

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Original Application no. 681/2018**

**In the matter of: News item published in "The Times of India"  
Authored by Shri Vishwa Mohan  
Titled  
"NCAP with multiple timeline to clean air in 102 cities to be  
released around August 15<sup>th</sup>"**

**NDOH :15.11.2019**

**INDEX**

S. N.	Contents	Page No.
1.	Compliance Report on behalf of DPCC and Environment Department.	1-4
2.	<b>Annexure-1.</b> Copy of letter dated 26.08.2019 addressed to DDA	5-6
3.	<b>Annexure-2</b> Copy of the GRAP notification	7-10
4.	<b>Annexure-3</b> Copy of letter dated 07.11.2019 addressed to CPCB	11-12
5.	<b>Annexure-4</b> Copy of letter dated 31.10.2019 addressed to Transport Department	13

Filed by:

(Dr. M.P. George),  
Sr. Scientist.

New Delhi:

Dated: 12.11.2019.

By Speed D.

DELHI POLY...

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Original Application no. 681/2018**

①

**In the matter of: News item published in "The Times of India"**

**Authored by Shri Vishwa Mohan**

**Titled**

**"NCAP with multiple timeline to clean air in 102 cities to be  
released around August 15<sup>th</sup>**

**COMPLIANCE REPORT ON BEHALF OF DELHI  
POLLUTION CONTROL COMMITTEE.**

1. That this Hon'ble Tribunal took up the above referred matter on 06.08.2019 and pleased to adjourn for 15.11.2019.
2. That, following actions have been taken by Delhi Pollution Control Committee (DPCC) and Environment Department, GNCTD in this matter:

(A) It is most respectfully submitted that, GNCTD has already established network of Continuous Ambient Air Quality Monitoring Station Network consisting of 38 stations. 24 stations have been installed and are being maintained by DPCC, 6 by CPCB and 8 by IITM. Data generated from these stations is linked to CPCB server and the same is also available on public domain.

(B) That, Delhi Development Authority (DDA) is the concerned agency to prepare and review the Master Plan for NCT of Delhi under the DDA Act, 1957. Copy of the order passed by This Hon'ble Tribunal dated 06.08.2019 has been provided to DDA vide letter dated 26.08.2019 with a request to review the existing Master Plan keeping in view the carrying capacity and source

apportionment study reports. Copy of the said letter is enclosed herewith as Annexure-1, 2

(C) That with regard to closure of the illegal units from the residential / non-conforming areas, Hon'ble Supreme Court has passed a judgment on 07.05.2004 in WP(C) No. 4677 of 1985 titled as "M.C. Mehta Vs. Union of India & Others". As per the order, all industrial units that have come up in residential / non-conforming areas in Delhi on or after 1<sup>st</sup> August, 1990 shall close down. Mechanism has been evolved to close down the units in three Steps namely Step-1, Step-2 and Step-3. Action for closure of industries in Step-1 has been taken against those units which have been allotted alternate industrial plots. Survey has been carried out and industries which were operational in spite of allotment of alternate plot(s) have been closed down. Step-2 consisted of the closure of the units which have not been allotted alternate plots, but found operational during the survey in 2018, Units which were operational have been closed by the respective DMCs. Exercise in Step-3 is continuous and on-going process, wherein the industries which are neither figuring in the Step-1 and nor in the Step-2. DMCs are carrying out the survey and action for closure is being taken wherever the non-conforming unit is identified. The said matter is also being monitored by this Hon'ble Tribunal in OA No. 601/2018 titled "Mayank Manohar and Paras Singh, Reporter, Times of India Vs Govt of NCT of Delhi and Ors". Compliance affidavit has been filed by the Department of Industries, GNCTD in this regard and the matter was last heard by this Hon'ble Tribunal on 05.8.2019. As per the information provided by the Department of Industries, vide letter dated 29.10.2019, three DMCs have surveyed 9473 units in Step-3 and 843 units have been sealed after issuance of Show Cause Notices to 3528 industrial units.

