

I/497030/2024

Letter No.- NGT-127 /81-7-2023**From,**

Devendra Singh Chauhan,
Under Secretary,
Environment, Forest and Climate Change,
Government of Uttar Pradesh.

To,

The Registrar
Hon'ble National Green Tribunal
Copernicus Marg, New Delhi.

**Environment, Forest and
Climate Change, Section-7**

Lucknow : Dated : 16 February, 2024

Subject:-Action Taken Report in Compliance of Hon'ble National Green Tribunal order dated 05.12.2023 in OA No.- 687/2023 In re: Air Quality Index in various Cities.

Sir,

In compliance of Hon'ble National Green Tribunal order dated 05.12.2023 in OA No.-687/2023 In re: Air Quality Index in various Cities, the Action Taken Report on behalf of State of Uttar Pradesh is being filed and annexed herewith.

It is requested that the said report may be presented before the Hon'ble Tribunal for kind consideration.

Encl:- As above.**Yours' Sincerely,**

Digitally Signed by

देवेन्द्र सिंह चौहान

Date: 16-02-2024 10:47:28

(Devendra Singh Chauhan)

Under Secretary.

Copy to: Ms. Priyanka Swami, Standing Counsel, Hon'ble NGT, New Delhi for information and further necessary action.

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 687/2023

In Re: Air Quality Index in various Cities

Action Taken Report on behalf of State of Uttar Pradesh in compliance of the order dated 05.12.2023 passed by Hon'ble National Green Tribunal, New Delhi

1. That Hon'ble National Green Tribunal (herein after referred to as "NGT") considered the status of Air Quality Index of Non-attainment Cities (NACs) of Uttar Pradesh and was pleased to pass the order dated 05.12.2023, the operative portion of which is reproduced here as under:

"....

8. Hence, States are required to utilize the fund promptly and for the purpose it has been allocated without leaving any gap in utilization. The cities under consideration where apportionment study has not been done are required to complete the said apportionment study in respect of the factors contributing in pollution and focus on those factors which have a larger share in contribution. Further efforts are required to ensure that the air quality improves in the cities under consideration

...."

2. That there are 17 Cities of Uttar Pradesh has been identified as NACs which includes 07 Million-plus Cities and 10 Non-million-plus Cities. The city wise source of funding for abatement of air pollution in NACs are tabulated below:



| NACs Funded under XV th Finance Commission(XV-FC) | | NACs Funded under National Clean Air Programme (NCAP) | |
|--|-------------------|---|-----------------------|
| S. N. | Million-plus NACs | S. N. | Non-million-plus NACs |
| 1 | Agra | 1 | Anpara |
| 2 | Ghaziabad | 2 | Bareilly |
| 3 | Kanpur | 3 | Firozabad |
| 4 | Lucknow | 4 | Gajraula |
| 5 | Meerut | 5 | Gorakhpur |
| 6 | Prayagraj | 6 | Jhansi |
| 7 | Varanasi | 7 | Khurja |
| | | 8 | Noida |
| | | 9 | Moradabad |
| | | 10 | Raebareli |

3. That the Grant-in-Aid for abatement of Air Pollution to NACs is released by Ministry of Environment, Forest and Climate Change (MoEF&CC) in two ways. To 07 Million-plus cities, the Grant-in-Aid is released under XV-FC Funds directly to Urban Local Bodies (ULBs) whereas to other 10 NACs it is released by MoEF&CC through Central Pollution Control Board, Delhi (CPCB) and Uttar Pradesh Pollution Control Board (UPPCB). It is submitted that the NCAP Funds were also released to 5 Million-plus cities namely Lucknow, Agra, Kanpur, Prayagraj and Varanasi in FY 2019-20 only.
4. That the pre-requisite criteria for release of XV-FC grants to million plus cities as per the MoEF&CC DO Letter no. Q-16017/25/2020-CPA dated 15.06.2023 are given below:



- a) Recommendations of State Level Monitoring and Implementation Committee (SLMIC) for release of XV-FC grants for FY 2023-24 to MoEF&CC
 - b) Submission of Grant Transfer Certificate to MoEF&CC and Department of Expenditure, Ministry of Finance
 - c) Submission of 100% Utilisation Certificates against grant released till 31.03.2022 and 75% Utilisation Certificates against grant released in FY 2022-23
 - d) Annual Action Plans (AAP) for 2023-24 should be uploaded by cities on the Portal for Regulation of Air Pollution in Non-Attainment Cities (PRANA portal)
 - e) Details of activities funded through convergence of various schemes in AAP
 - f) Details of proposals submitted to MoEF&CC under Nagar Van Yojana
 - g) Details of submission of participation in Swachh Vayu Sarvekshan under PRANA portal
 - h) Incorporation of Automatic Testing Station (ATS) and Registered Vehicle Scrapping Facility (RVSF) in City & State Action Plan as per the proposal of Ministry of Road Transport and Highways (MoRTH).
5. That the Department of Expenditure, Ministry of Finance has released a total of ₹ 1157.04 Cr to 07 Million-plus cities of the State of Uttar Pradesh from FY 2020-21 to end of the FY 2022-23. These 07 Million-plus cities have utilised a total of ₹ 1025.03 Cr (89 %) till date against the fund released. The City wise break-up of XV-FC Fund released and utilised is annexed herewith as **Annexure 1** to this Action Taken Report.



6. That the criteria for release of NCAP grants to non-million plus cities as per the MoEF&CC DO Letter no. Q-16016/23/2020-CPA dated 13.06.2023 includes submission of 100 % Utilisation Certificates against grants released till 31.03.2022 and 75 % Utilisation Certificates submitted against grants released in FY 2022-23 to MoEF&CC and CPCB.
7. That the MoEF&CC has released a total of ₹ 216.84 Cr to 10 Non-million-plus and to 05 Million-plus cities under NCAP from FY 2019-20 to end of the FY 2022-23. These 10 Non-million-plus and 05 Million-plus cities have utilised a total of ₹ 170.11 Cr (78%) till date against total fund released. The City wise break-up of NCAP Fund released and utilised is annexed herewith as Annexure 2 to this Action Taken Report.
8. That the Department of Expenditure, Ministry of Finance has released a total of ₹ 322.18 Cr to 06 Million-plus cities viz. Agra, Prayagraj, Kanpur, Lucknow, Meerut and Varanasi in the current FY 2023-24 as undisbursed ambient air quality grants for best performance of these cities. MoEF&CC, GoI has also released a total of ₹ 180.297 Cr to 10 non-million-plus cities which is 90% of the total allocated fund as first instalments for the FY 2023-24. The time line for utilization of funds released in FY 2023-24 is 31.03.2024. It is submitted that the fund will be utilised within time frame stipulated by MoEF&CC.
9. That the State Government is continuously monitoring the utilization of the funds and directed to ULBs for implementation of NCAP with the time frames stipulated under Guideline of MoEF&CC. The details of review meeting held at various level is as follows:



| S. N. | Chairmanship | Date |
|-------|--|---------------------------|
| 1. | Chief Secretary, GoUP | 03.10.2023 |
| 2. | Additional Chief Secretary, Department of Environment, Forest and Climate Change, GoUP | 10.10.2023 and 03.11.2023 |
| 3. | Principal Secretary, Department of Urban Development, GoUP | 15.09.2023 and 05.02.2024 |

10. That as per the daily AQI Bulletin on the basis of the CAAQMS data published by Central Pollution Control Board (CPCB) which is available at the URL <https://airquality.cpcb.gov.in/AQI India Iframe/>, the details of number of Good days (AQI < 200) and days with dipped air-quality (AQI > 200) between 01.11.2023 to 11.02.2024 for 14 Non-attainment cities namely Ghaziabad, Meerut, Lucknow, Kanpur, Prayagraj, Varanasi, Agra, Noida, Moradabad, Gorakhpur, Firozabad, Jhansi, Bareilly, and Khurja is tabulated below:

| S.N. | City | No. of observed Days | No. of Days with dipped air-quality (AQI > 200) | No. of Good Days (AQI < 200) |
|------|-----------|----------------------|---|------------------------------|
| 1. | Agra | 103 | 1 | 102 |
| 2. | Varanasi | 103 | 0 | 103 |
| 3. | Bareilly | 102 | 5 | 97 |
| 4. | Moradabad | 103 | 8 | 95 |
| 5. | Kanpur | 103 | 17 | 86 |
| 6. | Prayagraj | 103 | 12 | 91 |
| 7. | Firozabad | 101 | 7 | 94 |
| 8. | Gorakhpur | 98 | 7 | 91 |

