

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,

NEW DELHI

O.A. NO. 663 OF 2023

IN THE MATTER OF:-

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".

.....Applicant

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Through



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New Delhi  
Dated:- 18/11/23

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Affidavit of Sh. R.K. Arunesh S/o Sh. C.M. Arunesh, Aged about 50 years, EMS Department, HQ, Municipal Corporation of Delhi, on behalf of the MCD.

I the above named deponent do hereby solemnly affirm and declare here as under:-

1. That I am presently working as Executive Engineer, in DEMS, HQ, MCD and fully conversant with the facts of the case on the basis of the record maintained and made available in this regard and as such am competent to depose and swear the present affidavit on behalf of the respondent/ MCD.
2. That the present application was registered assuo-motuin exercise of power on the basis of the newspaper report dated 07.10.2023 published in 'Indian Express' titled "GRAP Stage 1 kicks in as air quality dips to poor, condition likely to prevail till Sunday". As per the said report, the air quality for the relevant day had deteriorated from Air Quality Index (AQI) 177 to AQI 212, whereas the AQI between 201 and 300 is considered to be 'poor' and can cause breathing discomfort to most people on prolonged exposure. Another newspaper report of 'Amar Ujala' dated 03.10.2023 states that though in the capital Graded Response Action Plan (GRAP) has been made applicable but there is open violation and most of the violations are in respect of the construction activities which are leading to the dust pollution. As per the newspaper report dated 10.10.2023 published in 'The Times of India', long term exposure to air pollution could lead to higher risk of depression and anxiety, besides respiratory disorders. As per the opinion expressed in that report children and adolescents are the worst sufferers. The newspaper report 20.10.2023 published in 'The Times of India' further states that the Delhi air quality in the meanwhile is likely to deteriorate to 'poor' category. Another report published in the same

newspaper states that Rs. 22.9 crore smog tower at Connaught Place is lying defunct for last 7 months. The expert opinion mentioned therein states that installation of such an expensive smog tower was a waste of money and it does not help in cleaning the city's air quality.

3. That in context of the above, the present matter was listed before this Hon'ble NGT on 20.10.2023 wherein this Hon'ble Tribunal passed directions as follow:

*"11. Let notice be issued to the aforesaid respondents by the Registry. The above respondents are expected to file their action taken report on controlling air pollution from different sources in Delhi in accordance with GRAP to maintain AQI in acceptable range to safeguard public health in view of winter season ahead, on or before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."*

4. That in compliance of the directions passed by this Honble Tribunal, the status is entailed herein. The various steps / measures taken by the answering respondent / Municipal Corporation of Delhi to control air pollution are enumerated herein below:-

1. **MECHANICAL ROAD SWEEPERS (MRS):**

- MCD has 52 nos. of Mechanical Sweepers having capacity of 6.5cum and 4.5cum and the same are in operation to sweep approx. 3000 km (in terms of 12ft width) of road length. All the major arterial roads of Delhi maintained by PWD are being swept using Mechanical Road Sweepers (MRS). Approx. 1660 km of road length is swept with an average of 30-35 km per day and main emphasis have been given in the hotpot areas. As per direction from CAQM under GRAP stage III & IV the time of deployment of MRSMs is increased from eight hours to ten/twelve hours as per the requirement.
- All Mechanical Sweepers have been provided GPS system for real time monitoring.
- Monthly schedule is uploaded on website for effective monitoring and their feedback.
- Approx. 150 MT per day dust collected by all 52 MRSMs is being dumped in designated sites.
- 18 nos. of new MRSMs are under procurement. The case is under approval from competent authority.

## 2. SPRINKLING OF WATER ON ROADS:

- At present MCD has 225 of water sprinklers/ Anti-smog guns. These water sprinklers are being used regularly, as per the directions under revised Graded Response Action Plan (GRAP) throughout the year.
- The average length covered for water sprinkling is approx. 1900 km per day.
- Treated STP water is being used for sprinkling in these water sprinklers.
- The frequency of water sprinklers deployment is increased in the hotspots area as per the various stages of GRAP.
- These Water Sprinklers are being tracked through GPS with real time monitoring.
- MCD has also deployed 60 nos. of Anti-Smog guns (ASGs) received from PWD in road construction / maintenance / repair projects in the domain of Hotspot areas.
- Dust Suppressant is being used in the sprinkling to mitigate the dust pollution.