(D) It is most respectfully submitted that, the complaints related to air pollution in Delhi are being received through "Sameer App" of

CPCB and DPCC as well as other agencies are taking action on the same. ATR is being uploaded on the App by implementing agencies. However, in addition, DPCC is developing a separate Mobile App to facilitate the general public to file complaints related to pollution. Tendering process has already started and bids have been received, which are being evaluated before the work order is issued for development of the Mobile App in a time bound manner. 3

- (E) The draft Notification on the pattern of notification issued by the Tripura Government for mandatory use of sound limiters in all sound system has been prepared, the same has been under examination by Law Department, GNCTD. After vetting and obtaining approval, the same will be notified and implemented in letter and spirit.
- (F) That, in pursuant to the order of Hon'ble Supreme Court of India dated December 2, 2016 in the matter of M.C. Mehta vs. Union of India regarding air quality in National Capital Region of Delhi, a Graded Response Action Plan (GRAP) has been prepared for implementation under different Air quality Index (AQI) categories namely, Moderate & Poor, Very Poor and Severe as per National Air Quality Index. A new category of "Severe+ or Emergency" has been added. Ministry of Environment, Forest & Climate Change, Govt. of India has notified the said Graded Response Action Plan through Environment Pollution (Prevention & Control) Authority vide S.O 118(E) dated January 12, 2017. The same Action Plan is being implemented by various authorities. Copy of the said Notification of GRAP is enclosed herewith as Annexure-2.
- (G) That, DPCC has provided the consolidated statement of Receipt and Expenditure including the consent fees for financial years 2016-17, 2017-18, 2018-19 and also from 01.04.2019 to 31.10.2019 to Central Pollution Control Board. Copy of the consolidated statement which was forwarded to CPCB is enclosed herewith as Annexure-3. DPCC has requested CPCB to provide

template so as to prepare the action plan for utilisation of the consent fund accordingly. (4)

(H) That for registering of new diesel vehicles and entry of the non-destined vehicles in Delhi, Transport Department, GNCTD, is levying Environmental Compensation Charge (ECC). Copy of the order passed by This Hon`ble Tribunal dated 06.08.2019 has been sent to Transport Department, GNCTD for distribution of ECC in the ratio of 50:25:25 amongst the states, SPCBs/PCCs and the CPCB. Copy of the letter dated 31.10.2019 is enclosed herewith as Annexure-4,

The present status report may kindly be taken on record.

  
(Dr. M.P. George)  
Sr. Scientist, DPCC

**URGENT /NGT MATTER**

**Department of Environment**

Govt. of NCT of Delhi  
6<sup>th</sup> Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi -110002  
Tele: 23392306

5

Dated: 26/08/19

F. DPCC/(10)(10)/(....)/Leg 18 | 4271-4293

Annexure - 1

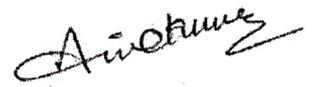
To, All Concerned Departments/Agencies (as per list)

**Subject: Compliance to Directions of the Hon'ble NGT contained in the order dated 06.08.2019 passed in OA no. 681/2018 in the matter of: news item published in the times of India authored by Shri Vishwa Mohan titled "NCAO with multiple timelines to clear air in 102 cities to be released around august 15".**

Kindly find enclosed Hon'ble NGT order dated 06.08.2019 in OA No. 681/2018 in the matter of: NEWS ITEM PUBLISHED IN THE TIMES OF INDIA AUTHORED BY SHRI VISHWA MOHAN Titled "NCAO with Multiple Timelines to clear Air in 102 Cities to be released around August 15"

It is requested that Action Taken Report in compliance to above stated order may kindly be sent to this department for necessary sending of same to Central Pollution Control Board. Next date of hearing is 15.11.2019. The ATR may also be mailed at [dr.chetnaand@nic.in](mailto:dr.chetnaand@nic.in).

Yours faithfully,



**Dr. Anil Kumar**  
Director (Environment)

Encl: As above.

Copy to:-

1. SO to Chief Secretary, GNCTD
2. PS to Secretary (Environment & Forests), GNCTD
3. PA to Spl. Secretary (Environment & Forests), GNCTD

