Govt. of NCT of Delhi

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**STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 25.04.2019.**

1. That this Hon`ble Tribunal in above referred matter vide its order dated 25.04.2019 ordered as follows:

*“ 1. The issue for consideration is the violation of environmental norms by IL & FS Company at Jahangirpuri, Delhi. Delhi Pollution Control Committee (DPCC) was required to furnish an action taken report in the matter.*

*2. A status report filed on behalf of DPCC vide e-mail dated 18.04.2018 is to the effect that DPCC has asked the North Delhi Municipal Corporation to take action and also issued direction under Section 33A of the Air (Prevention and Control of Pollution) Act, 1981 and under Section 5 of the Environment (Protection) Act, 1986 as follows:-*

*“That, Delhi Pollution Control Committee (DPCC) vide letter dated 11.04.2019 has issued following Directions u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 to M/s IL & FS Environmental Infrastructure & Services Limited :*

*(i) That you (the Addressee) shall take immediate necessary action to ensure that there is no fugitive dust emissions from the Construction and Demolition Waste Processing Facility at Jahangirpuri and shall comply with the Terms and*

*Conditions of the Consent to Operate under the Air & Water Acts issued on 16.07.2014 and Authorization under the Construction and Demolition Waste Management Rules, 2016 issued on 04.07.2018 including compliance regarding installation of the Online Continuous Ambient Air Quality Monitoring Station 1 in Upwind direction and 2 in Downwind direction for recording particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) with linking facility with DPCC & CPCB servers and submit the compliance report to DPCC within 15 days.*

*(ii). That you (the Addressee) shall ensure proper sprinkling of water to suppress the fugitive dust from the heaps of deposited Construction and Demolition Waste in front of main boundary wall/main gate of the facility and shall also submit an Action Plan for removal of said heaps of Construction and Demolition Waste to DPCC within 30 days.*

*(iii). Deposit Environmental Compensation of Rs. 5,00,000/- (Rs. Five Lakh Only) by way of Demand Draft in favour of Delhi Pollution Control Committee within 10 days from the date of issuance of these Directions.*

*(iv). Submit Bank Guarantee of Rs. 5,00,000/- (Rs. Five Lakh Only) in favour of Delhi Pollution Control Committee within 10 days from the date of issuance of these Directions.”*

*3. Final outcome of the action claimed to have been taken has not been brought on record.*

*4. Learned counsel for DPCC seeks time to file further action taken report in the matter.*

*5. Let the same be filed before the next date by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com).*

*List for further consideration on 13.08.2019”.*

2. That the Authorization under the Construction and Demolition Waste Management Rules, 2016 was given to M/s IL & FS Environmental Infrastructure & Services Limited for its Construction and Demolition Waste Processing Facility at Jahangirpuri, Delhi (herein after referred as “C & D Waste Processing Facility”) on 04.07.2018 with condition that the unit shall provide Online Continuous Ambient Air Quality Monitoring Stations i.e. one in Upwind Direction and two in Downwind Direction for recording particulate matter ( PM 2.5 and PM 10 ) with linking facility with DPCC / CPCB websites, however the same has not been installed by the “C & D Waste Processing Facility” so far.

3. That with respect to the Directions u/s 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 read along with Construction and Demolition Waste Management Rules, 2016 , issued by DPCC on 11.04.2019, M/s IL & FS Environmental Infrastructure & Services Limited has deposited Environmental Compensation of Rupees Five Lakh to DPCC in form of Demand Draft vide letter dated 10.05.2019.

Vide said letter M/s IL & FS Environmental Infrastructure & Services Limited has requested to exempt C & D Plants from installation of Air Monitoring Stations on the pretext that their activity does not fall under the 17 activities ( Highly Polluting Industries) for which CPCB has asked for installation of Online Monitoring System. It is informed that they are taking various measures for dust suppression at the plant, such as :

- (i) Wherever possible , Green belt has been provided along the boundary of the Plant.
- (ii) Periodic sprinkling of water on the roads and where C & D waste is dumped
- (iii) Air Curtain has been provided towards the residential areas
- (iv) One Cloud Tech water sprinkler is also installed to reduce the dust.

Copy of the letter dated 10.05.2019 of M/s IL & FS Environmental Infrastructure & Services Limited is annexed as **Annexure – 1.**

4. That M/s IL & FS Environmental Infrastructure & Services Limited vide letter Dated 30.05.2019 has also requested CPCB to issue necessary clarification to DPCC for not pressing for installation of 3 Nos Continuous Ambient Air Quality Monitoring Stations inside their C & D Waste Processing Facilities in Delhi.