S. No.	Hotspot	Zone	Status
1	Okhla	Central	4
2	R.K. Puram	South	4
3	Punjabi Bagh	West	6
4	Dwarka	Najafgarh	4
5	Jahangirpuri	Civil Lines	4
6	Rohini	Rohini	4
7	Ashok Vihar	Keshavpuram	2
8	Wazirpur	Keshavpuram	6
9	Narela	Narela	2
10	Bawana	Narela	2
11	Mundka	Narela	6
12	Anand Vihar	Shahdara South	12
13	Vivek Vihar	Shahdara North	4
Total			60

## 3. MANUAL SWEEPING:

- MCD has a total length of 15582 km colony roads (in terms 12 feet width) which is swept by approx. 57500 nos. of safaikaramcharis deputed in various wards under

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jurisdiction of MCD. In market/ commercial areas it is done twice daily. Their activities are supervised beat wise through Assistant Sanitary Inspectors (ASIs)/ Sanitary Inspectors (SIs) under overall supervision of Sanitation Superintendent.

4. **PROHIBITION OF OPEN BURNING:**

- MCD has constituted 512 nos. of Surveillance teams constituting 1119 nos. of officers to check the open burning and illegal C&D waste dumping under its jurisdiction.
- Out of which 302 teams and 560 personnel are exclusively deployed to check open/ biomass burning in two shifts.
- Challans imposed by these teams against defaulters for the period April 2023 to 6<sup>th</sup> November, 2023 are as under:
  - Open burning challans - 100 nos. challans amounting to Rs. 5.1 lacs have been imposed against the violators.
  - C&D waste – 76 nos. challans amounting to Rs. 23 lacs have been imposed against the violators.

5. **DUST CONTROL AND MANAGEMENT CELL (DCMC):**

- As per direction of CAQM, this cell has been constituted which monitors the activities related to control air pollution and monthly report is being sent to Department of Environment, GNCTD. Regular meetings of DCMC are held under the chairmanship of nodal officer and the minutes of the same is sent to GNCTD. The direction received from CAQM, CPCB and Pr. Secretary (Env.) time to time are implemented by zonal staff.

6. **DUST CONTROL AT CONSTRUCTION SITES:**

- 504 nos. of sites have been registered on DPCC C&D web Portal.
- The sites are physically visited/inspected by teams and action is taken for not complying with the dust mitigation measures including levy of environment compensation and stoppage of work.
- Out of which 215 teams and 559 personnel are exclusively deployed to check illegal dumping & construction sites in two shifts

- Building department, MCD has issued 1517 nos. of challans amounting to Rs. 2,33,62,000 during the period April 2023 to September 2023. During this winter 815 nos. of challans have been issued amounting to Rs 1.73 crore against the violators.
- The following dust mitigation measures are being enforced on these sites:
  1. Dust/wind breaking walls of appropriate height around the periphery of the construction site.
  2. Installation of Anti-Smog Gun(s) on sites above 5000 sqm.
  3. Tarpaulin or green net on scaffolding around the area under-construction and the building.
  4. All vehicles including carrying construction material and construction debris of any kind should be cleaned and wheels washed.
  5. All vehicles carrying construction material and construction debris should be fully covered and protected.
  6. All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements.
  7. No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
  8. No grinding and cutting of building materials in open area. Wet jet should be used in grinding and stone cutting.
  9. Unpaved surfaces and areas with loose soil to be adequately sprinkled with water to suppress dust.
  10. Roads leading to, or at construction sites must be paved and blacktopped i.e., metallic roads (for >20,000 m<sup>2</sup> built up area).
  11. Construction and demolition waste should be recycled on-site or transported to authorized recycling facility and due record of the same should be maintained.
  12. Every worker working on construction site and involved in loading, unloading and carriage of construction material and construction debris should be provided with dust mask to prevent inhalation of dust particle.
  13. Arrangement should be provided for medical help, investigation and treatment to workers involved in the construction of building and carry of construction material and debris relatable to dust emission.
  14. Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

- All projects have been asked to adopt effective dust control measures (wind breakers, dust screens, water sprinkling, dust suppressing and soil stabilization measures etc.) and deployment of adequate numbers of anti-smog guns, in proportion to the area of the construction sites as under:
  - a) At least 1 for a total construction area between 5,000-10,000 sqm,
  - b) At least 2 for a total construction area between 10,001-15,000 sqm,
  - c) At least 3 for a total construction area between 15,001-20,000 sqm,
  - d) At least 4 for a total construction area >20,000 sqm.
- MCD has designated 146 nos. of sites for dumping of C&D waste/ debris in various wards out of this 34 nos. of C&D local dumping sites at ward level are being improved by way of barricading/ water sprinklers in coordination with C&D plant concessionaire to cater C&D waste in proper manner. It is ensured that transportation of C&D waste is done in covered vehicles. The C&D waste dumped at C&D plants are fully covered and regular sprinkling is carried out in the premises with the Anti-smog guns & Water Sprinklers.
- Antismog Guns have also been installed at 70 Construction sites having built up area above 5000 sq.m. as per direction of CAQM and CPCB and being monitored by cross functional teams constituted to monitor.