**List of Departments/Agencies:**

1. Vice Chairman, DDA, Vikas Sadan, New Delhi.
2. Commissioner (Police), Delhi Police, 2nd Floor, MSO Building, Police Headquarter, ITO, Delhi – 110002.
3. Chairman, New Delhi Municipal Council.
4. Pr. Secretary (Revenue)-cum-Divisional Commissioner, Govt. of NCT of Delhi: **with a request to circulate to all DMs and SDMs for ATR.**
5. Secretary, Urban Development, Govt. of NCT of Delhi.
6. Commissioner, South Delhi Municipal Corporation.
7. Commissioner, North Delhi Municipal Corporation.
8. Commissioner, East Delhi Municipal Corporation.
9. Commissioner, Transport Department, GNCTD.
10. Commissioner, Industries, GNCTD.
11. Managing Director, DMRC.
12. CEO, Delhi Cantonment Board, GNCTD.
13. Special Commissioner, Delhi Traffic Police, 2nd Floor, MSO Building, Police Headquarter, ITO, Delhi – 110002: **with a request to circulate to all Asstt. Commissioners of Police (Traffic) for ATR.**
14. Divisional Railway Manager, Northern Railway, NDCR Building, State Entry Road, New Delhi
15. General Manager, Airport Authority of India (AAI), Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi-110003
16. Member Secretary, Delhi Pollution Control Committee.
17. Addl. Commissioner of Police – Operations, Delhi Police, 2nd Floor, MSO Building, Police Headquarter, ITO, Delhi – 110002
18. Sh. Shankar Chaudhary, DCP-PCR, 2nd Floor, MSO Building, Police Headquarter, ITO, Delhi – 110002. **(In reference to OA No. 519/2016 titled as Hardeep Singh & Ors. V/s SDMC & Ors)**
19. Sh. Nitin Jindal, SDM (Dwarka), Sector 10 Dwarka, Dwarka, New Delhi, Delhi 110075. **(In reference to OA No. 519/2016 titled as Hardeep Singh & Ors. V/s SDMC & Ors)**
20. Dr. M.P George, Sr. Scientist, Air Lab, DPCC.

*A. S. George*



**Central Pollution Control Board**  
**Ministry of Environment, Forest & Climate Change**  
**(Govt. of India)**

*Annexure - 2*

**Graded Response Action Plan for Delhi & NCR**

7

In pursuant to the Hon'ble Supreme Court's order dated December 02, 2016 in the matter of M. C. Mehta vs. Union of India regarding air quality in National Capital Region of Delhi, a Graded Response Action Plan has been prepared for implementation under different Air Quality Index (AQI) categories namely, Moderate & Poor, Very Poor, and Severe as per National Air Quality Index. A new category of "Severe+ or Emergency" has been added. Ministry of Environment, Forests & Climate Change has notified for implementation of Graded Response Action Plan through Environment Pollution (Prevention & Control) Authority vide S.O. 118 (E) dated January 12, 2017 (copy enclosed).

<b>Severe + or Emergency (ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration values of 300 µg/m<sup>3</sup> or 500 µg/m<sup>3</sup> respectively persist for 48 hours or more)</b>	<b>Agency responsible/Implementing Agency</b>
Stop entry of truck traffic into Delhi (except essential commodities)	Municipal Corporations and Traffic Police of Delhi and NCR Towns
Stop construction activities	Delhi Pollution Control Committee/Municipal Corporations of Delhi and NCR towns
Introduce odd and even scheme for private vehicles based on license plate numbers and minimize exemptions	Secretary cum Commissioner of Transport Department, NCT of Delhi, and Transport Commissioners of NCR towns
Task Force to take decision on any additional steps including shutting of schools	
<b>Severe (ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration value is more than 250 µg/m<sup>3</sup> or 430 µg/m<sup>3</sup> respectively)</b>	<b>Agency responsible/Implementing Agency</b>
Close brick kilns, Hot Mix plants, Stone Crushers	Chairpersons Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh
	Superintendent of Police and Deputy Commissioner of respective districts
Shut down Badarpur power plant and maximize generation of power from existing natural gas based plants to reduce operation of coal based power plants in the NCR.	Chairpersons Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh

Intensify public transport services. Introduce differential rates to encourage off-peak travel.	Secretary cum Commissioner of Transport Department, NCT of Delhi, and Transport Commissioners of NCR towns
	Chairperson, Delhi Metro Rail Corporation (DMRC)
	Chairpersons, State Transport Corporations
<b>Severe (ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration value is more than 250µg/m<sup>3</sup> or 430µg/m<sup>3</sup> respectively)</b>	<b>Agency responsible/Implementing Agency</b>
Increase frequency of mechanized cleaning of road and sprinkling of water on roads. Identify road stretches with high dust generation.	All road owning agencies including Municipal Corporations of NCT of Delhi and NCR towns, Public Works Departments and National Highway Authority of India
<b>Very Poor (ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration value is between 121-250µg/m<sup>3</sup> or 351-430 µg/m<sup>3</sup> respectively)</b>	<b>Agency responsible/Implementing Agency</b>
Stop use of diesel generator sets	Chairpersons Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, Uttar Pradesh
Enhance parking fee by 3-4 times	Municipal Commissioner Municipal Corporations of NCT of Delhi and NCR towns
Increase bus and metro services by augmenting contract buses and increasing frequency of service	Principal Secretary, Department of Transport of NCT of Delhi Delhi Transport Corporation (DTC) Delhi Integrated Multi-modal Transit System Ltd (DIMTS) Delhi Metro Rail Corporation (DMRC) State Transport Corporations in NCR towns
Stop use of coal/firewood in hotels and open eateries	Municipal Corporations of NCT of Delhi and NCR towns
Residential Welfare Associations and individual house owners to provide electric heaters during winter to security staff to avoid open burning by them	Resident Welfare Associations
Alert in newspapers/TV/radio to advise people with respiratory and cardiac patients to avoid polluted areas and restrict outdoor movement.	Chairpersons, Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh
<b>Moderate to poor (ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration value is between 61-120 µg/m<sup>3</sup> or 101-350 µg/m<sup>3</sup> respectively)</b>	<b>Agency responsible/Implementing Agency</b>
Stringently enforce/stop garbage burning in	Municipal Commissioner

