

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Original Application No. 663/2023

In the matter of:

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

NDOH: 06.12.2023

INDEX

S.L. No.	Particulars	Page No.
1.	Compliance report on behalf of the GNCTD in terms of order dated 29.11.2023.	1-14

Filed by


(K.S. Jayachandran)
Special Secretary-Environmental

Dated: 5 December, 2023

Place: Delhi

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

In the matter of:

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

**COMPLIANCE REPORT ON BEHALF OF GOVT. OF NCT OF DELHI
IN TERMS OF ORDER DATED 29.11.2023.**

MOST RESPECTFULLY SHOWETH:

1. That, the above mentioned matter was taken up by this Hon`ble Tribunal on 29.11.2023 and pleased to direct:
 - (a)The concerned authorities are required to disclose the comprehensive prevention plan to ensure that the air quality in Delhi is maintained at proper acceptable level.
 - (b)The Counsels appearing for the different authorities are also granted a week's time to place on record the source apportionment study as also the comprehensive plan for air quality management of NCR, if available.
 - (c)The authorities to take possible measures to ensure that quality of air improves in Delhi.

2. That in compliance with this Hon`ble Tribunal previous order`s the GNCTD has filed detailed reports on 07.11.2023, 17.11.2023 and

28.11.2023, which are available on the records of this Hon`ble Tribunal.

3. That, Government of NCT of Delhi has been undertaking various measures towards air pollution control in the City, irrespective of the invoking of Graded Response Action Plan (GRAP) by the CAQM which are detailed as below.

4. That, the Government of NCT of Delhi launched a 14 point "**Summer Action Plan, 2023**" for air pollution control in summer season with effect from 01.05.2023 which was implemented in coordination with various stakeholder departments of the Government of NCT of Delhi. The 14 point Action Summer Plan, 2023 included following points:-

- A. Dust pollution control
- B. Industrial pollution control
- C. Solid Waste Management
- D. Tree Plantation Drive
- E. Tree transplantation Policy
- F. Real time Source Apportionment Study
- G. Prohibition on Open Burning
- H. Development of City Forest
- I. Urban Farming
- J. Development of Jheel/Ponds in Delhi
- K. Development of Parks (Harit Park) in Delhi
- L. E-waste Eco-park
- M. Eco-Club Activities at schools/colleges
- N. Coordination with neighbouring State Governments

The objective of above stated Action Plan was improving the ambient air quality in Delhi by maximizing the number of good, moderate and satisfactory days in terms of Ambient Air Quality Index (AQI) during

April to September, 2023 and laying the base for actions for improved ambient air quality during critical winter months. The action plan was implemented in coordination with more than 30 stakeholder departments namely ULBs, DDA, DSIIDC, DPCC, Revenue, DJB, IFCD, CPWD, NHAI, NCRTC, PWD, Delhi Police, Transport Department, Directorate of Education, DPGS, Forest Department, Delhi Fire Services, Horticulture, etc.

With the joint efforts taken by stakeholder departments for controlling air pollution in Delhi during 2023, city of Delhi witnessed 206 good, satisfactory and moderate days of air quality in Delhi during January -November, 2023, compared to 158 good, satisfactory and moderate days in 2018.

5. That, the Government of NCT of Delhi launched a **Winter Action Plan** for air pollution control in winter season. This year also, GNCTD after data analysis of particulate matter in air during the last 5 years launched a Winter Action Plan- 2023-24 containing 15 Action Points for the period with effect from 1st October 2023 till 29 February 2024, which encapsulates the targeted actions, as reproduced below, that government has been undertaking during this winter season in coordination with stakeholder departments:

- A. Stubble Burning Control
- B. Dust Pollution Control
- C. Vehicular Pollution Control
- D. Prohibiting Open Burning
- E. Industrial Pollution Control
- F. Strengthening Green War Room and Green App.
- G. Hotspots monitoring
- H. Real Time Apportionment Study
- I. Development of E-waste Eco- Park
- J. Enhancing Green Area/Plantation

- K. Urban Farming
- L. Eco-Club Activities/ Public Participation
- M. Ban on Fire-crackers
- N. Dialogue with Central Government and neighbouring State Governments on Air Pollution Control
- O. Implementation of Graded Response Action Plan (GRAP)

Daily data reporting is being taken from relevant stakeholder departments on implementation of Winter Action Plan 2023-24.