7. **ANTISMOG GUNS (ASGs):**

- Total 20 nos. of antismog guns have been installed at various MCD facilities to control air pollution. These ASGs are used to suppress suspended dust.

S. No.	Sites (Place of deployment)	No. of Mobile Anti-smog guns Deployed
1	SLF Bhalswa	1
2	SLF Okhla	6
3	SLF Ghazipur	1
4	C&D plant (Rani Khera&Burari Jahangir Puri)	3
5	C&D waste processing plant Bakkarwala	2
6	C&D plant Shastri Park	1
7	Under construction Engineered SLF at Tehkhand	2
8	Civic Centre, MCD Headquarter	2

9	Hotspot Anand Vihar	2
<b>Total</b>		<b>20</b>

8. **ANTISMOG GUNS (ASGs) ON HIGH RISE BUILDINGS:**

- MCD has installed 15 nos. anti-smog guns on identified high rise buildings.

S. No.	High rise buildings	Location
1	Civil lines zonal Building	16, Rajpur Rd, Kamla Nehru Ridge, Civil Lines, Delhi-110054.
2	Green park zonal Building	Sri Aurobindo Marg, Block A, Green Park Extension, Green park, New Delhi, Delhi 110016.
3	Kasturba Hospital	Neal Jama Masjid Mero Station, Gate No. I, Kasturba Hospital Marg. Old Delhi, New Delhi, Delhi 110006
4	House Tax Building Lajpat Nagar	DPT Commissioner Office, Jai Vihar Road, Lajpat Nagar 2, Delhi – 110024.
5	Najafgarh Zonal Building	Najafgarh-Dhansa Road, Near, Dhansa Bus Stand, Najafgarh, New Delhi, Delhi 110043.
6	Kalkaji Hospital	Kalkaji PSMS Hospital/M&C W Center DD Block Kalkaji New Delhi 1.10019
7	Balak Ram hospital	Near Timarpur Police Station, Timarpur, Delhi - 110054,
8	Shahdara North Zonal Building	Near Shyam Lal College, Shahdara, Delhi- 1.10032.
9	West Zone, Zonal Building	Shivaji Place, Shivaji College Road Near West Gate Mall, Raja Garden, New Delhi, Delhi 110027.
10	Nigam Bhawan Kashmeri Gate	Nigam Bhawan, Old Hindu Collage, New, Chabi Ganj, Mori Gate, New Delhi, Delhi 110006.
11	Tilak Nagar Hospital	3, Jail Rd, Old Market, Block 18, Ashok Nagar, New Delhi, Delhi 110027.
12	Swami Dayanand	C-B lock Dilshad Garden, adjacent Landmark:

	Hospital	IHBAS cum GTBH, UCMS, New Delhi, Delhi 110095.
13	Tagore Garden, Community Hall	Block BA, Tagore Garden, Near DESU office, Tagore Garden Extension, Delhi -110027.
14	Rohini Zone Building	Institutional Area, Sector 5, Rohini, Delhi, 110085.
15	Dr. S.P.M Civic Centre	Dr. S.P.M. Civic Centre, Minto Road, SKD Basti, Press Enclave, Ajmeri Gate, New Delhi, Delhi 110002.

#### 9. HOTSPOTS:

- Delhi has 13 hotspots namely Narela, Bawana, Mundka, Wazirpur, Rohini, R.K. Puram, Okhla, Jahangirpuri, Anand Vihar, Vivek Vihar, Punjabi Bagh, Ashok vihar and Dwarka based on AQI measured high CAQMS installed by GNCTD Delhi.
- The concerned Dy. Commissioner of the zone is the nodal officer of each hotspot. Various actions taken by the Zonal Offices include, checking of illegal dumping of garbage/plastic waste removal of C&D waste and penalizing the violators through challans. A number of actions are being taken in the field to control air pollution in regular coordination with other stakeholders like DDA, PWD, Delhi Traffic, DMRC, I&FC, DJB and Delhi Police etc. which include paving of unpaved roads, patch repair work of potholes, greening of open areas, daily water sprinkling & mechanized sweeping of roads. Further, all out efforts are also being made to ensure that all necessary measures have been taken at the construction sites to prevent dust emission.
- Chief Secretary, GNCTD Order no. CS/2023/15442-15465 dated 13.10.2023, has issued direction in respect of step to be taken to mitigate the major air pollution sources at all 13 Hotspots of Delhi especially in the area of dumping of waste/ malba/ C&D waste/ unpaved roads/ patch work/ potholes/ construction sites etc. and further directed that Dy. Commissioners of the zones to ensure that mitigation measures are taken in coordination with stakeholder departments such as Revenue Department, Delhi Traffic Police and Transport Department, specifically on

