

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

Execution Application No. 48 of 2025

In

Original Application No. 280 of 2025

**Mokshi Bhardwaj**

**...Applicant**

**Versus**

**Union of India &Ors.**

**...Respondents**

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**Filed By: Advocate Suman Arora**

**Counsel for Central Pollution Control Board (CPCB)**

**Place: Delhi**

**Date: 14.10.2025**

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

Execution Application No. 48 of 2025

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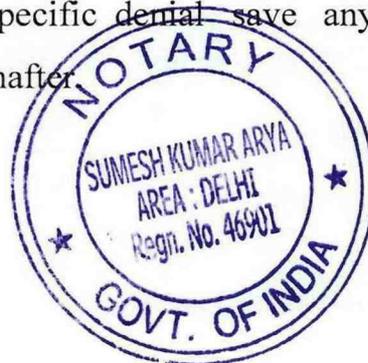
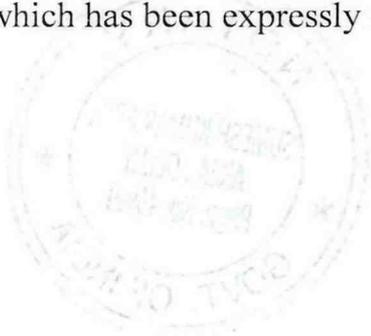
**Union of India & Ors.**

**...Respondents**

**REPLY ON BEHALF OF RESPONDENT NO. 8, CENTRAL  
POLLUTION CONTROL BOARD (CPCB)**

**Most respectfully showeth:**

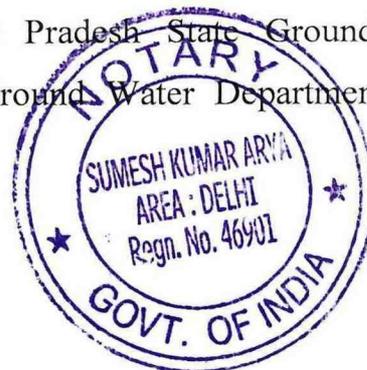
1. That, Hon'ble NGT vide Notice dated 12.08.2025 and order dated 08.08.2025 passed in Execution Application No. 48 of 2025 (hereinafter referred as "EA") in OA No. 280 of 2025, titled "*Mokshi Bhardwaj Versus Union of India & Ors*" has sought the response of respondents. The Central Pollution Control Board (hereinafter referred as "CPCB") is respondent no 8 in the instant matter. Thereby, the reply is made in the instant EA in succeeding paragraphs. A copy of the aforesaid Order dated 08.08.2025 is appended herewith as **ANNEXURE – I**.
2. That, at the outset, the answering respondent denies all claims, contentions, allegations and averments against answering respondent CPCB in the referred E.A. contrary to anything stated or submitted in this reply. Nothing in the E.A. may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial save any averment which has been expressly admitted hereinafter.



3. That, CPCB is a statutory Board constituted under The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, and The Environment (Protection) Act, 1986.

**PRELIMINARY SUBMISSIONS:**

4. That, in context of requirement of Environmental Clearance (hereinafter referred to as "EC"), it is submitted that, the Clause 2 of the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as EIA Notification, 2006) provides for the Requirements of prior EC and as per the above mentioned clause, the projects or activities which are falling under the Category 'A' of the Schedule of the EIA Notification, 2006; the project proponent is required to obtain the EC from the Ministry of Environment, Forest and Climate Change (hereinafter referred to as 'MoEF&CC') and the projects which are falling under the Category 'B' of the Schedule of the EIA Notification, 2006; the project proponent is required to obtain EC from the State Environment Impact Assessment Authority (hereinafter referred to as 'SEIAA') before any construction work, or preparation of land is started , expansion and modernization, as stipulated therein.
5. That, in context of ground water extraction, it is humbly submitted that, in Uttar Pradesh, ground water extraction is regulated under Uttar Pradesh Ground Water Management & Regulation Act, 2019 and Uttar Pradesh Ground Water Management & Regulation Rules, 2020.
6. That it is further submitted that Uttar Pradesh State Ground Water Management & Regulatory Authority, Ground Water Department, Uttar



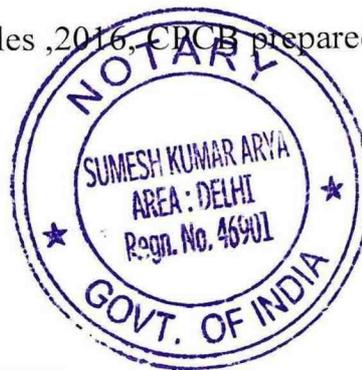
Pradesh, District Ground Water Management Council, Block Panchayat Ground Water Management Committees and Municipal Water Management Committees are the concerned authorities/departments/ committees for implementation of Uttar Pradesh Ground Water Management & Regulation Act 2019 and Uttar Pradesh Ground Water Management & Regulation Rules, 2020.

7. That, in context of Consent required to be obtained by the projects or industrial activities and installation of Sewage Treatment Plants(hereinafter referred to as 'STPs') by the projects, it is humbly submitted that, State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as 'SPCBs/PCCs') are the concerned authorities to grant Consent (Consent to Establish/Consent to Operate) under the Water Act, 1974 and the Air Act, 1981 in their respective jurisdiction of State/Union Territory and to ensure the compliance of conditions of Consent and prescribed environmental standards. This Hon'ble Tribunal by order dated 30.05.2025 in the OA 280 of 2025 related to the present EA directed Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB') and Nagar Nigam Ghaziabad to consider the representation of the Applicant and take appropriate action if the allegations about violation of environmental norms by the respondent school are found to be correct.
8. That, in the context of use of diesel generator sets in Delhi-NCR, it is submitted that the use of DG sets across all sectors in Delhi-NCR is governed by Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as CAQM) Direction No. 76 dated 29.09.2023, as amended, issued to the Government of NCT of Delhi and the National Capital Region (hereinafter referred to as NCR) State



Governments. The said direction prescribes a comprehensive schedule specifying the requirements for regulated operation of DG sets, including installation of Retrofit Emission Control Devices (RECDs) and dual-fuel systems, permitting operation of gas-based gensets as well as gensets conforming to CPCB-IV standards under GSR 804(E), etc. **(Annexure-II)**

