

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI
Original Application No.663 of 2023

IN RE: 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*

SRISHTI MISHRA
ADVOCATE FOR COMMISSION FOR AIR QUALITY
MANAGEMENT IN NATIONAL CAPITAL REGION AND
ADJOINING AREAS

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1.	Report on behalf of Commission for Air Quality Management in National Capital Region and Adjoining Areas in compliance of order dated 27.09.2024 along with supporting affidavit.	1-10

NEW DELHI
DATED: 23.10.2024

FILED BY:

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D/3829/2018
ADVOCATE FOR COMMISSION
FOR AIR QUALITY MANAGEMENT IN
NATIONAL CAPITAL REGION AND ADJOINING AREAS


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MOST RESPECTFULLY SHOWETH:

1. It is respectfully submitted that the present Report is being filed by the Commission of Air Quality Management (CAQM) in compliance of the order dated 27.09.2024 passed by this Hon'ble Tribunal 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".
2. It is most respectfully submitted that the National Capital Region generally witnesses adverse air quality scenario particularly during the winter months, due to unfavourable climatic and meteorological conditions having low temperatures and typically slow wind speed making dispersion


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of pollutants ineffective. Particularly for such periods, the Graded Response Action Plan (GRAP) calls for a set of emergent preventive/restrictive actions in entire NCR under various stages, whenever Delhi's Air Quality Index (AQI) crosses a defined threshold, to be implemented / initiated by various identified agencies as and when order for the implementation of GRAP is issued based on recommendation of the Sub-Committee.

3. The Commission, from year to year, comprehensively reviews the provisions of various preventive / restrictive actions under various Stages of GRAP and a comprehensively revised schedule has been issued on 17.09.2024.
4. The schedule of the GRAP for NCR, as comprehensively reviewed, is classified under 4 different stages of adverse avg. air quality in Delhi viz.:

Stage – I 'Poor' (AQI of Delhi between 201 – 300)

Stage – II 'Very Poor' (AQI of Delhi between 301-400)

Stage – III 'Severe' (AQI of Delhi between 401-450)




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Stage – IV 'Severe +' (AQI of Delhi >450)

5. The older schedule of GRAP, under various stages, was to be invoked reactively on reaching a particular threshold air quality index. It was envisaged that invoking higher Stages of GRAP (viz. GRAP Stage-II and above) proactively would be a better approach to control the severity of air pollution and accordingly invoke appropriate stages of GRAP much earlier than the threshold levels are likely to be reached. GRAP Stage – I, however, is still invoked reactively after the average AQI for Delhi breaches the 200 mark, also subject to the AQI projected to be remaining at higher than 200 mark for sufficiently long duration in the coming days. Actions under Stage-I are preventive in nature and only call for intensified actions under the extant directions, guidelines, orders etc. for abatement of air pollution in the NCR round the year.
6. A Sub-Committee has been constituted by the Commission under the provisions of the Act for invoking / revoking various stages of the GRAP. The Sub-Committee is tasked to meet


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frequently, take cognizance of the prevailing air quality scenario and the weather / climatic forecasts provided by IMD / IITM from time to time, comprehensively assess the situation and accordingly issue necessary orders for invoking the various provisions of the GRAP under different Stages. The Sub-Committee also reviews the actions taken by various agencies responsible to ensure effective implementation of the revised GRAP.

7. Actions under Stage I focus on effective implementation of dust mitigation measures owing to construction and demolition activities, management of road dust, management of solid waste including control on open burning and towards effective implementation of the already prescribed measures for abatement of vehicular pollution viz. enforcement of PUC norms, effective traffic management, diversion of non-destined truck traffic out of Delhi etc. Towards abatement of industrial pollution, the Schedule calls for stricter implementation of the



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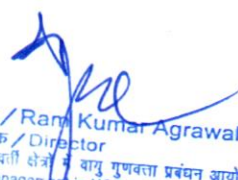
directions related to clean fuels and adherence to the emission standards etc.