Copy of the letter dated 30. 05.2019 of M/s IL & FS Environmental Infrastructure & Services Limited addressed to CPCB is annexed as **Annexure – 2.**

5. That with respect to the Directions u/s 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 read along with Construction and Demolition Waste Management Rules, 2016 , issued by DPCC on 11.04.2019, M/s IL & FS Environmental Infrastructure & Services Limited has submitted a Pay Order of Rupees Five Lakh to DPCC vide letter dated 06.08.2019 instead of Bank Guarantee in respect of installation of Continuous Ambient Air Quality Monitoring Stations.

Copy of the letter dated 06.08.2019 of M/s IL & FS Environmental Infrastructure & Services Limited is annexed as **Annexure – 3.**

6. That, another inspection of the Construction and Demolition Waste Processing Facility at Jahangirpuri, Delhi being run by M/s IL & FS Environmental Infrastructure & Services Limited, was carried out by a team of Delhi Pollution Control Committee on 31.07.2019. Following are the brief of the observations during the said inspection :

(i) M/s IL & FS Environmental Infrastructure & Services Limited, Gate No. 1, Hanuman Mandir Road, Near MCD Colony, Jahangirpuri, Delhi – 110033 , is engaged in the activity of “ Processing of Construction and Demolition Waste Debris” and the capacity of the plant is 2000 TPD (Tonnes per day). The plant operates in two shifts of 8 hours each (16 Hours in a day).

(ii) Source of Water is Treated water from the Coronation Pillar Sewage Treatment Plant of Delhi Jal Board used for sprinkling system through tanker. Bore well exist for ground water extraction for which having permission from DJB. There is drinking water supply from Delhi Jal Board.

(iii) Facility is having one DG Set of 100 KVA capacity kept in acoustic enclosure with stack height of about 2.5 meter above the acoustic enclosure.

(iv) The Construction and Demolition Waste received in the facility is first weighed through Weigh Bridge with computerized system installed near the Gate where trucks enter and after that inspection of the incoming material is done.

(v) Records of incoming Construction and Demolition Waste and various products (Aggregates, Sand, Concrete Blocks, Pavers & Tiles, Kerb Stone etc) are being maintained.

(vi) Machinery installed in the facility are Rubble Master 60 (in Dry Line Process) , CDE Asia (in Wet Line Processing, Capacity 65 Tonnes per Hour) , Grizzly Set (Filters), Impact Crusher, Hydrocyclone, Filter Press , various Screens, 4 Mini Mixers, JCBs, Brick Making Plant, Vibrating Tables, Batching Plant etc.

(vii) The Facility is having Dry and Wet Processing sections. Big Concrete Blocks from C & D waste are crushed to 200 to 400 mm size and sent to Dry Section for further crushing for getting aggregates of 10 to 20 mm, 3 to 10 mm and 3 to 75 mm size.

Mixed C & D Waste is sent to Grizzly Set (Filters 200 mm size) and passed material is sent to Impact Crusher for size reduction to 60 mm and then sent for wet processing where water is mixed with crushed C & D Waste. Aggregates of 60 to 20 mm, 20-10 mm and 10 to 3 mm size are produced. Hydro cyclone is used to produce sand of 3mm to 75 micrometer size and Silt + Clay of size less than 75 micrometer. Filter press is used for dewatering of the soil extracted from the C & D Waste.

(viii) Recyclables (Rags, Plastics, Metals, and FRP Sheets etc) received from the segregation of Construction and Demolition Waste is sold to the Recyclers / Scrap Dealers. Whole Bricks received from segregation of Construction and Demolition Waste is kept separately for internal use. The rejects in form of RDF is sent to Waste to Energy Plant at Ghazipur, Delhi being operated by IL & FS Environmental Infrastructure & Services Limited.

(ix) Batching Plant was found in non-operational condition. It was informed that because of less demand of Ready Mix Concrete (RMC) Batching Plant is not in operation since 2016.

(x) In casting section Tiles, Kerb Stones, Paver Blocks, Brick Tiles, Cement Bricks (Size 400mm x 200mm x 100 mm) are produced using the aggregates & sand produced in the facility using Cement, Pigments / Colour & other Additives.

Pollution Control Measures:

(xi) Most part of the plant is open and there is shed over the casting section. Sprinkling of water is done on the road on which movement of trucks take place. Vertical Corrugated sheets have been provided at the boundary wall near habitation (on the back side boundary wall of the plant and also at the boundary wall towards the MCD Sweeper colony).

(xii) Construction Waste and Aggregates produced from the processing of C & D Waste found kept in open and sprinkling of water was observed. Plastic Sheet / Tarpaulin were placed on the fine aggregate kept in open. The conveyer belts of dry processing section are covered. Bags are provided in the dry processing section for dust control. Dust suppression system called Cloud Tech is installed at the feed area of the wet processing section to suppress the dust level in the surrounding. 36 Sprinklers are installed in different section at various locations in the plant for dust control.

(xiii) Treated water from the Coronation Pillar Sewage Treatment Plant of Delhi Jal Board is used for sprinkling system through tanker.