9. That, in the context of requirement of registration of construction project on SPCB website in NCR districts, it is humbly submitted that CAQM has issued direction nos. 11-14 dated 11.06.2021**(Annexure- III)** to Government of NCT of Delhi and NCR State Governments for mandatory registration of construction projects having area above 500 sq. m.
10. That further CAQM has also issued direction no. 69 dated 02.11.2022 to Delhi Pollution Control Committee and NCR SPCBs, regarding the minimum number of Anti-Smog guns to be deployed at construction sites **(Annexure-IV)**.
11. That, in the context of issues related to pollution from construction and demolition activity, it is submitted that such projects are required to follow:
  - a. The Construction and Demolition Waste Management Rules, 2016 notified by Ministry of Environment, Forest & Climate Change on 29<sup>th</sup> March, 2016. The copy the said rules is available at: <https://cpcb.nic.in/displaypdf.php?id=d2FzdGUvQyZEX3J1bGVzXzlwMTYucGRm>).
  - b. Further, in pursuance of the Rule 10, sub- Rule 1(a) of the C& D waste Rules ,2016, ~~CPCB~~ prepared and issued



guidelines “ENVIRONMENTAL MANAGEMENT OF C&D WASTES”. Copy of the Guidelines is available on the Website of CPCB at the following link: <https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTUyXzE1MTEyNjQwMTVfbWVkaWFwaG90bzQ2OTAucGRm>.

- c. CPCB has also made available “Guidelines on dust mitigation measures in handling construction material and C&D wastes (November, 2017)” on its website. The copy of the Guidelines is available at: <https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTYxXzE1MTE5MzMzMzNzJfbWVkaWFwaG90bzEyNjcxLnBkZg==>.
- d. The Environment (Protection) Amendment Rules, 2018” notified by Central Government on 25th January, 2018 wherein the following had been notified:
- i. “Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance” and
  - ii. “Mandatory Implementation of Dust Mitigation Measures for all Construction and Demolition Activities”. The copy of the Environment (Protection) Amendment Rules, 2018 is available at: [http://egazette.nic.in/\(S\(fgkzchlxbbuydjwmbmukq5gsl\)\)/SearchMinistry.aspx/](http://egazette.nic.in/(S(fgkzchlxbbuydjwmbmukq5gsl))/SearchMinistry.aspx/)



12. That, the Applicant's grievance related to the present matter has been received in CPCB through MoEF&CC letter No. Q-16016/59/2025-CPA dated 26.06.2025 and Public Grievance No. MOEAF/P/2025/0000183 dated 03.06.2025 (**Annexure- V (Colly)**).

13. That CPCB has referred the grievances referred above, to Uttar Pradesh State Pollution Control Board vide letter No. PI-14/33/2021-UPC-I-HO-CPCB-HO (Part-1) dated 17.07.2025 and emails dated 21.03.2025 & 14.08.2025 for necessary action. (**Annexure-VI (Colly)**).

**PARAWISE REPLY: -**

14. That, the averments made in Paragraph No. 1 to 7 of the EA are about the applicant and issues raised in the matter e.g. illegal ground water extraction, non-installation of STP, use of unauthorized Diesel Generators, use of temporary electricity connection; Hon'ble NGT order dated 30.05.2025 passed in the connected matter i.e. matter of OA No. 280 of 2025 titled *Mokshi Bhardwaj Versus Union of India & Ors.* whereby, the Hon'ble NGT issued certain directions to concerned State Government Departments along with the allegations of non-compliance of said orders by the concerned respondents; applicant's various communications related to the matter for seeking information and action etc. In this context, submissions made above are reiterated and the same are not repeated herein for the sake of brevity.

15. That, in the context of averments made under "PRAYER", it is humbly submitted that, the submissions made in the preceding paragraphs of the instant reply are re-iterated and are not being repeated for the sake of brevity.

16. That the answering respondent No. 8 craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.



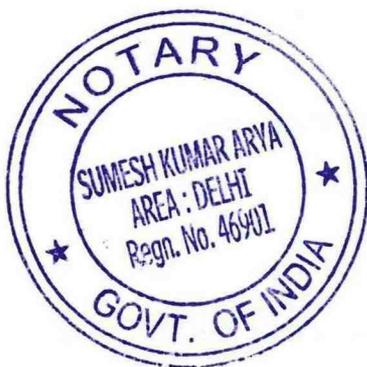
17. That in view of the above submissions, it is respectfully prayed that the CPCB/Respondent No. 8 shall abide by any orders or directions passed by Hon'ble NGT.



**(Sharandeep Singh)**

Scientist 'E'

Central Pollution Control Board



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**AFFIDAVIT**

I, **Sharandeep Singh**, aged about 45 years working in the capacity of Scientist-'E', having office at Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows:

1. That, I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That, the accompanying reply may be read part and parcel of the present affidavit.
3. That, the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the records maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are



read over and explained to me and are not repeated herein for the sake of brevity.



शरणदीप सिंह **DEPONENT** Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (Mo Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

### VERIFICATION

Verified at Delhi on this \_\_\_\_\_ day of \_\_\_\_\_ 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



**DEPONENT**

शरणदीप सिंह / Sharandeep Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
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 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



**ATTESTED**

NOTARY PUBLIC, DELHI  
 GOVT. OF INDIA

14 OCT 2025

Item No. 02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Execution Application No. 48/2025  
In  
Original Application No. 280/2025

Mokshi Bhardwaj

Applicant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 08.08.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Vishwendra Kumar, Ms. Shivali Ekta Tomar & Mr. Abhishek Nagar,  
Adv. for Applicant in E.A 48/2025 (Through VC)

Respondent: Mr. Rajinder Kumar, Mr. Rohit Kumar & Mr. Shailendra Singh, Adv. for  
R - 11

**ORDER**

1. This execution application has been filed by the Applicant seeking compliance of the order dated 30.05.2025 passed in the OA No. 280/2025. In the OA, the Applicant has raised certain objections/grievance against the construction being raised by the Respondent No. 11 and the OA was disposed of by the Tribunal by order dated 30.05.2025 directing as under:-

“xxx

xxx

xxx

7. *The allegations which have been made by the applicant in this OA needs verification at the ground level and if the respondent no. 11 has violated the environmental norms, then requisite expeditious action is required to be taken by the concerned authorities. Records reveal that applicant has already made representation dated 23.05.2025 (page 85) to the Chairman, UPPCB and similar representation of the same date (page 109) to the Municipal Commissioner, Nagar Nigam Ghaziabad. These authorities are directed to duly consider the representations of the applicant and ascertain if the respondent no. 11, School is proceeding with the construction in violation of the environmental norms. If the allegations are found to be correct then the concerned authorities will*

*take appropriate, punitive and remedial action without any delay. So far as the recovery of environmental compensation already levied, is concerned, the Chairman UPPCB will take all possible efforts to affect recovery of the environmental compensation, if there is no legal impediment in this regard.*

*8. Let this exercise be completed by following the Principles of Natural Justice by the Chairman, UPPCB and the Municipal Commissioner, Nagar Nigam Ghaziabad as expeditiously as possible probably within a period of eight weeks.”*

2. Learned counsel appearing for the Applicant submits that the aforesaid direction has not been complied with and the representation filed by the Applicant has not been decided till now.