6. That Central Pollution Control Board issued directions under section 5 of Environment (Protection) Act, 1986 in 2018 regarding Comprehensive Action Plan (CAP) for air pollution control in Delhi & NCR, which consist following action points:-

- i. Air quality monitoring
- ii. Actions to reduce vehicular emissions, On-Road Vehicles, Transit Truck Traffic
- iii. Strategies to reduce vehicle numbers on-roads
- iv. Non-motorized Transport (NMT) network
- v. Parking Policy to reduce congestion and pollution, Parking pricing and Penalty
- vi. Traffic Management
- vii. Power Plants and Industries (Industries, Brick-Kilns, Incinerators, Waste-to-energy plants
- viii. Generator sets
- ix. Open burning (including solid waste and agricultural residues, Regional problem and biomass burning, episodic events)
- x. Domestic chulha burning and open eateries
- xi. Control measures for road dust
- xii. Control measures for construction dust

The above said CAP was adopted by "Air Quality Management Committee" (AQMC) headed by Principal Secretary (Environment). The AQMC was constituted in compliance to the directions of this Hon'ble National Green Tribunal in the matter of O.A. No. 681/2018.

The CAP is being implemented through all concerned stakeholders and quarterly progress reports are being regularly submitted to the Central Pollution Control Board (CPCB) and CAQM.

7. That, the Government of NCT of Delhi has in compliance with the orders passed on 27.07.2018 by this Hon'ble National Green Tribunal (NGT) in OA 44/2018 (Earlier OA 21/2014) titled as "Vardhman Kaushik Vs Union of India and others". In compliance thereof, quarterly monthly reports are being sent to CPCB.

8. That, GNCTD has been complying with various directions / advisories / policies of CAQM in letter and spirit and regular compliance reports are being sent to the CAQM. CAQM has also formulated Policy to Curb Air Pollution in NCT of Delhi on 06.07.2023. The Policy contains sector wise targeted action plans and timelines for prevention, control and abatement of air pollution which includes sectors such as:
 - Strengthening of air quality monitoring and source apportionment
 - industrial pollution
 - air pollution from Diesel Generator (DG) Set
 - air pollution from Vehicles, transport,
 - air pollution from construction and demolition
 - air pollution from dust from roads and open areas
 - air pollution from municipal solid waste burning
 - air pollution from crop residue burning
 - air pollution from bursting of fire crackers and through road traffic management and greening & plantation programmes.

The policy also contains large number of recommendations/ suggestions to be taken-up/ on various sectors to be implemented by the State Government on priority basis to control the menace of

air pollution occurring every year in Delhi and NCR. Monthly Action Taken Report is being submitted to CAQM on the Policy dated 06.07.2023.

9. National Clean Air Programme (NCAP): Delhi is part of National Clean Air Program (NCAP) launched by Ministry of Environment, Forest & Climate Change, Government of India, with respect to ambient air quality is being planned and implemented as part of air pollution mitigation measures; and 20%–30% reduction of Particulate Matter (PM10 and PM2.5) concentration is being targeted by 2025. Under NCAP, GNCTD has prepared Annual Action Plan (City Action Plan) which is being implemented. The Annual Action Plan (City Action Plan) uploaded on PRANA portal is following sub-heads:

- Air Quality Data
- Strengthen Infrastructure
- Monitoring Network and service apportionment Study.
- Public Outreach
- Road Dust and Construction & Demolition
- Vehicles
- Industries
- Waste and Biomass
- Dumping and Burning

10. That, the Cabinet Secretary, Government of India had reviewed actions taken by Govt. of NCT of Delhi and other States on 08.11.2023 and 04.12.2023 on the directions passed by the Hon'ble Supreme Court of India in WP(C) 13029/1985 titled as MC Mehta vs Union of India and Others.

