

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

OA NO. 663 OF 2023

IN RE: Suo Motu matter of Hon'ble NGT(PB), New Delhi – News item published in Indian Express dated 07.10.2023 titled “GRAP Stage 1 kicks in as air quality dips to poor, condition likely to prevail till Sunday”

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New Delhi
Dated 28.11.2023

Filed by

Director

CAQM
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राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग
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FRESH ACTION TAKEN REPORT DATED 28.11.2023

1. The Hon'ble NGT(PB), New Delhi *vide* its order dated 20.11.2023 in Original Application No. 663 of 2023 titled as News item published in Indian Express dated 07.10.2023 titled “GRAP Stage 1 kicks in as air quality dips to poor, condition likely to prevail till Sunday” *inter aliadirectedas* under:

“...Considering this human health aspect the authorities are expected to take best possible measure so that air quality in the city improves.Let the further action taken report be filed within one week...”

2. The present Report is being filed in respectful compliance of the Directions of this Hon'ble Tribunal to apprise Hon'ble Court of the steps being taken and the progress of the measures initiated to prevent control and abate the levels of air pollution in Delhi-NCR. An Action Taken Report on behalf of the Commission was last filed on 17.11.2023.

3. The Commission has been working to comprehensively address the issue of air pollution in NCR and adjoining areas in a collective, collaborative and participative mode involving all the major stakeholders. In this respect, the commission has held long ranging deliberations and discussions, from time to time in addition to various progress review meetings with the State Government, agencies concerned in the State Government and other stakeholders.
4. The Statutory Sub-Committee on Safeguarding and Enforcement constituted under the provisions of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 also reviewed, on 31.10.2023, the status of action taken for implementation of GRAP. Implementing authorities were asked for strict implementation of actions under the GRAP with greater vigour and seriousness to prevent further deterioration of the air quality in the Delhi-NCR.
5. Based on frequent review of air quality scenario the Sub-Committee of the Commission invoked actions under various GRAP stages as under:

Stage-I	06.10.2023	Stage-II	21.10.2023
Stage-III	02.11.2023	Stage-IV	05.11.2023
*GRAP stage-IV was revoked on 18.11.2023			

6. A meeting under the Chairmanship of the Chairperson of the Commission was also held to review action taken by GNCTD / NCR States to implement actions under Stage I to stage IV of GRAP. In the review meeting the need for focused actions as per GRAP provisions for control of air pollution including hotspots areas was stressed upon. The following specific issues were also highlighted besides taking stock of all measures taken by the agencies concerned:
- Ensure stricter implementation of various vehicle pollution control measures contained in the GRAP.
 - Capacity/range of coverage of anti-smog guns deployed on C&D Sites/projects need to be augmented.
 - Increase frequency of mechanized road-sweeping and water sprinkling.
 - Geo tagging of vehicles used for sweeping be done for monitoring of actual sweeping areas and hours of operation of machines and if possible quantity of water used for sprinkling be linked and monitored.
 - Guarding against municipal solid waste and misc burning.
7. While reviewing the actions taken by the NCR State Government and the GNCTD, specific observations/ suggestions / directions were given to the respective NCR States / GNCTD for taking further steps to intensify and implement the actions under various stages of the GRAP.

8. It was again reiterated that there is a compelling urgency to make all out efforts collectively by each NCR State Government and GNCTD and their agencies to implement actions under the GRAP in right earnest so as to bring down the AQI levels.
9. In furtherance to above, issues related to strict implementation / enforcement of all preventive / restrictive actions of GRAP was also taken up with the Chief Secretaries of the State of Uttar Pradesh, Haryana, Rajasthan and GNCTD on 22.11.2022. It was emphasized that all various implementing agencies concerned of NCR States and GNCT of Delhi are responsible, to regularly review the actions taken and ensure effective implementation/ enforcement of all preventive/restrictive actions of GRAP. Specific implementing agencies are identified and listed under the GRAP itself.
10. It is also stated that specific review meetings with the NCR States, GNCTD and various agencies responsible to review the status of preparations and implementation of actions under different stages of GRAP were held on 31.10.2023, 03.11.2023 and on 17.11.2023. In spite of the actions initiated by NCR States, GNCT of Delhi and the agencies concerned the air quality, after the implementation of Stage-III on 02.11.2023 and Stage-IV of GRAP on

05.11.2023 remained eight days in severe/severe+ category, nine days in very poor category (four days being in high end of very poor) and only three days in poor out of total 20 days from 2ndNov to 21stNov, 2023.

11. Further, DO letter(s) were written to the Chief Secretaries of the Government of Uttar Pradesh, Haryana, Rajasthan and Government of NCT of Delhi on 24.11.2023.
12. The Commission requested for personal intervention of the Chief Secretaries to ensure strict implementation / enforcement of all preventive / restrictive actions of GRAP measures including penal actions as per the law against the violators to address the issue of air pollution in NCR and adjoining areas.
13. It is reiterated that as an ongoing continual exercise to abate air pollution, the Commission has been regularly reviewing and interacting with various agencies responsible for strict implementation of various actions envisaged by the Commission through various Statutory Directions issued by it, besides various policy guidelines, advisories and executive orders.

ENFORCEMENT TASK FORCE – FLYING SQUADS FOR INCOGNITO INSPECTIONS

14. It is pertinent to highlight that, in exercise of the powers conferred under section 11(5) of the CAQM Act, 2021 and in

exercise of the enabling provisions made thereunder, the Commission constituted a special Task Force namely Enforcement Task Force (ETF) on 02.12.2021 to monitor and supervise the implementation of the Statutory directions issued by it from time to time and related environmental statutes.

15. To assist the ETF, 40 Flying Squads/ Inspections Teams carry out incognito checks for identifying serious violations/ statutory Directions of the Commission and recommend appropriate action thereon, based on the seriousness of non-compliances.
16. The ETF meets frequently to review and take stock of the ground situation to closely monitor the field level implementation and compliances of the various directions and orders issued by the Commission. Non-conformities/ non-compliance in respect of various directions and orders identified by the Flying Squads and are presented before the Enforcement Task Force for detailed deliberations and deciding action against serious violations.
17. The status of Closure Directions approved by the Commission across different sectors and geographical jurisdictions in the NCR, since inception is as under:

Total sites inspected	No. of closures direction issued				State-wise closure cases			
	Industry	C&D Sites	DG Sets	Total	Delhi	Har	UP	Raj
16,037	562	296	41	899	141	268	393	97

18. Such units / activities were later permitted to resume operations by the Commission following due corrective and preventive measures by such units to address the gross violations and with a commitment to henceforth comply with all statutory directions / guidelines of the Commission and other related statutes to abate air pollution, details of which are as under:

Sector-wise Resumption Cases			Total	State-wise Resumption Cases			
Industry	C&D Sites	D G Sets		Delhi	Har	UP	Raj
456	215	37	708	111	195	317	85

Delhi
Dated 28.11.2023

FILED BY

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