3. Issue notice to the Respondents.

4. Mr. Rajinder Kumar, Advocate accepts notice on behalf of the Respondent No. 11 and seeks four weeks' time to file the reply. The Applicant is directed to serve other Respondents and file affidavit of service atleast of one week before the next date of hearing.

5. List on 15.10.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

August 08, 2025  
E.A. No. 48/2025 in O.A. No. 280/2025  
A

**Direction No. 76****COMMISSION FOR AIR QUALITY MANAGEMENT  
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS**

17th Floor, Jawahar Vyapar Bhawan (STC Building)  
Tolstoy Marg, New Delhi-110001

F. No. A-11018/01/ 2021-CAQM/15322-15331 Dated: 29.09.2023

**Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of regulations for use of DG sets in NCR.**

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

WHEREAS, under Section 12 (1) of the Act, the Commission is vested with powers to take all such measures, issue directions, etc., as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas;

WHEREAS, Section 12 (2) (ix) of the Act empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

WHEREAS, Section 12(2)(iv) of the Act empowers the Commission to lay down parameters for discharge of emissions from various sources whatsoever that have implications on the air quality in the region;

3emd

WHEREAS, Section 12(2)(v) of the Act also empowers the Commission to impose restrictions and regulate operations or processes that have implications on air quality in the region;

WHEREAS, the Commission has repeatedly taken up the matter relating to air pollution with the State governments of Haryana, Rajasthan, Punjab, Uttar Pradesh and Government of NCT of Delhi and various organizations concerned of the Central and State Governments/ GNCTD and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR, from time to time;

WHEREAS, the Commission has observed and has been sensitizing all stakeholders that, amongst others, large-scale unregulated use of Diesel Generator (DG) sets is a major contributing factor for deterioration of air quality in the region;

WHEREAS, in wake of generally prevailing adverse air quality in NCR during the winter season, the Commission, through directions No. 54-57 dated 08.02.2022, followed by Direction No. 68 dated 14.09.2022 and its related orders called for regulated use of DG Sets in the NCR, particularly during the periods of restrictions under the GRAP, subject to adopting emission control measures /devices/ systems such as retrofitted Emission control devices (ECDs) and dual fuel mode (gas and diesel), amongst other means of emission control;

WHEREAS, large number of DG sets operating in the region, even during the periods other than restrictions under the GRAP, cause heavy air pollution and are a matter of concern and thus, with a view to regulating the use of DG Sets even for such periods, the Commission issued Direction No. 71 for expeditious conversion of DG Sets to dual fuel mode, in areas where gas infrastructure and supply is available;

WHEREAS, the Commission from time to time reviewed the progress and status in this matter, in line with various directions issued by it;

*3end*

WHEREAS, the Commission revisited / reviewed some provisions of the extant directions on the regulated use of DG sets and issued a revised Direction No. 73 dated 02.06.2023, to be applicable across all sectors in the NCR including Industrial, Commercial, Residential and Office establishments etc., as well as permitting more time to implement the schedule w.e.f. 01.10.2023.

WHEREAS, preparatory actions were initiated by various stakeholders towards emission control from DG sets through retro-fitted ECDs and / or dual fuel systems, a number of representations were still being made to the Commission, including deliberations / meetings with various stakeholders in this context, wherein the following were highlighted:

- i. Issues related to availability of certified RECDs and agencies for all capacity ranges and vintages of DG sets.
- ii. Issues related to availability / delays in PNG infrastructure and supply, purely for DG sets.
- iii. Techno-commercial issues, logistics and time involved for fitment of RECDs / conversion to dual fuel mode.
- iv. Issues related to availability of DG sets to the latest standards as in MoEFCC notification No. GSR 804(E) dated 03.11.2022 (CPCB-IV).
- v. No means for emission control in under 19 kW capacity range of DG sets (neither RECDs nor dual fuel mode are available / suited).
- vi. Issues related to use of DG sets for emergency services.

Owing to the above, a number of stakeholders broadly requested for the following:

- (a) Extension of the deadline of 30.09.2023, as laid down in Direction No. 73, by about 3 months.
- (b) Stipulating a condition of '**OR**' instead of '**AND**' towards fitment of RECDs and conversion to dual fuel system, for all categories of DG sets above 19kW capacity.
- (c) Permitting DG Sets of >800 kW capacity to be run uninterruptedly for the durations of power supply failure, subject to compliance of

*2amp*

standards as in Direction No. 73 dated 02.06.2023, even during restrictions under GRAP.

- (d) Permitting such DG sets of < 125 kW capacity to be run for emergency services, even during the restrictions under the GRAP, where either certified ECDs are presently not available at all or where gas infrastructure and supply is also not available to enable running them in a dual fuel mode.

NOW, THEREFORE, in due consideration of the contentions and submissions made by various stakeholders, issues in ground level implementation, availability of RECDs / dual fuel systems / new gensets to CPCB -IV standards and various other techno-commercial considerations put forth by them, the Commission, pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, now directs for adoption of the following Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.:

<b>S. No.</b>	<b>Capacity Range of DG sets</b>	<b>System to be adopted for control of emissions</b>	<b>Regulations for use</b>
1.	Power generating sets of all capacities running on LPG/ Natural Gas/ Bio-gas/Propane/Butane	None	No restrictions (Even during periods under GRAP)
2.	Power generating sets of all capacities up to 800 kW to standards as per MoEFCC notification No. GSR 804(E) dated 03.11.2022	None	No restrictions. (Even during periods under GRAP)

*2and*

3.	800 kW and above	Any emission control mechanism, strictly subject to compliance of emission standards as indicated below. *	No restrictions (Even during periods under GRAP)
4.	125 kW to less than 800 kW	Dual fuel mode <b>OR</b> Retro-fitted ECDs through certified vendors / agencies	No restrictions (Even during periods under GRAP)
5.	19 kW to less than 125 kW	Dual fuel mode	No restrictions (Even during periods under GRAP)  DG Sets not working in a dual fuel mode, only owing to non-availability of gas infrastructure and supply, shall be permitted only for emergency services as stipulated in this direction.
6.	Portable DG sets (below 19 kW)	Presently no specific means of emission control are available in this category / capacity range of DG sets.	No restrictions during the periods, other than restrictions under GRAP.  Not to be generally permitted during periods of restriction under GRAP. These shall, however, be permitted even during periods under GRAP only for emergency services as stipulated in this direction.