11. That, the action taken report of GNCTD on various aspects to curb the air pollution within GNCTD including actions taken during October- November, 2023 is as below:

S. No.	Directions	Action taken report
1	Vehicular Pollution Control	<ol style="list-style-type: none"> 1. Compliance of ban on 10-Y-old diesel and 15-Y-old petrol vehicles. <ul style="list-style-type: none"> ● 95 old age vehicles impounded from October till 30th November, 2023. 2. Compliance with PUC <ol style="list-style-type: none"> a)64,340 challans without PUC from October till 30.11.2023 b)10.78 lakhs PUC issued from October till 30.11.2023 c)24521 Non destined goods vehicles checked and out of them, 13257 Non destined goods vehicles returned from October till 30.11.2023 3. 2,52,163 E-Vehicles registered till 30.11.2023. 4. 3100 EV charging station having 4793 charging points and 318 battery swapping stations in place. 5. Out of 60 bus depots 15 are electrified out of which 6 are operational. Remaining depots shall be electrified by 2024-25
2	Enforcement of C&D norms at construction sites	<ol style="list-style-type: none"> 1. Web portal for Construction and Demolition sites of 500 sq. m and above plot area in the National Capital Region launched by DPCC in Sep, 2021.

		<p>2. As on 30th November 2023, around 1117 total construction sites of more than 500 sq. m are registered on C&D web portal, (out of which 619 are active construction sites and 498 C&D sites have completed construction) to help project proponents self- audit their own dust mitigation measures.</p> <p>3. 233 Anti-Smog Guns deployed at large construction sites.</p> <p>4. Enforcement of C&D norms at construction sites (Since 01.10.2023 till 30.11.2023)</p> <p>a) No. of inspections conducted: 18,317</p> <p>b) No. of sites found defaulting: 1398</p> <p>c) Fine imposed: 277.00 lakhs</p> <p>5. Dedicated 591 patrolling teams for inspecting violations at C&D Sites & open areas for dust violation (under winter action plan).</p> <p>6. C&D waste processing capacity increased from 3150 TPD to 5150 TPD to cater to processing of approx. 6000 TPD generated in Delhi.</p> <p>a. 1000 TPD proposed at Tehkhand</p> <p>Existing operational C&D Waste Processing Facilities - 5No. (Capacity 5150 TPD) [at Rani Khera – 1000 TPD, Shastri Park- 1000 TPD, Bakkarwala– 1000 TPD, (Mundka) – 150 TPD, JahangirpuriBurari- 2000 TPD}</p>
--	--	---

3	Strict control on burning of municipal solid waste	<p>Enforcement data (Since 01.10.2023 till 30.11.2023):</p> <table border="1" data-bbox="594 322 1380 629"> <thead> <tr> <th>Action Points</th> <th>Data</th> </tr> </thead> <tbody> <tr> <td>No. of inspections conducted</td> <td>16,496</td> </tr> <tr> <td>No. of open burning sites addressed sites</td> <td>516</td> </tr> <tr> <td>No. of notices/ challans issued</td> <td>516</td> </tr> <tr> <td>Fine imposed (in Rs)</td> <td>6,35,000</td> </tr> </tbody> </table>	Action Points	Data	No. of inspections conducted	16,496	No. of open burning sites addressed sites	516	No. of notices/ challans issued	516	Fine imposed (in Rs)	6,35,000
Action Points	Data											
No. of inspections conducted	16,496											
No. of open burning sites addressed sites	516											
No. of notices/ challans issued	516											
Fine imposed (in Rs)	6,35,000											
4	Prevention and Control of Road Dust	<ul style="list-style-type: none"> ▪ 85 Mechanized Road Sweeping (MRS) in place and 18 under procurement. ▪ 375 water sprinklers/tankers in place for road dust mitigation. ▪ 262 (215 mobile and 47 static) Anti-Smog Guns deployed on roads and open areas to mitigate road dust re-suspension. ▪ Last winter Anti-smog water guns were installed at the top of 90 high-rise buildings (Govt. + Private). This year also similar direction issued to departments for deploying ASGs on top of high rise buildings. So far ASGs have been installed at 48 Govt. high rise buildings. 										
5	Augmentation of Public Transport	<p>a) 6797 buses (DTC- 3956 (Active) and Cluster-2841) in place including 902 E-Bus. Target to augment total fleet of 10,925 buses including approx. 8000 E buses.</p> <p>b) 1500 buses timeline:</p> <ul style="list-style-type: none"> • 602 buses are in operation. • The balance buses have not been delivered by M/s Tata Motors as per schedule till date and expected by March 2024. <p>c) One Delhi Application re-launched on 02.11.2022. (Live Tracking of Buses, Online Bus Ticket/ Pass and Electric vehicle charging</p>										