(xiv) Online Continuous Ambient Air Quality Monitoring Stations have not been installed by the facility so far.

(xv) No trade effluent is discharged from the premises of the plant and domestic effluent from toilet and bathrooms is discharged in the sewerage system of the area.

(xvi) Green belt provided near the front boundary wall and side wall towards the MCD Sweeper colony. Boundary wall of about 5 feet height provided for the plant. Two gates are provided with security guards.

(xvii) Products of the Construction and Demolition Waste Processing Facility are procured by the various agencies including PWD, CPWD, Municipal Corporations (SDMC, EDMC, North DMC, and NDMC), DSIIDC, DDA, Irrigation & Flood Control Department, Railways and Private Parties. Screen soil is being used by DSIIDC in its various projects.

(xviii) Workers were seen wearing helmets, masks and gloves .

(xix) Two huge heaps of deposited Construction and Demolition Waste were observed in front of main boundary wall / main gate of the facility and it was informed that about 2.94 Lakh MT of Construction and Demolition Waste is lying there for quite some times (accumulated in about 3 years). It was informed that the land belongs to Public Works Department (PWD) / Delhi Jal Board (DJB) /Army and the said deposited material could not be processed due to less demand / sale of the products produced at the site.

The Inspection Report Dated 31.07.2019 is annexed as **Annexure – 4.**

7. Reminder letter has been issued to North Delhi Municipal Corporation on 08.08.2019 for taking necessary action to get rid of / removal of such huge deposition of Construction and Demolition Waste in front of main boundary wall / main gate of the Construction and Demolition Waste Processing Facility and submit an action plan in this regard to Delhi Pollution Control Committee.

Copy of the Letter issued to North Delhi Municipal Corporation on 08.08.2019 is annexed as **Annexure – 5.**

That, above action taken report may please be taken on records for consideration/ further directions please.



(Deepak Kumar Singh)

Sr. Env. Engineer,

Delhi Pollution Control Committee

New Delhi

Dated: 08 .08.2019

IL&FS Environmental Infrastructure & Services Limited

2nd & 3rd Floor,  
MM Tower, Behind Airtel  
Building PlotNo. - 8-9,  
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CIN No. U90001DL2007PLC166554

7

Date: 10.05.2019

To  
Member Secretary,  
Delhi Pollution Control Committee  
4th Floor, ISBT Building  
Kashmere Gate  
Delhi-110006

MS/7617  
11/05/19

Reference: F.No DPCC/EC/9311/WMC-II/1394-1396 dated 11-04.2019  
Our Request letter to DPCC dated 18.04.2019  
Our Request letter to CPCB dated 25.03.2019.

Delhi Pollution Control Committee
Dairy No. ... 4069/...
10 MAY 2019
MS <del>WAC</del>
Sign. of Receiving Officer

Subject: Submission of Environment Compensation of Rs. 5 Lakhs u/s 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of Environment (Protection) Act, 1986-reg.

Sir,

This has reference to above letter of DPCC dated 11-04-2019 wherein Direction u/s 31(A) of the Air Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 was issued by DPCC for non- installation of at least 3 numbers of Online Continuous Ambient Air Quality Monitoring Station (i.e. 1 in Upwind direction and 2 in Downwind direction) for recording particulate matter (PM 2.5 and PM 10) at Processing of Construction and Demolition Waste Site at Jahangipuri site.

According to CPCB, there are 17 activities which comes under section 18(1)(b) and which are highly polluting industries and responsible for installation of OMS. Since our industry is not prescribed in the list mentioned in the letter, we once again request you to exempt C&D plants from installation of Air Monitoring Stations.

Vide above referred order, an "Environment Compensation" of Rs 5 lakh was levied on us and we have also been asked to submit a Bank guarantee of Rs 5 lakh to Delhi Pollution Control Committee.

We, once again want to reiterate, that the activities that we are carrying out at our plants are in-fact, reducing the air pollution level in the City. We are taking various measurers for dust suppression at the Plant, such as:

*Sanjay*

Registered Office: 217-A, Ground Floor, Okhla Phase-3, New Delhi - 110020 India

Ar  
11/05/2019  
PI detach  
SD pay order  
and send this  
letter to WMC II  
2326/wmc II  
11/05/19  
Vijay K Singh  
Accounts of IL&FS

- 30
- 8
- Wherever possible, Green belt has been provided along the boundary of the Plant,
  - Periodic sprinkling of water on the roads and where C&D waste is dumped,
  - Air Curtain has been provided towards the residential areas,
  - One Cloud Tech water sprinkler is also installed to reduce the dust.

As sale of products made out of C&D waste is yet to stabilize, achieving financial sustainability of C&D plants is always very difficult. As you may be aware, Management control of all IL&FS Group Company has been taken over by Government of India from 1<sup>st</sup> October 2018. We are not getting any financial aid from our parent company. This C&D waste Processing Plant is a "Pilot Plant" and the first large scale C&D plant of the country. We always want to further improve our process so that C&D waste can be gainfully utilized in an environment friendly manner.