*2014*

**\*Standards for stack emissions for 800 kW and above capacity DG sets**

S.No	Parameter	Emission Standards
i.	PM (at 15% O <sub>2</sub> )	50 mg / Nm <sup>3</sup>
ii.	NO <sub>x</sub> (at 15% O <sub>2</sub> )	650 mg / Nm <sup>3</sup>
iii.	CO (at 15% O <sub>2</sub> )	100 mg / Nm <sup>3</sup>
iv.	Minimum DG Stack height	<p>30 meters <b>OR</b> minimum 6 meters above the height of the building where DG set is installed, whichever is higher.</p> <p><b>For example</b>, if the building height where such DG set is installed is 20 meters, minimum stack height for DG set should be 30 meters from ground level;</p> <p>While, if the building height itself is 27 meters, the minimum stack height for the DG set should be 33 meters from the ground level.</p>

The regulated schedule for operation of DG sets issued vide Direction No. 73 dated 02.06.2023 comes to effect from 01.10.2023. The revised schedule as above further eases out the means of implementation and addresses practical difficulties and techno-commercial concerns of various stakeholders and thus the revised schedule for regulation of DG sets would be in force in the entire NCR w.e.f. 01.10.2023.

Notwithstanding the revised schedule as above, in the interest of not disrupting emergency services and permitting sufficient time for adopting the stipulated emission control mechanism in such existing DG Sets, the Commission, hereby, as a one-time exception, permits DG Sets for all capacity ranges (which have still not been equipped with emission control devices / systems as per the above noted schedule), to be run only for emergency services in the NCR as listed below, even under periods of restrictions under the GRAP, **only up to 31.12.2023** and strictly subject to adherence to the above noted schedule / measures for emission control thereafter:

- (i) Elevators / Escalators / Travelators etc. in various installations; Commercial entities / residential societies shall, however, ensure that operation of DG sets and supply

*and*

therefrom is purely limited to operation of elevators / escalators / travelators etc. and not for any other activities of commercial entities / residential societies.

- (ii) Medical Services (Hospital/Nursing Home/Health care facilities) including units involved in manufacturing of life saving medical equipment/devices, drugs and medicines.
- (iii) Railway Services / Railway Stations.
- (iv) Metro Rail Corporation & MRTS Services, including trains and stations.
- (v) Airports and Inter-State Bus Terminals (ISBTs).
- (vi) Sewage Treatment Plants.
- (vii) Water pumping Stations.
- (viii) Projects related to national security, defence & of national importance.
- (ix) Telecommunications and IT/ data services.

It is further reiterated that appropriate emission control mechanism shall be put in place on or before 31.12.2023, in respect of DG sets being used in above listed emergency services, to avoid action under the relevant provisions of laws / rules / regulations / directions etc., thereafter.

NCR State PCBs/ DPCC shall ensure compliance of above noted directions and regularly monitor the field level implementation.

— sd —  
(Arvind Nautiyal)  
Member- Secretary

To

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM.

— sd —  
(Arvind Nautiyal)  
Member- Secretary



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



F. No.11O16/01/ 2022-CAQM.Vol-III

Dated: 22.02.2024

**Subject: Amendments to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg**

Pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.

2. As certified Retrofitted Emission Control Devices (RECD) are now also available for 61 to 125 KW capacity range of DG sets, Sr. No 4 & 5 in said Direction No. 76 dated 29.09.2023 are hereby amended as under:

S. No.	DG set Capacity range as mentioned in Direction No. 76	DG Set Capacity range as amended now
4.	125 KW to less than 800 KW	<b>61 KW to less than 800 KW</b>
5.	19 KW to less than 125 KW	<b>19 KW to less than 61 KW</b>

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered.

*Arvind Nautiyal*  
( Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

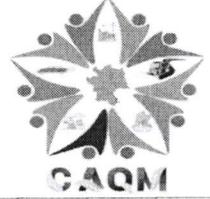
1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

*Arvind Nautiyal*  
( Arvind Nautiyal)  
Member- Secretary

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



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



F. No.11016/01/ 2022-CAQM.Vol-III **1165 DT**

Dated: 11.12.2024

**Subject: Amendment to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg**

Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR, including Industrial, Commercial, Residential and Office establishments etc.

2. Owing to availability of certified ECDs now also for DG sets upto 41 kW capacity, as against only up to 61 kW capacity and higher earlier, the schedule for emission control from DG sets Sr. No 4 & 5 in said Direction No. 76 as amended on 22.02.2024, is hereby further partially amended as under:

Sr. No.	DG set Capacity range as amended on 22.02.2024	DG Set Capacity range as amended now
4.	61 KW to less than 800 KW	<b>41 KW to less than 800 KW</b>
5.	19 KW to less than 61 KW	<b>19 KW to less than 41 KW</b>

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered

*sd*  
( Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

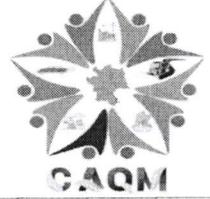
Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

*Arvind*  
( Arvind Nautiyal)  
Member- Secretary



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



F. No.11016/01/ 2022-CAQM.Vol-III 1165 DT

Dated: 11.12.2024

**Subject: Amendment to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg**

Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR, including Industrial, Commercial, Residential and Office establishments etc.