		stations locations).
6	Prevention and Control of stubble burning	<ol style="list-style-type: none"> 1. Out of 4350 Acres of non-basmati paddy area to be sprayed of liquid Bio decomposers in agricultural fields of Delhi. Since 28.10.2023, 4189 acres of fields have been sprayed in the fields at North, North-West, West, Central and South-west districts. 2. Eighteen monitoring teams for Day (13) & Night (5) patrolling have been constituted by the Development Department, GNCTD to keep watch/to prevent probable incidences of crop residue / stubble burning in NCT of Delhi. In addition, 165 monitoring teams comprising of Tehsildars/ SDMs/ Patwari, under direct supervision of District Magistrates (Revenue) have been constituted by Department of Revenue. 3. Till date, no violation on stubble burning has been observed in Delhi on part of farmers.
7	Enforcement done on Fire cracker ban	<p>Directions had been issued by DPCC vide dated 06.10.2023 under section 31 (A) of Air (Prevention and Control of Rule 20 Pollution) Act, 1981, read with (A) (6) of the Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983, to Delhi Police for ensuring compliance for 'Complete Ban' on all kinds of firecrackers on manufacturing, storage, selling (including delivery through online marketing platform) and bursting upto 01.01.2024 in the territory of Delhi.</p> <p>Enforcement data (Since 16.10.2023 till 22.11.2023):</p> <ol style="list-style-type: none"> a. No. of fire crackers sale violation observed / identified : 138 b. Quantity of fire crackers seized for storage/sale : 12459.598 kg c. Quantity of fire crackers seized for bursting :

		11.400 kg d. No of violation observed/identified for bursting firecrackers: 54										
8	Grievance Resolution	More than 90 % grievance resolution on Green Delhi Application and more than 80 % grievance resolution on MCD 311 Application.										
9	Enforcement of ban on DG Sets	<p>1. CAQM Direction no. 73 and Direction no. 76 have been circulated to all concerned. Appropriate emission control mechanism shall be put in place on or before 31.12.2023 in respect of DG Sets used in emergency services.</p> <p>2. Enforcement data (Since 01.10.2023 till 30.11.2023):</p> <table border="1"> <thead> <tr> <th>Action Points</th> <th>Data</th> </tr> </thead> <tbody> <tr> <td>No. of inspections conducted regarding unauthorized DG sets at construction sites</td> <td>2463</td> </tr> <tr> <td>No. of sites found using unauthorized DG sets</td> <td>4</td> </tr> <tr> <td>No. of notices/ challans issued</td> <td>3</td> </tr> <tr> <td>Fine imposed (in Rs)</td> <td>30,000</td> </tr> </tbody> </table>	Action Points	Data	No. of inspections conducted regarding unauthorized DG sets at construction sites	2463	No. of sites found using unauthorized DG sets	4	No. of notices/ challans issued	3	Fine imposed (in Rs)	30,000
Action Points	Data											
No. of inspections conducted regarding unauthorized DG sets at construction sites	2463											
No. of sites found using unauthorized DG sets	4											
No. of notices/ challans issued	3											
Fine imposed (in Rs)	30,000											
10	Industrial Pollution	1866 industries converted to Piped Natural Gas (PNG) out of 1866 fuel-based industries, remaining 150 are running on approved fuel i.e. LPG and are in process of conversion to PNG too.										
11	Implementation of GRAP orders (Stage III and Stage IV) report	<table border="1"> <thead> <tr> <th></th> <th>Stage III (3-5th Nov 2023)</th> <th>Stage IV (from 6th - 18th Nov)</th> <th>Stage III (from 19th - 28th Nov)</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>No. of BS III petrol/</td> <td>3451</td> <td>16004</td> <td>7367</td> <td>26822</td> </tr> </tbody> </table>		Stage III (3-5 th Nov 2023)	Stage IV (from 6 th - 18 th Nov)	Stage III (from 19 th - 28 th Nov)	Total	No. of BS III petrol/	3451	16004	7367	26822
	Stage III (3-5 th Nov 2023)	Stage IV (from 6 th - 18 th Nov)	Stage III (from 19 th - 28 th Nov)	Total								
No. of BS III petrol/	3451	16004	7367	26822								