We again want to reiterate that we are always trying to minimize the level of dust generator from the plant. If 2000 MT C&D waste would not have been lifted from different parts of the city, the impact on air pollution would have been much higher.

Vide letter dated 18.04.2019 we have requested to DPCC for waiver of the Environmental Compensation levied on company.

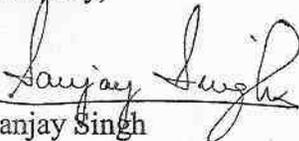
Till date we have not received any response for the above request. To err on side of caution, under protest we are depositing Rs. 5 Lakh of "Environmental Compensation" imposed by DPCC. The Environmental Compensation of Rs. 5 Lakh is being made by **Demand Draft 343411 dated 09/05/2019** is attached herewith.

For submission of Bank Guarantee, we would request to give us some more time till we get some financial assistance from our parent Company or from some other source.

Looking forward for a lenient view on the above.

Thanking You,

Sincerely,

  
Sanjay Singh  
Senior VP-IEISL

0 9 0 5 | 2 0 1 9

9

DELHI POLLUTION CONTROL COMMITTEE

ON DEMAND PAY

RUPEES FIVE LAKH ONLY \*\*

OR ORDER

₹ \*\*\*\*5,00,000.00

FOR HDFC BANK LTD.

IL AND FS ENVIRONMENTAL INFRASTRUCTURE



HARSHA BHAVAN, DELHI

Cent. Clg : Delhi

DRAWEE BRANCH 343411

HARSHA BHAVAN, DELHI

ISSUING BRANCH

*[Handwritten Signatures]*  
A 0228

AUTHORISED SIGNATORIES  
Please sign above

⑈343411⑈ 000240000⑈ 999998⑈ 16

Payee  
Negotiable

3rd Floor,  
MM Tower, Behind Airtel  
Building PlotNo. - 8-9,  
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CIN No. U90001DL2007PLC166554

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To,  
Dr. Prashant Gargava,  
Member Secretary, Central Pollution Control Board (CPCB),  
Parivesh Bhawan, East Arjun Nagar,  
Delhi - 110032.

Date: 30.05.2019

**Subject: Issue of clarification regarding setting up of Ambient Air Quality Monitoring Station (Upwind and Downwind) at Construction and Demolition (C&D) Waste Processing Facilities in Delhi**

**Ref: Our Letter dated 25.03.19 and 23.04.19 on the subject mentioned above**

Dear Sir,

Central Pollution Control Board under Section 18(1) (b) of the Water (Prevention & control of Pollution) Act, 1974 and the Air (Prevention & control of Pollution) Act, 1981 issued a directive on 5<sup>th</sup> February 2014, to all the State Pollution Control Boards/Pollution Control Committees for installation of online emission monitoring system w.r.t particulate matter parameter & online effluent monitoring system w.r.t pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including distilleries as following (enclosed as Annexure A):

1. Aluminium
2. Cement
3. Chlor Alkali
4. Copper
5. Distillery
6. Dye and Dye Intermediates
7. Fertilizer
8. Iron & Steel
9. Oil Refinery
10. Pesticides
11. Petrochemical
12. Pharmaceuticals
13. Power Plant
14. Pulp & Paper
15. Sugar
16. Tannery
17. Zinc

It is informed that our company IL&FS Environmental Infrastructure & Services Limited (IEISL) is operating 3 C&D waste processing facilities at Burari, Shastri Park and Mundka in Delhi under PPP with North Delhi Municipal Corporation, East Delhi Municipal Corporation and Delhi Metro Rail Corporation (DMRC) and contributing significantly in reducing the air pollution in Delhi on account of dust by processing 2650 MT of C&D waste every day. The processing of the C&D waste yields Green Recycled Products namely Recycled Aggregates (RA), Recycled Concrete Aggregates(RCA), Manufactured Sand, Screened Soil, C&D Bricks & Blocks, C&D Pavers & Tiles etc.

It is brought to your kind notice that Delhi Pollution Control Committee (DPCC) has issued "Consent to Operate" to the aforesaid Construction & Demolition processing facilities (enclosed as Annexure B1, B2 & B3), with a special condition as following:

- a. The consentee shall install online continuous monitoring system to measure the particulate matter emissions and shall provide a link to DPCC website for continuous online display of the test result on it.

- b. The consentee shall install at least 3 nos. of continuous ambient air quality monitoring stations (1 in Upwind direction and 2 in Downwind direction) for recording particulate matter (PM 2.5 and PM 10). (11)

CPCB directives issued on 5<sup>th</sup> February 2014, as mentioned above does not include C&D waste processing facilities under 17 categories of industries and therefore, do not require installation 3 nos. of continuous ambient air quality monitoring stations.