| S.N. | City | No. of observed Days | No. of Days with dipped air-quality (AQI > 200) | No. of Good Days (AQI < 200) |
|------|-----------|----------------------|---|------------------------------|
| 9. | Jhansi | 99 | 10 | 89 |
| 10. | Lucknow | 103 | 37 | 66 |
| 11. | Khurja | 94 | 8 | 86 |
| 12. | Meerut | 103 | 73 | 30 |
| 13. | Noida | 103 | 92 | 11 |
| 14. | Ghaziabad | 103 | 91 | 12 |

That it is evident from the above table that barring 3 cities in NCR-UP, the air quality of the other cities has been largely good during the period from 01.11.2023 to 11.02.2024. The air quality of NCR-UP region is also affected by the source in the upwind states namely Delhi, Haryana and Punjab resulting in the dipped air quality.

11. That the CPCB has uploaded the annual average PM₁₀ concentration on PRANA Portal, the city specific annual average PM₁₀ concentration for FY 2022-23 in comparison to actual achieved data of FY 2017-18 for Non-attainment Cities which are given below:

| S. N. | NACs | Average PM10 Concentration ($\mu\text{g}/\text{m}^3$) | | % Improvement w.r.t. FY 2017-18 |
|-------|-----------|---|------------|---------------------------------|
| | | FY 2017-18 | FY 2022-23 | |
| 1 | Varanasi | 230 | 94 | -59% |
| 2 | Firozabad | 247 | 106 | -57% |
| 3 | Moradabad | 222 | 116 | -48% |
| 4 | Bareilly | 207 | 110 | -47% |
| 5 | Agra | 202 | 118 | -42% |

| S. N. | NACs | Average PM10 Concentration ($\mu\text{g}/\text{m}^3$) | | % Improvement w.r.t. FY 2017-18 |
|-------|-----------|---|------------|---------------------------------|
| | | FY 2017-18 | FY 2022-23 | |
| 6 | Lucknow | 253 | 149 | -41% |
| 7 | Kanpur | 227 | 143 | -37% |
| 8 | Gorakhpur | 150 | 102 | -32% |
| 9 | Ghaziabad | 285 | 198 | -31% |
| 10 | Raebareli | 145 | 102 | -30% |
| 11 | Khurja | 195 | 150 | -23% |
| 12 | Prayagraj | 169 | 125 | -26% |
| 13 | Noida | 229 | 202 | -12% |
| 14 | Anpara | 175 | 166 | -5% |
| 15 | Gajraula | 204 | 194 | -5% |
| 16 | Jhansi | 109 | 118 | +8% |
| 17 | Meerut | 122 | 177 | +45% |

The above data shows that air quality of the 15 NACs have improved in FY 2022-23 as compared to that in FY 2017-18.

12. That the Commission for Air Quality Management in NCR and Adjoining Areas, vide Direction No. 77 dated 6th October, 2023, issued statutory direction for implementation of the revised schedule of the Graded Response Action Plan (GRAP) with immediate effect as and when orders under GRAP are invoked. The Sub-Committee for invoking actions under the GRAP in its earlier meetings had invoked actions under Stage I, Stage II, Stage III and Stage IV of the GRAP on dated 6th October 2023, 21st October 2023, 2nd November 2023, 5th November 2023, 22nd December 2023, and 14th January 2024 respectively. CAQM



vide its order dated 18.01.2024 annexed herewith as **Annexure 3** of this Action Taken Report, revoked the order issued on 14th January 2024, for actions under Stage-III of the GRAP with immediate effect as Delhi AQI reached below the threshold for invoking the GRAP Stage-III actions. There is a likelihood of sustaining the improvement in AQI. That in compliance to the orders of the CAQM, actions under Stages-I to Stage-III of the GRAP are being implemented, monitored and reviewed by all agencies concerned in the entire NCR-UP to ensure that the AQI levels do not increase.

