

**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-110018/01/2021-CAQM | 5283-5302

Dated: 20.12.2021

**Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 - Review of Directions No. 49 and 51 related to restrictions on entry of trucks into Delhi and Construction and Demolition activities in NCR.**

WHEREAS, to prevent further deterioration of the Air Quality in National Capital Region, the Commission, in exercise of its powers conferred upon it under Section 12 (2) (xi) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, vide Direction No. 44 dated 16.11.2021, had, *inter-alia*, directed to stop construction and demolition activities in the National Capital Region till 21.11.2021 except for certain identified categories;

2. WHEREAS, the Hon'ble Supreme Court vide its Order dated 24.11.2021, re-imposed the ban on construction activities in NCR subject to the following conditions: -

(i) *Non-polluting activities relating to construction such as the plumbing work, interior decoration, electrical work and carpentry are allowed to be continued;*

(ii) *The States shall use the funds which have been collected as labour cess for the welfare of construction workers to provide them subsistence for the period during which construction activities are prohibited and pay wages notified under the minimum Wages Act for the respective categories of workers."*;

3. WHEREAS, in compliance of Hon'ble Supreme Court's above stated Order, an explanatory order was issued by the Commission on 27.11.2021, to ensure restrictions as contained in para 4 (i) of the Commission's Direction No. 44 dated 16.11.2021 subject to the conditions as contained in the Hon'ble Supreme Court's order dated 24.11.2021;

4. WHEREAS, the Commission, in wake of the air quality generally remaining in "Very Poor" or "Severe" AQI Category during the month of Dec, 2021, considered to continue with the restrictions in various sectors contributing to air pollution in Delhi-NCR ;

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**Direction No. 52**

5. WHEREAS, vide Direction No. 49 dated 15.12.2021, the Commission, *inter-alia*, directed that restriction on entry of trucks in Delhi shall continue, except for CNG/ electric trucks and trucks carrying essential commodities;

6. WHEREAS, in view of the improvement in air quality, in terms of Direction No. 51 dated 17.12.2021, the Commission, had eased restrictions on construction and demolition activities in the NCR and had *inter-alia* directed that:

- (I) Construction and demolition activities shall not be allowed in NCR, except for the following categories of projects: -
  - (a) Railway services / Railway stations
  - (b) Metro Rail Services including stations
  - (b) Airports and Inter State Bus Terminals (ISBTs)
  - (c) National security/ defence related activities/ projects of national importance;
  - (d) Hospitals/ nursing homes / health care facilities
  - (e) Linear public projects such as highways, roads, flyovers, over bridges, power transmission, pipelines etc.
  - (f) Sanitation and public utility projects like sewage treatment plants and water pumping stations etc.;
  - (g) Ancillary activities specific to and supplementing above category of projects.
- (II) The above said exemptions are subject to strict compliance of the C&D Waste Management Rules, dust prevention/ control norms including compliance with the directions of the Commission issued from time to time in this regard.
- (III) As directed by Hon'ble Supreme Court vide Order dated 24/11/2021 in Writ Petition (C) No. 1135/2020 'Aditya Dubey (Minor) & Anr. V/s Union of India & Ors.', non-polluting activities relating to construction such as plumbing work, interior decoration, electrical work and carpentry shall be allowed to be continued;
- (IV) The above Directions will remain in operation till further review by the Commission, based on air quality forecast and significant improvement in air quality;

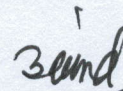
7. WHEREAS, the AQI in Delhi has since improved from "Very Poor" Category and has been in the "Poor" Category consistently for last 3 days and the meteorological and weather forecast by IMD indicates continuation of this favorable trend of wind speed and climatic conditions to facilitate dispersion of pollutants from the region;

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**Direction No. 52**

8. NOW, THEREFORE, in furtherance of Directions No. 49 and 51, only in respect of clause related to the entry of trucks to Delhi and carrying out construction and demolition activities in Delhi and NCR, the Commission hereby directs as under:

- (i) Entry of trucks to Delhi, which hitherto was only selectively permitted, would be permitted with immediate effect till further orders,
- (ii) Construction and Demolition (C&D) activities in NCR shall now be permitted, with immediate effect subject to persons/ agencies undertaking C&D activities strictly complying with directions / orders for dust control norms issued by the Commission from time to time as well as those under the Construction and Demolition Waste Management Rules and various CPCB guidelines in this regard,
- (iii) Further, for the projects located in the jurisdiction of GNCTD and NCR districts of Uttar Pradesh, the proponents of C&D projects in plots / sites admeasuring 500 sq. m or above shall immediately register their projects on the "Web Portal" developed for the purpose for online remote monitoring by the agencies concerned,
- (iv) For the States of Haryana and Rajasthan, where the web portal is yet to be commissioned, this needs to be completed latest by 20<sup>th</sup> January, 2022. Till such time, drives for field level inspections and monitoring of such C&D sites need to be intensified for compliance of various statutory provisions,
- (v) This direction, however, is not applicable in respect of proponents/units where specific orders have been issued for stopping/ suspension of C&D activities and such units/proponents shall not resume C&D activities based on this Direction. It is reiterated that such units/proponents shall have to approach the Commission separately and individually for an appropriate decision for resumption of C&D activities, as contained in Commission's order No. A-110018/01/2021-CAQM dated 16.12.2021.



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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. The Chairperson and all Members of the Commission for Air Quality Management in NCR and Adjoining Areas