2. Owing to availability of certified ECDs now also for DG sets upto 41 kW capacity, as against only up to 61 kW capacity and higher earlier, the schedule for emission control from DG sets Sr. No 4 & 5 in said Direction No. 76 as amended on 22.02.2024, is hereby further partially amended as under:

Sr. No.	DG set Capacity range as amended on 22.02.2024	DG Set Capacity range as amended now
4.	61 KW to less than 800 KW	<b>41 KW to less than 800 KW</b>
5.	19 KW to less than 61 KW	<b>19 KW to less than 41 KW</b>

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered

( Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

( Arvind Nautiyal)  
Member- Secretary

**COMMISSION FOR AIR QUALITY MANAGEMENT  
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS**

**3<sup>rd</sup> Floor, Indian Oil Bhawan  
1, Sri Aurobindo Marg, Yusuf Sarai,  
New Delhi-110016**

F.No.A-110016/12/2020/CAQM-C&D/ 456-458

Dated: 11.06.2021

**Directions under Section 12 of Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021.**

**Monitoring of Dust Control measures at Construction and Demolition sites in the National Capital Region: "Web Portal"**

Whereas, The Commission for Air Quality Management in National Capital Region & Adjoining Areas has been constituted again and has started functioning pursuant to the new Ordinance. Section 30 of the above referred Ordinance 2021 provides that anything done or any action taken under the erstwhile Ordinance 2020 shall be deemed to have been done or taken under the corresponding provisions of the Ordinance 2021;

WHEREAS, dust from the Construction and Demolition (C&D) activities is a major and consistent source of Air Pollution in the National Capital Region and contributes adversely to PM<sub>2.5</sub> and PM<sub>10</sub> levels and thus, is a great cause of in abatement of Air Pollution;

WHEREAS, Government of India, Ministry of Environment, Forest & Climate Change in exercise of powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986, vide Notification No. GSR 317(E) dated 29/03/2016 has notified "Construction and Demolition Waste Management Rules, 2016", inter alia, elaborating the duties of waste generators, service providers and their contractor, local authorities, SPCBs / SPCCs and CPCB etc. for management and control of dust from the C&D activities;

WHEREAS, Central Pollution Control Board has issued "Guidelines on dust

**Direction No. 13**

mitigation measures in handling construction material and C&D Wastes, 2017", which, inter-alia, include identification of major dust generating activities during handling of construction material and C&D wastes, compositions of construction material and C&D wastes and dust abatement measures in handling of construction material and C&D wastes viz-a-viz during transportation, off-site / on-site storage, at-site construction / demolition / renovation activities etc.;

WHEREAS, the dust mitigation measures, inter alia, prescribe for wet suppression, wind reduction by raising barricade, dust barrier sheets on scaffolding around the construction and demolition building, use of covering sheets on construction material that are easily air-borne, proper covering of C&D debris that are dumped at temporary storage sites, adequate covering on construction works, proper disposal of C&D waste material, adequate and proper covering of the trucks / vehicles carrying construction / demolition material, cleaning of such vehicles before it is permitted to ply on the road after loading / unloading of such material etc.;

WHEREAS, non-adherence of the dust mitigation measures mandated under the extant rules / guidelines leads to situations where the dust from the C&D sites disperse in the air and contributes to the levels of PM<sub>10</sub> and PM<sub>2.5</sub> thus, making the air more polluted;

WHEREAS, the Commission is of the view that to tackle the problem of dust resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organization or authority generating construction and demolition waste such as building material, debris, rubble, etc., such activities are required to be regularly monitored and inspected, inter-alia, for compliance of various dust control measures;

WHEREAS, in view of the serious adverse impact of the dust emanating from construction, re-modeling, repair and demolition of civil structures etc., the Commission issued directions dated 23/12/2020 that required CPCB, SPCBs

concerned and DPCC to conduct field visits / inspections, for compliance of dust mitigation measures and to submit fortnightly reports;

WHEREAS, from the reports received, inter alia, emerged that the compliance of dust control measures needs to be further strengthened with adequate focus on increased frequency of inspections.

WHEREAS, the Commission is of the view that monitoring of compliance of dust mitigation measures of a large number of Construction & Demolition activities in progress and further increasing in the National Capital Region, may not be achieved through physical inspections alone.

WHEREAS, Introduction of an online mechanism for monitoring and reporting of the compliance of dust mitigation measures by the project proponents is essentially called for so as to make them accountable.

WHEREAS, the Commission vide letter of even number dated 27/01/2021 issued advisory to the State Governments/ GNCTD to take appropriate action for introduction of an online mechanism to monitor and ensure compliance of dust mitigation measures at the Projects / C&D sites. The State Governments / GNCTD were accordingly requested to share with the Commission, the timelines by which the Web Portal with the requisite features for effective online monitoring of dust mitigation measures will be developed and operationalized.

WHEREAS, the action taken / response of the State Governments / GNCTD has not been received.

WHEREAS, considering the adverse impact of uncontrolled dust emanating from the C&D activities, on the Air Pollution in the National Capital Region, the Commission is of the view that concerted and focused approach is required and an efficient mechanism is to be put in place on urgent basis.

WHEREAS, Section 12 (2) (v) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021, empowers the Commission to issue directions for restriction of areas in which any industries,

**Direction No. 13**

operations or processes or class of industries, operations or processes, that have implication on air quality in the region, shall not be carried out or shall be carried out subject to certain safeguards.

WHEREAS, Section 12 (2) (vii) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021, empowers the Commission for inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, Officers or persons as it may consider necessary to take steps for the prevention, control and abatement of Air Pollution in the Region.

WHEREAS, Section 12 (2) (xi) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021, empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions.

NOW THEREFORE for strict implementation of the Construction and Demolition Waste Management Rules 2016 and various dust mitigation measures mandated / directed / ordered from time to time by the Authorities concerned under the State Governments / GNCTD, the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2021, hereby issues the following directions:

- 1) An online mechanism through a web portal be put in place by the DPCC / SPCBs for monitoring of compliance of dust mitigation measures by the Project Proponents, within the Municipal areas of NCR.
- 2) All current / upcoming projects (on plot area equal to or greater than 500 square meters) of construction and demolition for civil structures under the territorial jurisdiction of Urban Local Bodies in the National Capital Region be required to mandatorily register at the web portal.