13. That in compliance of the order passed by the Hon'ble NGT in OA No.- 681/2018 dated 20.11.2019, it is submitted that GRAP is further implemented as "Comprehensive Action Plan for reducing Air Pollution" in remaining 14 NACs of U.P. namely Agra, Kanpur, Lucknow, Varanasi, Prayagraj, Noida, Moradabad, Bareilly, Firozabad, Jhansi, Gajraula, Khurja, Raebareli and Gorakhpur.

14. That the status of source apportionment study in Non-attainment cities of Uttar Pradesh is annexed herewith as **Annexure 4** of this Action Taken Report.

It is therefore most humbly prayed that this Hon'ble Tribunal may kindly consider this Action Taken Report.

Lucknow

Dated :16 February, 2024



(**Devendra Singh Chauhan**)

Under Secretary

Department of Environment,

Forest & Climate Change

State of Uttar Pradesh.

Status of Fund Utilized by Million Plus cities under XV-FC (in Cr.)

| Sl No. | City Name | Fund release before FY 2022-23 | Fund Utilization | % Utilization | Fund release in FY 2022-23 | Fund Utilization | % Utilization | Total Fund release till FY 2022-23 | Fund Utilization | % Utilization | Total Fund release in FY 2023-24 |
|--------------|-----------|--------------------------------|------------------|---------------|----------------------------|------------------|---------------|------------------------------------|-------------------|---------------|----------------------------------|
| 1 | Agra | ₹ 101.25 | ₹ 101.25 | 100% | ₹ 65.22 | ₹ 31.95 | 49% | ₹ 166.47 | ₹ 133.20 | 80% | ₹ 29.97 |
| 2 | Kanpur | ₹ 204.25 | ₹ 204.25 | 100% | ₹ 7.35 | ₹ 6.95 | 95% | ₹ 211.60 | ₹ 211.20 | 100% | ₹ 28.29 |
| 3 | Lucknow | ₹ 173.18 | ₹ 173.18 | 100% | ₹ 77.00 | ₹ 56.55 | 73% | ₹ 250.18 | ₹ 229.73 | 92% | ₹ 126.20 |
| 4 | Prayagraj | ₹ 93.00 | ₹ 93.00 | 100% | ₹ 39.35 | ₹ 39.35 | 100% | ₹ 132.35 | ₹ 132.35 | 100% | ₹ 38.98 |
| 5 | Varanasi | ₹ 108.10 | ₹ 108.10 | 100% | ₹ 38.00 | ₹ 0.52 | 1% | ₹ 146.10 | ₹ 108.62 | 74% | ₹ 73.64 |
| 6 | Ghaziabad | ₹ 136.25 | ₹ 114.71 | 84% | ₹ 0.00 | ₹ 0.00 | ₹ 0.00 | ₹ 136.25 | ₹ 114.71 | 84% | ₹ 0.00 |
| 7 | Meerut | ₹ 85.59 | ₹ 85.59 | 100% | ₹ 28.50 | ₹ 9.63 | 34% | ₹ 114.09 | ₹ 95.22 | 83% | ₹ 25.10 |
| Total | | ₹ 901.62 | ₹ 880.08 | 98% | ₹ 255.42 | ₹ 144.95 | 57% | ₹ 1,157.04 | ₹ 1,025.03 | 89% | ₹ 322.18 |

Note: Information provided by Directorate of ULB.

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उप-निदेशक
2023

Status of Fund Utilized by cities under NCAP (in Cr.)