8

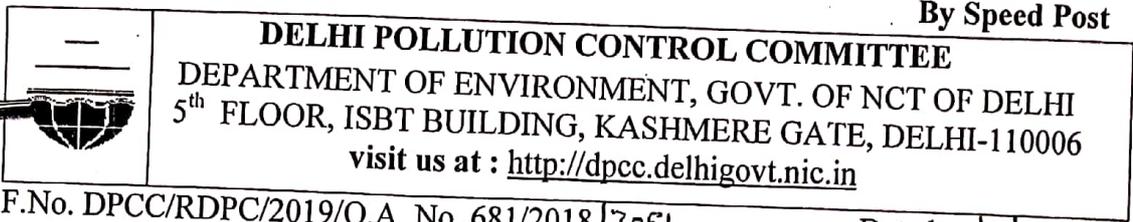
landfills and other places and impose heavy fines on person responsible	Municipal corporations of Delhi and NCR towns
Close/stringently enforce all pollution control regulations in brick kilns and industries	Chairpersons, Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh
<b>Moderate to poor(ambient PM<sub>2.5</sub> or PM<sub>10</sub> concentration value is between 61-120 µg/m<sup>3</sup> or 101-350 µg/m<sup>3</sup> respectively)</b>	<b>Agency responsible/Implementing Agency</b>
Stringently enforce pollution control in thermal power plants through PCB monitoring	Plant in-charge of power plants in NCR, and Delhi Pollution Control Committee and State Pollution Control Boards of Haryana, Rajasthan and Uttar Pradesh
Do periodic mechanized sweeping on roads with heavy traffic and water sprinkling also on unpaved roads every two days	Municipal Commissioner, Municipal Corporations of NCT of Delhi and NCR towns
	Commissioners, Traffic Police of Delhi and NCR towns to identify roads with heavy traffic and provide information to respective Municipal Commissioners
	Chief Engineers of officers in charge of CPWD, PWD of Delhi and NCR towns to identify unpaved roads with heavy traffic and provide information to respective Municipal Commissioners
Strict vigilance and no tolerance for visible emissions – stop plying of visibly polluting vehicles by impounding or heavy fine.	Commissioner or Officer in Charge, Transport Department and Traffic Police of NCT Delhi and NCR towns
Strict vigilance and enforcement of PUC norms	
Stringently enforce rules for dust control in construction activities and close non-compliant sites	Commissioner or Officers in charge of Police Departments of Delhi and NCR towns
Deploy traffic police for smooth traffic flow at identified vulnerable areas	Commissioners Traffic Police of Delhi and NCR Towns
Strictly enforce Supreme Court order on diversion of non-destined truck traffic and ensure only trucks registered after 2005 are allowed entry into Delhi	Municipal Corporations of NCT of Delhi and NCR towns
	Traffic Police of NCT of Delhi and NCR towns
Strictly enforce Supreme Court ban on firecrackers	Chief Controller of Explosives
	Petroleum and Explosive Safety Organizations (PESO)

9

	Commissioner of Officer in charge of licensing in the police departments of Delhi and NCR
Ensure fly ash ponds* are watered every alternate day during summer months (March – May).	Plant in charge of Power Plants in Delhi and NCR towns
Moderate to poor(ambient PM <sub>2.5</sub> or PM <sub>10</sub> concentration value is between 61-120 µg/m <sup>3</sup> or 101-350 µg/m <sup>3</sup> respectively)	Agency responsible/Implementing Agency
Information dissemination Social media, mobile Apps should be used to inform people about the pollution levels, contact details of control room, enable them to report polluting activities/sources to the concerned authorities, and actions that will be taken by government based on the level of pollution.	Chairpersons, Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh

10

By Speed Post



F.No. DPCC/RDPC/2019/O.A. No. 681/2018/3051

Dated: 7/11/19

To

The Member Secretary,  
Central Pollution Control Board,  
Parivesh Bhawan, East Arjun Nagar,  
Delhi-110032

*Arjun - 3*

(11)

**Sub: Hon'ble National Green Tribunal Order dated 06.08.2019 in matter of  
Original Application No. 681/2018.**

Sir,

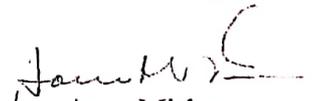
This has reference to the Hon'ble National Green Tribunal Order dated 06.08.2019 in matter of Original Application No. 681/2018. The relevant portion of the order for consideration is as under:

*"The SPCBs and PCCs to submit details of 'consent' funds to CPCB and this Tribunal within two months alongwith Action Plans on the basis of template provided by CPCB. CPCB may scrutinize and approve such Action Plans within two months in accordance to our order dated 22.01.2019 in O.A. No. 101/2019. Finally, the State PCBs and PCCs may execute their Action Plans within next one year thereafter."*

As enumerated in the order, you are requested to provide template so that Action Plan can be prepared for submission to Hon'ble NGT and CPCB.

The next date of hearing is 15.11.2019.

Yours Sincerely



Arun Mishra

Member Secretary



# DELHI POLLUTION CONTROL COMMITTEE

An Autonomous Body Under Administrative Control Of  
DEPT. OF ENVIRONMENT, GOVT. OF N.C.T. DELHI  
4<sup>TH</sup>FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06.

25

12

## Consolidated Receipt & Expenditure for the financial Year 2016-17, 2017-18, 2018-19, upto 31.10.2019 (Rs. in crores) (Unaudited)

### DPCC Fund A/c No. 10166741672

Financial Year	NGT Penalty	Consent/BM W/Lab fee	Receipt	Expenditure	Fixed Deposit as on date
2016-17	16.75	18.59	35.34	20.07	377.10
2017-18	3.42	30.02	33.44	20.48	
2018-19	5.61	37.41	43.02	28.53	
01.04.19 to 31.10.19	12.25	27.61	39.86	14.89	

### Air Ambience Fund A/c No. 30357122599

Financial Year	Receipt	Expenditure	Fixed Deposit as on date
2016-17	38.20	5.95	65.00
2017-18	34.78	165.21	
2018-19	31.11	64.95	
01.04.19 to 31.10.19	15.68	106.45	

### Consolidated Statement (DPCC fund & Air Ambience Fund)

Financial Year	Receipt	Expenditure
2016-17	73.54	26.02
2017-18	68.22	185.69
2018-19	74.13	93.48
01.04.19 to 31.10.19	55.54	121.34

**URGENT /NGT MATTER**

**Department of Environment**  
 Govt. of NCT of Delhi  
 6<sup>th</sup> Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi -110002  
 Tele: 23392306

13

F. DPCC/(10)(10)(...)/Leg 18 | 5675-5677

Annexure - 2

Dated: 31/10/19

To,  
 Commissioner,  
 Department of Transport, GNCTD

**Subject: Compliance to Directions of the Hon'ble NGT contained in the order dated 06.08.2019 passed in OA no. 681/2018 in the matter of: news item published in the times of India authored by Shri Vishwa Mohan titled "NCAO with multiple timelines to clear air in 102 cities to be released around august 15".**

This is reference to earlier letter no. DPCC/(10)(10)(...)/Leg 18/ 4271-4293 dated 26.08.2019 of this department regarding Hon'ble NGT order dated 06.08.2019 in OA No. 681/2018 in the matter of: NEWS ITEM PUBLISHED IN THE TIMES OF INDIA AUTHORED BY SHRI VISHWA MOHAN Titled "NCAO with Multiple Timelines to clear Air in 102 Cities to be released around August 15".

As per above stated order, following has been specifically directed to Transport department:

*"The Environmental Compensation levied by State Transport Departments may be divided in the ratio of 50:25:25 amongst the States, the SPCBs/PCCs and the CPCB."*

It is requested that Action Taken Report in compliance to above stated order may kindly be sent to this department. Next date of hearing is 15.11.2019. The ATR may also be mailed at [dr.chetnaand@nic.in](mailto:dr.chetnaand@nic.in).

Encl: As above.

Yours faithfully,

*Arun Mishra*  
 Arun Mishra  
 Special Secretary (Environment)

*o/c*

Copy to:-

1. SO to Chief Secretary, GNCTD
2. PS to Pr. Secretary (Environment & Forests), GNCTD