- 3) An exhaustive check-list, based on various guidelines on dust mitigation measures, notified / published / directed etc. from time to time by the Authorities concerned, be consolidated and standardized for monitoring compliance of dust mitigation measures in the NCR through an online mechanism.
- 4) An illustrative / indicative list of dust control / mitigation measures required to be put in place attached as **Annexure** may be referred for appropriate inclusion in the exhaustive checklist suggested at point No.3 above.
- 5) The check-list as stated in point No.3 read with point No.4 above, be duly incorporated in the "Web Portal", to facilitate the Project Proponents to self-monitor / self-audit their activities on the parameters mandated / directed for the compliance and to take necessary steps, if required, to improve the status of compliance.
- 6) The project proponents be required to carry out self-audit / self determination for dust control measures on the parameters provided on the Web Portal and upload a self-declaration on a fortnightly basis.
- 7) The provision of video fencing with remote connectivity of the projects (within the municipal area of NCR and plot area equal to or greater than 500 square meters) be incorporated in the web portal for monitoring purposes.
- 8) Reliable low cost PM<sub>2.5</sub> and PM<sub>10</sub> sensors be installed at the project site and linked to a cloud storage platform with a live Dash Board in the Web portal.
- 9) The link to the dash board of the web portal be made available to CPCB, government agencies as well as to the administrative departments of the agencies concerned, dealing with such projects.

**Direction No. 13**

- 10) The CPCB / DPCC/ SPCBs to carry out, scheduled visits, with prior intimation, on the construction sites for the verification of degree of compliance and self-declaration / self-audit.
- 11) The CPCB / DPCC/ SPCBs to also carry out surprise inspections to assess the compliance of the dust control measures at such sites and for taking appropriate action for levying environmental compensation and / or stoppage / closure of work.

The above directions of the Commission be complied with on top priority. The status / progress of implementation may be appraised to the Commission on a monthly basis.

Encl.: **As above**

  
**(Arvind Kumar Nautiyal)**  
**Member Secretary**  
**Tel No.: 011-20861974**  
**Email: arvind.nautiyal@gov.in**

To:

The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. The Principal Secretary, Department of Environment and Climate Change, Government of Uttar Pradesh
2. The Chairman, Central Pollution Control Board
3. The Member Secretary, Uttar Pradesh Pollution Control Board

  
**(Arvind Kumar Nautiyal)**

## Annexure

An illustrative / tentative list of Dust Control / Mitigation Measures
Applying treated water to mitigate dust generation on construction site. (water can be applied by a variety of methods for instance Anti Smog Guns, Trucks, water pills, water cannons, hoses, fire hydrants, sprinklers etc.).
Use of dust suppressants: (i) liquid polymer emulsions (ii) agglomerating chemicals (e.g., lignosulfonates, polyacrylamides); (iii) cementitious products (e.g. lime based products, calcium sulphate); (iv) petroleum based products (e.g. petroleum emulsions); and (v) chloride salts (e.g. calcium chloride and magnesium chloride).
Designing layout of the construction site to minimize fugitive dust generation potential, including access roads, entrances and exits, storage piles, vehicle staging areas, and other potential sources of dust emissions.
Use of pre-fabricated materials and modular construction units.
Minimize distances travelled for delivery of materials.
Use of scaffolding sheets/nets, wind fencing for dust control.
Stabilize completed earthworks with stone / soil / geotextiles / Vegetation / compacting.
Reduce wind-blown dust generation activities during windy conditions.
Utilize enclosures/covering for storage piles e.g. tarpaulins, plastic, agri-shed nets fences / screens.
Proper shape storage piles so that they do not have steep sides or faces.
Properly scheduling of the delivery of landscaping materials in order to minimize the storage time on site.
Covering of building materials during transportation.
Remove material from truck underbodies and tyres prior to leaving the site as well as implement techniques to periodically remove mud/dirt from paved streets.
Ensuring proper collection, segregation and disposal of C&D Waste and maintenance of log book for disposal.
Options employed for C&D waste recycling.

**Direction No. 13**

Pre-emptive steps taken to avoid dumping of C&D waste on undesignated sites.

Minimize material drop height at the transfer point and ensure enclosure around transfer point.

Surface improvements to unpaved road surfaces & proper maintenance thereof.

Applying water spray in conjunction with cutting, grinding & drilling.

Apply wet process for Sand and grit blasting and façade cleaning.

Ensure Mixing processes in enclosures.

Direction No 69

**COMMISSION FOR AIR QUALITY MANAGEMENT  
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS  
17<sup>th</sup> Floor, Jawahar Vyapar Bhawan (STC Building)  
Tolstoy Marg, New Delhi-110001**

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F. No. A -110018/01/2021-CAQM - 371 DT Dated: 02 November, 2022

**Subject: Dust control measures in C&D projects – Use of anti-smog guns.**

WHEREAS, dust from the construction and demolition (C&D) activities is a major and consistent source of air pollution in the National Capital Region and contributes adversely to the PM2.5 and PM10 levels;

WHEREAS, the Govt. of India, Ministry of Environment, Forest and Climate Change in exercise of power conferred under Sections 6 and 25 of the Environment (Protection) Act, 1986 notified the "Construction and Demolition Waste Management Rules" towards effective management and control of dust from the C&D Activities;

WHEREAS, the Central Pollution Control Board also issued "Guidelines on Dust Mitigation Measures in Handling Construction Material and C&D Wastes 2017";

WHEREAS, the dust mitigation measures *inter-alia* prescribed wet suppression, wind brakers, dust barrier screens, covering of construction material and C&D debris, proper disposal of C&D wastes including transportation in covered vehicles etc.;

WHEREAS, the field experience and inspection reports call for strengthening the compliance of dust control measures;

WHEREAS, it was felt by the Commission that effective monitoring of the compliance of dust mitigation measures in large number of C&D activities, which are ever increasing in the NCR, may not be achieved through physical inspections alone;

WHEREAS, with the above in view, the Commission under the powers conferred to it under Section 12 of the Commission for Air Quality Management in NCR and Adjoining Areas Act 2021, issued statutory

*zeind*

Direction Nos. 11-18 on 11.06.2021 for all ongoing / upcoming C&D projects in the NCR (on plot area equal to or greater than 500 Sq. mtrs.) to be mandatorily registered on the web portal developed for the purpose by the NCR State Govts. / GNCTD, towards remote monitoring of such project sites for compliance of stipulated dust mitigation measures;

WHEREAS, the directions *inter-alia* also contains a check-list for dust mitigation measures and call for video fencing of the project sites etc.;

WHEREAS, use of treated water to mitigate large quantities of dust generated at construction and demolition sites through use of anti-smog guns, water cannons, sprinklers etc. was also called for in the above-noted statutory directions;

WHEREAS, the comprehensive policy to curb air pollution in the National Capital Region formulated and disseminated by the Commission in July, 2022, towards management of construction and demolition activities to reduce dust, stipulated deployment of adequate number of anti-smog guns in C&D projects sites, in proportion to the total construction area as under:

- At least 1 for a total construction area between 5000 - 10000 sqm.
- At least 2 for a total construction area between 10001- 15000 sqm.
- At least 3 for a total construction area between 15001- 20000 sqm.
- At least 4 for a total construction area above 20,000 sqm.