We have taken up the aforesaid matter with the DPCC in writing (enclosed as Annexure C) but no response has been received from their end. Further, DPCC vide letter no.-DPCC/EC/9311/WMC-II/1394-1396 dated 11.04.2019 has imposed a penalty of Rs. 5,00,000 (Rs. 5 Lakhs only) towards Environment Compensation for no fault of us, which is not in order.(copy enclosed as Annexure D)

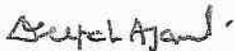
We have already installed water sprinkler system all over the plant to avoid fugitive dust emission during handling of the C&D waste and ambient air quality standards are maintained inside the plants.

It is apprised that on the regular insistence and follow up by the DPCC to pay penalty of Rs. 5,00,000/-as imposed by them, our company had deposited the said penalty under protest to avoid closure of the C&D processing facilities in Delhi as processing of C&D waste & offtake of C&D recycled material is being monitored by the PMO.

In view of above, we request your good office to issue necessary clarification to DPCC to not to press for installation of 3 nos. of continuous ambient air quality monitoring stations inside our C&D waste processing facilities at Burari , Shastri Park and Mundka and withdraw the penalty.

Looking for a positive response as these plants play an important role in mitigation of particulate matter menace in the city of Delhi.

With Warm Regards



Deepak Agarwal, Ex IOFS  
Senior Vice President

IL&amp;FS Environmental Infrastructure &amp; Services Limited

2nd & 3rd Floor,  
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CIN No. U90001DL2007PLC166554

Date: 06.08.2019

To

Member Secretary,  
Delhi Pollution Control Committee  
4th Floor, ISBT Building  
Kashmere Gate  
Delhi-110001

**Subject: Submission of Bank Guarantee of Rs. 5 Lakhs u/s 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of Environment (Protection) Act, 1986-reg.**

Sir,

This has reference with the Direction u/s 31(A) of the Air Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 issued by you on 11.04.2019 for the non- installation of at least 3 numbers of Online Continuous Ambient Air Quality Monitoring Station (i.e. 1 in Upwind direction and 2 in Downwind direction) for recording particulate matter (PM 2.5 and PM 10) at Processing of Construction and Demolition Waste Site at Jahangipuri site.

We have already deposited the Environmental Compensation of Rs. 5 lakh on 10/05/2019. Instead of Bank Guarantee, we are submitting herewith a Pay order no. 853415 of Rs. 5 Lakh Drawn on HDFC Bank Ltd. dated 05/08/2019.

We are submitting the above pay order under protest which may be refund to us after completion of one year.

Thanking You,

Sincerely,

  
Sapna Rathore  
IEISL

Enclosure: Demand Draft of Rs. 5 lakh

13

HDFC BANK

PAYINST DRAFT

VALID FOR THREE MONTHS FROM THE DATE OF ISSUE

0 5 0 8 2 0 1 9

Ac Payee  
Not Negotiable

DELHI POLLUTION CONTROL COMMITTEE

ON DEMAND PAY

RUPEES FIVE LAKH ONLY \*\*

OR ORDER

₹ \*\*\*\*5,00,000.00

FOR HDFC BANK LTD.

PURCHASER IL AND ES ENVIRONMENTAL INFRASTRUCTURE

*[Signatures]*  
A 0228



HARSHA BHAVAN, DELHI

Cent. Clg : Delhi

HARSHA BHAVAN, DELHI

DRAWEE BRANCH 853415

ISSUING BRANCH

AUTHORISED SIGNATORIES  
Please sign above

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BANG DATA FORMS CTS 2010 6/19

**Inspection Report dated 31.07.2019 of the Construction and Demolition Waste Processing Facility at Jahangirpuri, Delhi wrt Hon'ble National Green Tribunal order dated 11.01.2019 in O.A. 02/2019 in the matter of Pawan Kumar Sharma, MLA Vs. Govt. of NCT of Delhi.**

Hon'ble National Green Tribunal in Original Application No. 02/2019 in the matter of Pawan Kumar Sharma, MLA Vs Govt. of NCT of Delhi has passed an order on dated 11.01.2019 for an inspection of C & D Waste Processing Facility ( hereinafter, referred as " Facility") run by IL & FC Company at Jahangirpuri, Delhi. The matter is regarding complaint wherein, it has been alleged that the C & D waste is being stored, transported, processed and distributed by the unit and the waste is put on the government land by way of encroachment. Garbage dumps have been created and it is adversely affecting the environment.

In view of the orders of Hon'ble National Green Tribunal dated 11.01.2019, an inspection of the Facility at Jahangirpuri, Delhi was carried out by a team of Delhi Pollution Control Committee and the Inspection Report was submitted to Hon'ble National Green Tribunal.