| Sl No. | City Name | Fund release before FY 2022-23 | Fund Utilization | % Utilization | Fund release in FY 2022-23 | Fund Utilization | % Utilization | Total Fund release till FY 2022-23 | Fund Utilization | % Utilization | Total Fund release in FY 2023-24 |
|--------------|-----------|--------------------------------|------------------|---------------|----------------------------|------------------|---------------|------------------------------------|------------------|---------------|----------------------------------|
| 1 | Agra | ₹ 9.45 | ₹ 9.32 | 99% | ₹ 0.00 | ₹ 0.00 | - | ₹ 9.45 | ₹ 9.32 | 99% | ₹ 0.00 |
| 2 | Kanpur | ₹ 9.45 | ₹ 8.55 | 90% | ₹ 0.00 | ₹ 0.00 | - | ₹ 9.45 | ₹ 8.55 | 90% | ₹ 0.00 |
| 3 | Lucknow | ₹ 9.45 | ₹ 9.01 | 95% | ₹ 0.00 | ₹ 0.00 | - | ₹ 9.45 | ₹ 9.01 | 95% | ₹ 0.00 |
| 4 | Prayagraj | ₹ 9.45 | ₹ 8.79 | 93% | ₹ 0.00 | ₹ 0.00 | - | ₹ 9.45 | ₹ 8.79 | 93% | ₹ 0.00 |
| 5 | Varanasi | ₹ 9.47 | ₹ 9.18 | 97% | ₹ 0.00 | ₹ 0.00 | - | ₹ 9.47 | ₹ 9.18 | 97% | ₹ 0.00 |
| 6 | Anpara | ₹ 1.24 | ₹ 1.24 | 100% | ₹ 0.72 | ₹ 0.33 | 46% | ₹ 1.96 | ₹ 1.57 | 80% | ₹ 0.45 |
| 7 | Bareilly | ₹ 2.10 | ₹ 2.10 | 100% | ₹ 23.03 | ₹ 18.37 | 80% | ₹ 25.13 | ₹ 20.47 | 81% | ₹ 48.22 |
| 8 | Firozabad | ₹ 2.10 | ₹ 2.10 | 100% | ₹ 18.83 | ₹ 17.94 | 95% | ₹ 20.93 | ₹ 20.04 | 96% | ₹ 26.85 |
| 9 | Gajraula | ₹ 1.24 | ₹ 1.24 | 100% | ₹ 2.43 | ₹ 1.77 | 73% | ₹ 3.67 | ₹ 3.01 | 82% | ₹ 0.74 |
| 10 | Jhansi | ₹ 1.34 | ₹ 1.34 | 100% | ₹ 5.70 | ₹ 4.39 | 77% | ₹ 7.04 | ₹ 5.73 | 81% | ₹ 4.04 |
| 11 | Khurja | ₹ 2.00 | ₹ 2.00 | 100% | ₹ 6.96 | ₹ 5.28 | 76% | ₹ 8.96 | ₹ 7.28 | 81% | ₹ 9.41 |
| 12 | Moradabad | ₹ 2.10 | ₹ 2.10 | 100% | ₹ 33.20 | ₹ 24.98 | 75% | ₹ 35.30 | ₹ 27.08 | 77% | ₹ 43.79 |
| 13 | Raebareli | ₹ 1.24 | ₹ 1.24 | 100% | ₹ 5.88 | ₹ 4.55 | 77% | ₹ 7.12 | ₹ 5.79 | 81% | ₹ 8.50 |
| 14 | Gorakhpur | ₹ 9.64 | ₹ 9.64 | 100% | ₹ 27.87 | ₹ 23.44 | 84% | ₹ 37.51 | ₹ 33.08 | 88% | ₹ 29.36 |
| 15 | Noida | ₹ 6.67 | ₹ 1.19 | 18% | ₹ 15.28 | ₹ 0.00 | 0% | ₹ 21.95 | ₹ 1.19 | 5% | ₹ 8.94 |
| Total | | ₹ 76.94 | ₹ 69.04 | 90% | ₹ 139.90 | ₹ 101.07 | 72% | ₹ 216.84 | ₹ 170.11 | 78% | ₹ 180.30 |

Note: Information available as per PRANA Portal and provided by Directorate of ULB.

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[Signature]
CEO



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र
वायु गुणवत्ता प्रबंधन आयोग
Commission for Air Quality Management in
National Capital Region and
Adjoining Areas



No.120017/27/GRAP/2021/CAQM

18th January, 2024

ORDER

Sub.: Revocation of Actions under Stage-III ('Severe' Air Quality) of revised Graded Response Action Plan in Delhi-NCR.

The Commission for Air Quality Management in NCR and adjoining areas, vide Direction No. 77 dated 6th October, 2023, issued statutory direction for implementation of the revised schedule of the Graded Response Action Plan (GRAP) with immediate effect as and when orders under GRAP are invoked. The same is also available on the CAQM website (caqm.nic.in).