		BS-IV Diesel LMVs found plying on road and challaned				
		Action taken on project sites where construction was continued	122	779	151	1052
		No. of trucks and LCVs stopped at Delhi border entry points	-	16778	-	16778
		No. of trucks and LCVs not carrying essential commodities that still entered Delhi and challaned	-	1264	-	1264
		No. of HGCs /MGVs not carrying essential commodities found plying on roads and challaned	-	169	-	169
		Action taken on	Physical classes	Physical classes in	Physical classes in	

		discontinuing physical classes.	in schools for children upto class V were suspended with option to schools to go for online mode of classes from classes VI onwards. Copy of order no. PS/DE/2023/334 dated 05.11.2023 from Directorate of Education, GNCTD is enclosed.	schools for children of all classes were made online (with option for online / physical mode for class X and XII). Copy of order no. PS/DE/2023/335 dated 06.11.2023 from Directorate of Education, GNCTD is enclosed.	schools for children upto all classes were resumed w.e.f 20.11.2023. However, outdoor sports activities and morning assemblies not to be held for next one week from issuance of order. Copy of order no. PS/DE/2023/341 dated 18.11.2023 from Directorate of Education, GNCTD is enclosed.		
--	--	---------------------------------	---	---	--	--	--

12. That, intensive review on the compliance to the various directions of CAQM and Hon'ble Courts/ Tribunal related to all actions for Air Pollution control is being undertaken through various review meetings held under the Chairmanship of Hon'ble Minister (Environment) GNCTD (5th October, 2023, 18th October, 2023, 20th October, 2023, 1st

November,2023, 3rd November,2023, 6th November 2023, 7th November 2023, 13th November, 16th November 2023, 29th November 2023), and Chief Secretary, Delhi (25th October, 2023, 2nd November,2023, 4th November,2023, 8th November 2023).

13. That to put in place a monitoring mechanism for action plans, District Coordinators were appointed in all 11 districts vide detailed order by the Chief Secretary Delhi on 13.10.2023 for mitigation of air pollution in Delhi with special focus on Hotspots during the winters; and have been directed for stringent enforcement of air pollution control norms on ground. To further strengthen ground enforcement of various actions, additional 26 DANICS Officers have been directed for field visits at hotspots on day and night basis.
14. That following is the list of source apportionment studies done in Delhi in the recent past, which are used while according priority to various actions to mitigate air pollution:
- a. Comprehensive Study on Air Pollution and Greenhouse Gases (GHGs) in Delhi (2016) - Conducted by IIT Kanpur and Submitted to Government on the Cost of Rs. 1,05,52,401.
 - b. *Real time source apportionment data for the sources of air pollution in Delhi on an ongoing basis is available on the website - Real Time Advance Air Source Management Network, (R-AASMAN).*
15. It is requested to this Hon'ble Tribunal that the present status report may kindly be taken on record.


K. S. Jayachandran
Special Secretary (Environment)
Government of NCT of Delhi

Place: New Delhi
Dated: 5 December, 2023