Another Inspection was carried out by DPCC officials comprising of Shri. N.K.Joshi, Environmental Engineer, Sh. S. Miraj Ali (Trainee Engineer) on 31.07.2019. Representatives of M/s IL & FS Environmental Infrastructure & Services Limited Mrs. Sapna Rathore, Senior Executive Engineer and Shri Hitesh Aggrawal, Asstt. Manager were present at the site during the inspection.

**Observations:**

M/s IL & FS Environmental Infrastructure & Services Limited, Gate No. 1, Hanuman Mandir Road, Near MCD Colony, Jahangirpuri, Delhi - 110033, is engaged in the activity of " Processing of Construction and Demolition Waste Debris" at the said address and the capacity of the plant is 2000 TPD (Tonnes per day). The plant operates in two shifts of 8 hours each (16 Hours in a day).

Plot Area of the Facility is about 7 Acres on the Land of North Delhi Municipal Corporation. M/s IL & FS Environmental Infrastructure & Services Limited is operating the Facility as per the agreement dated 02.02.2009 between then Municipal Corporation of Delhi and IL & FS Waste Management and Urban Services Limited. The facility is having about 170 employees including labourers. At one side of the Facility is MCD Sweeper Colony and on back side of the Facility is Bengali Basti in G Block of Jahangirpuri.

Consent to Operate under the Air & Water Acts having validity up to 16.01.2019) and Authorization under the Construction and Demolition Waste Management Rules, 2016 with validity up to 16.01.2019 was granted to M/s IL & FS Environmental Infrastructure & Services Limited. They have applied for renewal of Consent and Authorization 26.02.2019.

Source of Water is Treated water from the Coronation Pillar Sewage Treatment Plant of Delhi Jal Board used for sprinkling system through tanker. Bore well exist for ground water extraction for which having permission from DJB. There is drinking water supply from Delhi Jal Board.

Electricity supply is from Tata Power Delhi Distribution Limited (TPDDL) with sanctioned power load of 200 KW. Facility is also having one DG Set of 100 KVA capacity kept in acoustic enclosure with stack height of about 2.5 meter above the acoustic enclosure.

The Construction and Demolition Waste received in the facility is first weighed through Weigh Bridge with computerized system installed near the Gate where trucks enter and after that inspection of the incoming material is done. Records of incoming Construction and Demolition Waste and various products (Aggregates, Sand, Concrete Blocks, Pavers & Tiles, Kerb Stone etc) are being maintained.

Machinery installed in the facility are Rubble Master 60 (in Dry Line Process), CDE Asia (in Wet Line Processing, Capacity 65 Tonnes per Hour), Grizzly Set (Filters), Impact Crusher, Hydrocyclone, Filter Press, various Screens, 4 Mini Mixers, JCBs, Brick Making Plant, Vibrating Tables, Batching Plant etc.

The Facility is having Dry and Wet Processing sections. Big Concrete Blocks from C & D waste are crushed to 200 to 400 mm size and sent to Dry Section for further crushing for getting aggregates of 10 to 20 mm, 3 to 10 mm and 3 to 75 mm size.

Mixed C & D Waste is sent to Grizzly Set (Filters 200 mm size) and passed material is sent to Impact Crusher for size reduction to 60 mm and then sent for wet processing where water is mixed with crushed C & D Waste. Aggregates of 60 to 20 mm, 20-10 mm and 10 to 3 mm size are produced. Hydro cyclone is used to produce sand of 3mm to 75 micrometer size and Silt + Clay of size less than 75 micrometer. Filter press is used for dewatering of the soil extracted from the C & D Waste.

*N.K. Joshi*  
31.07.19

N.K. JOSHI  
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*T.E. DPCC*  
T.E, DPCC.

Recyclables (Rags, Plastics, Metals, and FRP Sheets etc) received from the segregation of Construction and Demolition Waste is sold to the Recyclers / Scrap Dealers. Whole Bricks received from segregation of Construction and Demolition Waste is kept separately for internal use. The rejects in form of RDF is sent to Waste to Energy Plant at Ghazipur, Delhi being operated by IL & FS Environmental Infrastructure & Services Limited.

Batching Plant was found in non-operational condition. It was informed that because of less demand of Ready Mix Concrete (RMC) Batching Plant is not in operation since 2016.

In casting section Tiles, Kerb Stones , Paver Blocks, Brick Tiles , Cement Bricks ( Size 400mm x 200mmx 100 mm) are produced using the aggregates & sand produced in the facility using Cement , Pigments / Colour & other Additives.

**Pollution Control Measures:**

Most part of the plant is open and there is shed over the casting section. Sprinkling of water is done on the road on which movement of trucks take place. Vertical Corrugated sheets have been provided at the boundary wall near habitation (on the back side boundary wall of the plant and also at the boundary wall towards the MCD Sweeper colony).