2. Actions under Stage-I, II, III and IV of the GRAP were invoked vide CAQM orders dated 06.10.2023, 21.10.2023, 02.11.2023 and 05.11.2023 respectively and on periodic review of the air quality of Delhi and forecast provided by IMD/ IITM, the subcommittee on GRAP revoked actions under GRAP stage IV & III vide order dated 18.11.2023 and 28.11.2023 respectively. Further actions under GRAP stage III were reinvoked again vide orders dated 22.12.2023 (revoked on 01.01.2024) and 14.01.2024.

3. The sub-Committee in its meeting held on 18th January, 2024 further reviewed the air quality scenario in the region as well as the IMD/IITM forecasts for meteorological conditions and air quality index of Delhi and observed as under:

AQI of Delhi has been progressively improving and has been recorded as 316 at 2:00 P.M. which is about 85 AQI points below the threshold for invoking the GRAP Stage-III actions (Delhi AQI 401-450) and preventive/ mitigative/ restrictive actions under all Stages up to Stage-III are underway, there is a likelihood of sustaining the improvement in AQI. The forecast by IMD/ IITM also do not indicate any significant deterioration and there is a likelihood of the AQI improving and remaining in lower end Very Poor category in next few days.

4. The sub-Committee, accordingly, hereby decides to revoke the order, issued on 14th January, 2024, for actions under Stage-III of the GRAP with immediate effect.

5. Actions under Stage-I to Stage-II of the GRAP shall however remain invoked and be implemented, monitored and reviewed by all agencies

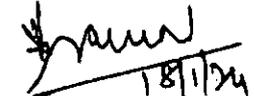
17 वी मंजिल, जवाहर व्यापार भवन (एस. टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001
दूरभाष : 011-23701213, ई-मेल : caqm-ncr@gov.in
17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg, New Delhi-110001
Tel:011-23701213, E-mail: caqm-ncr@gov.in

concerned in the entire NCR and agencies shall keep strict vigil and especially intensify measures under Stage-I & II of GRAP in order to obviate the implementation of Stage-III of GRAP actions owing to AQI level further slipping into 'Severe' category.

6. C & D project sites and industrial units which have been issued specific closure orders on account of violations/ non-compliances of various statutory directions, rules, guidelines etc. under no circumstances shall resume their operations without any specific order to this effect from the Commission.

7. All agencies responsible for implementation of various actions listed under Stages-I & II of GRAP and citizens/residents are advised to strictly implement and follow respectively, the provisions/charter of GRAP under Stage-I and Stage-II to obviate the need for re-imposition of Stage-III of GRAP in NCR.

8. The sub-Committee shall be keeping a close watch on the air quality scenario and may take appropriate decisions depending on the air quality, as recorded from time to time, and the forecasts made by IMD/IITM to this effect.


18/1/24

(R.K. Agrawal)

Director (Technical)

(Member & Convenor of Sub-Committee on GRAP)

Details of Source Apportionment Study (SAS) of Uttar Pradesh

| S. No. | City | Institute carrying out SAS | Status of SAS |
|--------|-----------|----------------------------|-----------------------|
| 1. | Agra | IIT-Kanpur | Completed |
| 2. | Kanpur | IIT-Kanpur | Completed |
| 3. | Ghaziabad | IIT-Delhi | Completed |
| 4. | Varanasi | IIT-Kanpur | Completed |
| 5. | Prayagraj | IIT-Kanpur | Completed |
| 6. | Lucknow | TERI-New Delhi | On-going |
| 7. | Anpara | IIT-Kanpur | On-going |
| 8. | Firozabad | IIT-Kanpur | On-going |
| 9. | Gajraula | IIT-Kanpur | On-going |
| 10. | Jhansi | IIT-Kanpur | On-going |
| 11. | Khurja | IIT-Kanpur | On-going |
| 12. | Raebareli | IIT-Kanpur | On-going |
| 13. | Meerut | IIT-Roorkee | On-going |
| 14. | Moradabad | IIT-Kanpur | On-going |
| 15. | Noida | IIT-Kanpur | On-going |
| 16. | Bareilly | IIT-Kanpur | On-going |
| 17. | Gorakhpur | Under Tendering Stage | Under Tendering Stage |

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