identified point sources of air pollution proactively, to curb air pollution locally so that impacts can be felt at the city level in terms of improved quality of air each revenue district is being monitored by a committee consist of Senior Officers of various stakeholder departments .

10. **GREENING AND ROAD SIDE PLANTATION:**

- Horticulture Department, MCD, has taken up greening of open areas, parks, municipal institutions, roads, beautification of flyovers to provide maximum greenery to control road dust through mass tree/shrub plantation, ground covers, climbers etc.
- Only the roads having Right of way (ROW) less than 60ft are maintained by MCD. There is no central verge on these roads. MCD has planted 75505 nos. of trees and 2,21,338 nos. of shrubs in its jurisdiction for the period April 2023 to October 2023 against the target 200000 (trees) & 325000 (Shrubs), which will help in reducing air pollution.

11. **AIR POLLUTION ACTION GROUP (A-PAG) PROJECT ON “ABATEMENT OF AIR POLLUTION THROUGH DISPERSED SOURCES”:**

- MCD in collaboration with Air-pollution Action group (A-PAG) on the direction of Commission for Air Quality Management (CAQM) in the NCR and Adjoining Areas, implementing a project “Abatement of air pollution through dispersed sources”. Complaints related to dispersed sources like illegal dumping of C&D waste/garbage, unpaved roads, potholes, and patchwork, construction sites are identified and uploaded on MCD 311 app and accordingly actions are being taken by the field staff to resolve these complaints. This is monitored regularly by CAQM and Pr. Secretary (Env.), GNCTD wherein all stakeholder departments like DDA, PWD, DSIIDC, DMRC, CPWD, I&FC, DJB, NHAI, DUSIB, NCRTC and Delhi Traffic Police report their complaint resolution status.

12. **ELECTRIC VEHICLE CHARGING STATIONS:**

- MCD is making all out efforts to promote e-mobility. For electric vehicles (EVs) total 191 charging stations have been made operational so far and installation of 17 more charging station is in progress.

**13. WINTER ACTION PLAN:**

- As per the direction of Environment Department, GNCTD “winter Action plan” is being implemented in entire jurisdiction of MCD. Daily air pollution report in the prescribed format is being sent to ‘Green war room’ of Environment Department, GNCTD.

**14. IMPROVEMENT AND REPAIR OF ROADS:**

- During period from April, 2022 to October, 2023 roads in a length of 214 km (in term of 12 feet width) has been resurfaced/repared.
- MCD has repaired approx. 68,017 nos. of potholes covering the area of 1,05,775 sqm during April, 2022 to October, 2023. Moreover, it is a routine process to check newly occurred potholes and repair the same on the priority.

**15. CONSTRUCTION AND DEMOLITION WASTE PROCESSING FACILITIES:**

- At present total C&D Waste generation in Delhi is approx. 6000 TPD. MCD is processing 5000 TPD C&D waste at three processing facilities namely Bakkarwala (1000 TPD), Ranikhera (1000 TPD), Shastri park (1000 TPD) and Jahangir Puri/Burari (2000 TPD).
- DDA has been requested to allocate land to construct 1000 TPD C&D plant at Tehkhand. This will cater to Central and South Zone of MCD.
- MCD has 186 C&D waste dumping sites for the general public. Malba from these points are removed on regular basis by the C&D Contractor.
- MCD has already made compulsory use of recycled C&D products in all the construction/civil works as per C&D waste management rules 2016. In case of building works, it is 2 % processed/recycled products and in case of road works, it is 10% processed/recycled material are to be used.

16. That zonal officers have been directed to strictly implement the revised GRAP guidelines issued by Commission for Air Quality Management (CAQM).

  
DEPONENT

**VERIFICATION:**

Verified at Delhi on this \_\_\_\_ day of November, 2023, that the contents of the above affidavit are true and correct to my knowledge derived from the official records maintained by the MCD and I believe the same to be true and correct.

  
DEPONENT