WHEREAS, the C&D projects were required to comply with the above mandatory requirements of anti-smog guns at the project sites w.e.f. 30.09.2022;

WHEREAS, the revised Graded Response Action Plan to deal with adverse air quality scenario that generally prevails in the winter season in the entire NCR, calls for enforcing guidelines for use of anti-smog guns at construction sites, right from the Stage I of the GRAP ("Poor" Delhi AQI between 200 -300);

NOW, THEREFORE, the Commission in exercise of the powers conferred upon it under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021, towards mitigation of dust arising out of construction and demolition activities in the NCR further directs that:

*signed*

All Construction and Demolition projects must deploy and ensure frequent and effective use of adequate nos. of anti-smog guns, in proportion to the total area of construction for the project as under;

At least 1 for a total construction area between 5000 - 10000 sqm.

At least 2 for a total construction area between 10001- 15000 sqm.

At least 3 for a total construction area between 15001- 20000 sqm.

At least 4 for a total construction area above 20,000 sqm.

The above-noted Directions may be given wide publicity and enforced strictly by all concerned. Non-compliance of these Directions shall be construed as contravention of the provisions of Commission for Air Quality Management in NCR and Adjoining Areas Act 2021 and may lead to penal action against the officials concerned under the relevant laws as well as imposition and levying of environmental compensation charges.

  
(Arvind Nautiyal)

Member-Secretary

Email: arvind.nautiyal@gov.in

To

1. Member Secretary, UP State Pollution Control Board
2. Member Secretary, Haryana State Pollution Control Board
3. Member Secretary, Rajasthan State Pollution Control Board
4. Member Secretary, Delhi Pollution Control Committee

Copy to:

1. The Chief Secretary, Government of Uttar Pradesh, 101, Lok Bhawan, U.P. Civil Secretariat, Vidhan Sabha Marg, Lucknow – 226 001.
2. The Chief Secretary, Government of Haryana, 4<sup>th</sup> Floor, Civil Secretariat, Sector – 1, Chandigarh.
3. The Chief Secretary, Government of Rajasthan, Government Secretariat, Jaipur, Rajasthan – 302 005.
4. The Chief Secretary, Government of NCT of Delhi, 3<sup>rd</sup> Floor, Delhi Secretariat, I. P. Estate, New Delhi – 110 002.

  
(Arvind Nautiyal)  
Member Secretary

**Q-16016/59/2025-CPA**  
**GOVERNMENT OF INDIA**  
**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE**  
**(CP Division)**

\*\*\*\*\*

2nd Floor, Prithvi Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh, New Delhi-110003  
Date: 26<sup>th</sup> June, 2025

**To,**

**The Member Secretary,**  
Central Pollution Control Board,  
Parivesh Bhawan , East Arjun Nagar,  
Shahdara, Newv Delhi- 110032

**Subject- Public Grievance number MOEAF/P/2025/0000183 dated 03.06.2025 received from Shri Mokshee Bhardwaj, Ghaziabad, Uttar Pradesh against Ongoing Environmental Violations by School Authorities -reg..**

Sir,

Please find enclosed a copy of a Public Grievance dated 03.06.2025 received from Shri Mokshee Bhardwaj, Ghaziabad, Uttar Pradesh on the subject mentioned above, which is self-explanatory.

2. In this regard, it is kindly requested to examine the matter, take necessary action and furnish a suitable reply to the applicant under intimation to this Ministry.
3. This issue with the approval of competent authority.

Encl: As above

Yours faithfully,

  
(P. V. Pillai)

Director (CP)

Tel- 011-20819195

**Details for registration number : MOEAF/P/2025/0000183**

Name Mokshee Bhardwaj

Date of receipt 03/06/2025

Address Ghaziabad

District name Ghaziabad

State name Uttar Pradesh

Mobile no Not Provided

Email Id Not Provided

Grievance description

**CPCB**

Name of organisation(s) where grievance is pending 1. CPA

Type of receipt Transferred

23.05.2025

To

**Union of India**

Through Secretary, Ministry of Environment, Forest &amp; Climate Change

Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi-110003

Email: secy\_moef@nic.in

Tel: 011-24695136

**Subject: Urgent Action against Ongoing Environmental Violations by School Authorities**

Respected Sir/Madam,

I am writing to bring to your urgent attention the serious, ongoing, and willful violations of environmental regulations being carried out by a prominent school i.e. Bal Bharati Public School, Brij Vihar, Ghaziabad. These violations are not only in contravention of environmental laws but are also endangering the health and lives of thousands of students, teachers, and residents in the vicinity.

**1. Blatant Violations of Environmental Norms**

As per admitted records by the Uttar Pradesh Pollution Control Board (UPPCB), the School Authorities have failed to comply with critical environmental standards, including:

- Non-registration of the construction project on the SPCB/DPCC portal.
- Failure to submit self-audit reports and not installing video surveillance for remote monitoring of the site.
- No deployment of anti-smog guns as required.
- Ineffective or absent dust mitigation measures, including lack of wind barriers, dust screens, and improper storage of construction material.

A penalty of ₹34,20,000/- was imposed on 07.01.2025. Despite this, the violations continue unchecked.

**2. Gross Negligence and Threat to Public Health**

This construction activity is being carried out over 20,000 sq. meters in a densely populated residential zone, directly affecting:

- Over 2,700 children studying at the school.
- Nearly 10,000 residents, including staff and local inhabitants.

Children in their formative years are especially vulnerable to the harmful effects of dust on lung, throat and other diseases, diesel emissions, and air pollutants generated by construction and DG set usage.

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### 3. Dereliction of Educational and Civic Responsibility

The school, an institution that is meant to educate and instill civic and legal values, is itself flouting the very laws it should uphold. It is setting an extremely poor example for the students and the community by:

- Illegally extracting groundwater without clearance.
- Failing to install a Sewage Treatment Plant (STP).
- Using unauthorized Diesel Generator (DG) sets during construction.
- Operating using a temporary electrical connection, violating safety and power regulations.
- Not depositing the environmental penalty even after more than three months of its imposition.

This conduct displays a disturbing disregard for public welfare and environmental integrity.