Construction Waste and Aggregates produced from the processing of C & D Waste found kept in open and sprinkling of water was observed. Plastic Sheet / Tarpaulin were placed on the fine aggregate kept in open. The conveyer belts of dry processing section are covered. Bags are provided in the dry processing section for dust control. Dust suppression system called Cloud Tech is installed at the feed area of the wet processing section to suppress the dust level in the surrounding. 36 Sprinklers are installed in different section at various locations in the plant for dust control. Treated water from the Coronation Pillar Sewage Treatment Plant of Delhi Jal Board is used for sprinkling system through tanker.

The unit was asked to provide Online Continuous Ambient Air Quality Monitoring Stations i.e. one in Upwind Direction and two in Downwind Direction with linking facility with DPCC / CPCB websites however the same has not been installed by the facility so far.

No trade effluent is discharged from the premises of the plant and domestic effluent from toilet and bathrooms is discharged in the sewerage system of the area.

Green belt provided near the front boundary wall and side wall towards the MCD Sweeper colony. Boundary wall of about 5 feet height provided for the plant. Two gates are provided with security guards.

Products of the Construction and Demolition Waste Processing Facility are procured by the various agencies including PWD, CPWD, Municipal Corporations (SDMC, EDMC, North DMC, and NDMC), DSIIDC, DDA, Irrigation & Flood Control Department, Railways and Private Parties. Screen soil is being used by DSIIDC in its various projects.

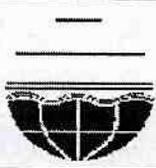
As far as safety provisions are concerned workers were seen wearing helmets, masks and gloves. Medical health camp is organized for monitoring the health of workers in the plant and last medical camp was organized on 02.04.2018.

Two huge heaps of deposited Construction and Demolition Waste were observed in front of main boundary wall / main gate of the facility and it was informed that about 2.94 Lakh MT of Construction and Demolition Waste is lying there for quite some times (accumulated in about 3 years). It was informed that the land belongs to Public Works Department (PWD) / Delhi Jal Board (DJB) /Army and the said deposited material could not be processed due to less demand / sale of the products produced at the site.

  
(N.K. Joshi)  
Env. Engineer, DPCC

  
(S. Miraj Ali)  
Trainee Engineer, DPCC

By Speed post



**DELHI POLLUTION CONTROL COMMITTEE**  
**DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI**  
**5<sup>th</sup>FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006**  
visit us at : <http://dpcc.delhigovt.nic.in>

F.No. DPCC / EC / 9311 / WMC-II / 2088

Dated: 08.08.2019

To,

**The Commissioner,**  
North Delhi Municipal Corporation,  
4<sup>th</sup> Floor, Dr. S.P.M Civic Center,  
JLNehru Marg, New Delhi- 110002

**REMINDER**

**Sub: Action Plan for removal of heaps of C & D Waste in front of main boundary wall / gate of the Construction and Demolition Waste Processing Facility at Jahangirpuri**

**Madam,**

Please refer our earlier letter dated 11.04.2019 regarding request for taking necessary action to get rid of / removal of huge deposition of Construction and Demolition Waste in front of main boundary wall / gate of the Construction and Demolition Waste Processing Facility at Jahangirpuri and submission of an action plan in this regard to Delhi Pollution Control Committee.

The said letter was issued after the inspection of the C & D Waste Processing Facility at Jahangirpuri by a team of DPCC officials on 22.02.2019 pursuant to the orders of Hon'ble National Green Tribunal Dated 11.01.2019 in O.A. No. 02/2019 in the matter of Pawan Kumar Sharma, MLA Vs. Govt. of NCT of Delhi. Copy of the said letter dated 11.04.2019 is enclosed herewith for your ready reference.

Response / Action Plan w.r.t said letter has not been received from the North Delhi Municipal Corporation so far.

Hon'ble National Green Tribunal vide order dated 25.04.2019 has sought the final outcome of the action taken w.r.t above mentioned case. Copy of the order dated 25.04.2019 of Hon'ble National Green Tribunal is enclosed. Next Date of Hearing in the said case is 13.08.2019.

During the another inspection of the C & D Waste Processing Facility at Jahangirpuri by a team of DPCC officials on 31.07.2019, it was observed that the two huge heaps of deposited C & D Waste still exist in front of main boundary wall / main gate of the facility and as informed about 2.94 Lakh MT of C & D Waste is lying there.

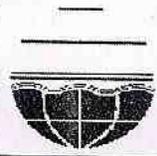
In view of the above you are once again requested to take necessary action to get rid of / removal of such huge deposition of Construction and Demolition Waste at the above mentioned site and submit an action plan in this regard to Delhi Pollution Control Committee urgently so that Hon'ble National Green Tribunal can be apprised.