8. Likewise, actions under the GRAP Stage-II are also more preventive in nature calling for further intensified actions as in GRAP Stage – I, besides focusing on effective implementation of the regulations on DG sets. Restrictive / prohibitory measures under the GRAP, however, kick in only at Stage-III and IV when the Delhi AQI levels cross the threshold of 400 and 450 respectively.
9. The summer period of 2024, particularly during the month of May, witnessed highly unfavourable meteorological and weather phenomena with absolutely no rain and in such dry conditions, high-speed winds from across the neighboring areas, including trans-boundary winds, caused transfer of large amounts of fine dust and particulate matter, raising the PM 2.5 / PM₁₀ levels abnormally on particular days and was not attributable to any specific local sector(s). The meteorological projections also pointed to intermittent

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improvements in the AQI levels owing to changes in the wind direction and speed. Unlike the winter months wherein there is a generally deteriorating trend in the AQI of Delhi witnessed as the winter season progresses, this phenomenon is not so in the dry summer months, with widely fluctuating AQI levels.

10. A similar situation was also encountered recently wherein on 25.09.2024 the average Delhi AQI clocked 235 i.e., in the “Poor” category. The Sub-Committee, however, noted this rise to be owing to an episodic atmospheric event and observing that there was already a significantly a declining trend and the forecast from IMD/ IITM indicating that the AQI would move back to “Moderate” category i.e., below 200 in the coming days. Thus, comprehensively reviewing the overall air quality scenario and related aspects it was unanimously decided by the Sub-Committee to closely watch the situation in the coming days before invoking GRAP Stage-I. The AQI levels did actually come down on the subsequent day moving back to the “Moderate” category and GRAP Stage-I was


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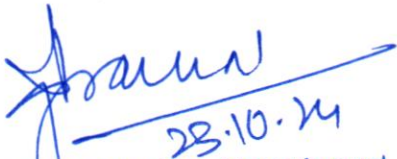
required to be invoked only w.e.f. 15.10.2024, following the meeting of the Sub-Committee on 14.10.2024 and order for GRAP implementation issued on 14.10.2024. The Sub-Committee has been closely monitoring the air quality parameters and the forecasts towards informed decision making for invoking various stages of the GRAP. GRAP Stage-II was imposed in the entire NCR w.e.f. 08:00 hrs. on 22.10.2024, based on the Sub-Committee deliberations held in the evening on 21.10.2024 and order for GRAP Stage-II implementation issued on 21.10.2024.

11. It is humbly submitted again that while GRAP Stage-I may not have been particularly invoked on paper whenever the AQI touched / crossed 200, owing to the widely varying trend of AQI, the sub-Committee remained cognizant of the prevailing air quality scenario and reviewed the same from time to time also directing for appropriate actions for strengthening and effective implementation of the already prescribed measures / actions, in line with the spirit and

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essence of the schedule under GRAP Stage-I. Historically as well, the GRAP Schedule had been invoked only during the winter months in the past years, beginning from 2017.

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28.10.24

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COMMISSION FOR AIR QUALITY
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THROUGH



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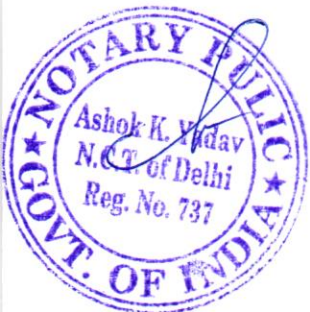
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AFFIDAVIT

I, Ram Kumar Agrawal aged about 55 Years, s/o Shri Prabhat Kishore Agrawal, working as the Director in Commission for Air Quality Management in National Capital Region and Adjoining Areas do hereby solemnly affirm and declare as under:-

1. That I am the Director of the Commission and am well conversant with the facts and circumstances of the present case, hence competent to swear this affidavit.
2. That I have read and understood the contents of the accompanying Report on behalf of Commission for Air Quality Management in National Capital Region and Adjoining Areas in compliance of order dated 07.05.2024 and state that the averments made therein are true and correct to the best of my knowledge and belief as derived from the official record.




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3. That no material fact has been concealed therefrom.

IDENTIFIED BY
[Signature]

[Signature]

DEPONENT

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VERIFICATION

Verified at New Delhi on this the 23 day of OCT 2024, 2024,
that the contents of above affidavit are true and correct to my
knowledge and belief.

[Signature]

DEPONENT

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23 OCT 2024

ATTESTED
[Signature]
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