### 4. Inaction by Government Authorities

Despite multiple written and verbal complaints to various authorities, including the UPPCB, GDA, Municipal Corporation, and District Magistrate's office, no substantial action has been taken. The Ghaziabad Development Authority's requirement for consent from UPPCB for such projects has proven to be a mere formality—there is little to no real-time enforcement or monitoring of compliance.

This systemic inaction raises serious concerns about the governance and accountability of regulatory bodies responsible for ensuring environmental compliance.

**As per the building by-laws in Uttar Pradesh (UP), any construction project involving a building with a plot area of 500 square meters or more must obtain prior consent from the Pollution Control Department before plan approval. This requirement ensures that environmental safeguards are considered before the commencement of any major construction activity.**

**Additionally, a Consent to Operate (CTO) must also be secured before initiating any functional operations within the building. This applies to both residential and public buildings, including schools, hospitals, commercial complexes, etc.**

### 5. Prohibition on Use of Groundwater for Construction

One of the critical provisions under these laws is the prohibition of using groundwater for construction purposes, especially in areas where groundwater is salty or brackish. The extraction of groundwater in such zones is not only illegal but also poses serious structural risks to the buildings being constructed.

Salty or brackish groundwater can significantly deteriorate the quality of concrete and construction materials, leading to corrosion of reinforcement bars (rebars), reduced compressive strength, and long-term degradation. This degradation can escalate to a level where the entire structure becomes unsafe, potentially causing building collapse.

#### 6. **Responsibility of Monitoring Authorities**

The onus of ensuring these rules are strictly followed lies with the Ghaziabad Development Authority (GDA) and the District Administration Ghaziabad. Their responsibilities include:

- Verifying that water tankers (sourced legally from safe water sources) are used during construction instead of illegal groundwater extraction.
- Conducting regular inspections and audits, particularly for public buildings like schools, where the safety of children and the general public is at stake.
- Ensuring that environmental consents are obtained and documented before issuing building approvals or occupation certificates.

#### 7. **Real-World Example:**

Due to the presence of salt in the water, the concrete mix used becomes chemically unstable. After a few years of use, the structure begins to show signs of cracking, dampness, and spalling of concrete (chipping off of concrete surfaces). Eventually, a structural audit reveals that the building's strength is compromised, putting the lives of hundreds of students and staff at risk.

In such a case, the builder and the approving authorities (like GDA) could be held legally accountable for negligence, and the school might be shut down for safety reasons.

#### 8. **The conclusive part in respect of the above mentioned narration of law:**

Strict compliance with UP building by-laws, especially those relating to environmental clearances and water use, is crucial not just for regulatory approval but also for ensuring the structural integrity and safety of buildings. These rules are especially significant for public structures such as schools, where lapses could lead to catastrophic consequences. **Authorities like GDA and district administrators must conduct stringent oversight to prevent such risks and uphold public safety.**

#### 9. **Supreme Court Precedents**

The Supreme Court of India has repeatedly emphasized the "polluter pays" principle and upheld stringent penalties against violators. Notable decisions include:

- **Goel Ganga Developers v. Union of India (2018)** – The SC imposed a ₹100 crore penalty for construction without Environmental Clearance.
- **Vellore Citizens' Welfare Forum v. Union of India (1996)** – Recognized the importance of sustainable development and enforced strict action against polluters.

- MC Mehta v. Union of India (Delhi Vehicular Pollution case) – Reiterated that the right to clean air is a fundamental right under Article 21 of the Constitution.

It is evident that the School Authorities' conduct not only violates statutory obligations but also the constitutional right to life and health of thousands.

**10. Prayer for Immediate and Strict Action**

Given the gravity of the situation, I respectfully request the following urgent and punitive actions:

1. Enforce the mandatory implementation of all CAQM and CPCB norms, including registration, dust mitigation, water conservation, air monitoring, and STP installation.
  2. Immediate cessation of all ongoing construction activities at the site.
  3. Seizure of the project premises, and disconnection of electricity connection.
  4. Initiate prosecution under relevant sections of the Environment (Protection) Act, 1986 and Water Act, 1974.
  5. Structural Report/Audit should be called from IIT, New Delhi or any other prominent institute of repute.
  6. Enhance the existing penalty in light of continued and escalating violations.
- 11. Conduct a multi-agency joint inspection, including local residents' representatives, to verify ongoing violations and assess public health risks.**

The failure of a school—an institution of learning—to follow the law is deeply disheartening. If such entities are not held accountable, it risks creating a dangerous precedent of impunity and institutional disregard for environmental laws.

Your timely and firm intervention is critical not just for enforcing the law but for protecting the health and future of thousands of children and citizens.

Thank you for your attention to this matter.

Yours faithfully,

*Mokshi  
Bhardwaj*

**MOKSHEE BHARDWAJ**

**Block D, Tower 6, GH 07, Crossing Republic, Ghaziabad – 201016**

**mokshibhardwaj289@gmail.com | ☎ 9654239739**

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

सं.- PI-14/33/2021-UPC-I-HO-CPCB-HO-(Part-1)

दिनांक: 17 जुलाई, 2025

सेवा में,

मा. सदस्य सचिव महोदय,  
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड,  
बिल्डिंग नं. टीसी-12वीं विभूति खंड,  
गोमती नगर लखनऊ- 226 010

विषय: सुश्री मोक्षी भरद्वाज कि स्कूल प्राधिकारियों द्वारा जारी पर्यावरणीय उल्लंघनों के संबंध  
शिकायत ।

संदर्भ सं.: i) MOEAF/P/2025/0000183, दिनांक: 03/06/2025

ii) MoEFCC letter no. Q-16016/59/2025-CPA, dated 26.06.2025

महोदय,

अधोहस्ताक्षरी को उपरोक्त विषय के संबंध में सुश्री मोक्षी भरद्वाज, गाज़ियाबाद, उत्तर प्रदेश से प्राप्त शिकायत की प्रति अग्रेषित करने का निर्देश दिया गया है जो कि स्कूल प्राधिकारियों द्वारा पर्यावरणीय उल्लंघनों के संबंध में है।

आपसे अनुरोध है कि इस मामले में उचित समझी जाने वाली कार्रवाई की जाए। तदनुसार की गई कार्रवाई की जानकारी शिकायतकर्ता को उपलब्ध कराने हेतु अनुरोध किया जाता है।

संलग्नक-यथोपरि

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(दानिश मीना)

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कार्योपलब्ध

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

निर्गत...  
दिनांक... 22/7/25

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in