Yours Sincerely,

(Arun Mishra)  
Member Secretary

Enclosures : As Above

By Speed post



**DELHI POLLUTION CONTROL COMMITTEE**  
**DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI**  
**5<sup>th</sup>FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006**  
visit us at : <http://dpcc.delhigovt.nic.in>

F.No. DPCC / EC / 9311 / WMC-II / 1397

Dated: 11-04-2019

To,

The Commissioner,  
North Delhi Municipal Corporation,  
4<sup>th</sup> Floor, Dr. S.P.M Civic Center,  
JLNehru Marg, New Delhi- 110002

**Sub: Action Plan for removal of heaps of C & D Waste in front of main boundary wall / gate of the Construction and Demolition Waste Processing Facility at Jahangirpuri**

Madam,

Pursuant to the orders of Hon'ble National Green Tribunal Dated 11.01.2019 in O.A. No. 02/2019 in the matter of Pawan Kumar Sharma, MLA Vs. Govt. of NCT of Delhi a team of DPCC officials carried out inspection on 22.02.2019 of the Construction and Demolition Waste Processing Facility at Jahangirpuri being operated by M/s IL & FS Environmental Infrastructure & Services Limited, Gate No. 1, Hanuman Mandir Road, Near MCD Colony, Jahangirpuri, Delhi - 110033.

During the said inspection the team observed Two huge heaps of deposited Construction and Demolition Waste in front of main boundary wall / main gate of the facility and it was informed that about 3.34 Lakh MT of Construction and Demolition Waste is lying there for quite some times (accumulated in about 3 years). It was informed that the land belongs to Public Works Department (PWD) / Delhi Jal Board (DJB) / Army and the said deposited material could not be processed due to less demand / sale of the products produced at the site. It was also informed that there is a possibility of use of said deposited Construction and Demolition Waste by National Highway Authority of India (NHAI) as a fill material in its Road Construction project of NH-1.

Though significant fugitive dust from the said heaps of Construction and Demolition Waste was not observed during the inspection however fugitive dust may not be ruled out during Summer Season particularly during the excavation of the deposited Construction and Demolition Waste. The Plant Operator should ensure proper sprinkling of water to suppress the fugitive dust from the said heaps.

In view of the above you are requested to take necessary action to get rid of / removal of such huge deposition of Construction and Demolition Waste (about 3.34 Lakh MT) at the above mentioned site and submit an action plan in this regard to Delhi Pollution Control Committee within 30 days.

Yours Sincerely,

(S.M. Ali)

Member Secretary, DPCC

o/c

Item No.06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 02/2019

Pawan Kumar Sharma, MLA

Applicant(s)

Versus

Govt. of NCT of Delhi

Respondent(s)

Date of hearing: 25.04.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

For Respondent(s): Mr. Dinesh Jindal, LO

**ORDER**

1. The issue for consideration is the violation of environmental norms by IL & FS Company at Jahangirpuri, Delhi. Delhi Pollution Control Committee (DPCC) was required to furnish an action taken report in the matter.
2. A status report filed on behalf of DPCC vide e-mail dated 18.04.2018 is to the effect that DPCC has asked the North Delhi Municipal Corporation to take action and also issued direction under Section 33A of the Air (Prevention and Control of Pollution) Act, 1981 and under Section 5 of the Environment (Protection) Act, 1986 as follows:-

*“That, Delhi Pollution Control Committee (DPCC) vide letter dated 11.04.2019 has issued following Directions u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of the Environment (Protection) Act, 1986 to M/s IL & FS Environmental Infrastructure & Services Limited:*

*(i). That you (the Addressee) shall take immediate necessary action to ensure that there is no fugitive dust emissions from the Construction and Demolition Waste Processing Facility at Jahangirpuri and shall comply with the Terms and Conditions of the Consent to Operate under the Air & Water Acts issued on 16.07.2014 and Authorization under the Construction and Demolition Waste Management Rules, 2016 issued on 04.07.2018 including compliance regarding installation of the Online Continuous Ambient Air Quality Monitoring Station 1 in Upwind direction and 2 in Downwind direction for recording particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) with linking facility with DPCC & CPCB servers and submit the compliance report to DPCC within 15 days.*

*(ii). That you (the Addressee) shall ensure proper sprinkling of water to suppress the fugitive dust from the heaps of deposited Construction and Demolition Waste in front of main boundary wall/main gate of the facility and shall also submit an Action Plan for removal of said heaps of Construction and Demolition Waste to DPCC within 30 days.*

*(iii). Deposit Environmental Compensation of Rs. 5,00,000/- (Rs. Five Lakh Only) by way of Demand Draft in favour of Delhi Pollution Control Committee within 10 days from the date of issuance of these Directions.*

*(iv). Submit Bank Guarantee of Rs. 5,00,000/- (Rs. Five Lakh Only) in favour of Delhi Pollution Control Committee within 10 days from the date of issuance of these Directions.”*

3. Final outcome of the action claimed to have been taken has not been brought on record.
4. Learned counsel for DPCC seeks time to file further action taken report in the matter.
5. Let the same be filed before the next date by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com).

List for further consideration on 13.08.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

April 25, 2019  
Original Application No. 02/2019  
A

