

**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/1141 DT

Dated: 02.12.2024

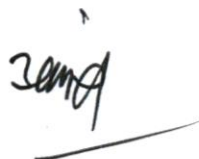
Subject: Directions under Section 12 of Commission for Air Quality Management in NCR and Adjoining Areas Act, 2021 - Prevention and mitigation of Air Pollution from Construction & Demolition activities in the NCR.

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, dust from construction and demolition activities, amongst others, is a major and consistent source of air pollution in the region and large quantities of dust generated from these activities significantly enhance the PM_{2.5} / PM₁₀ levels in the ambient air;



WHEREAS, in exercise of the powers conferred by Section 6 and 25 of the Environment (Protection) Act, 1986, the MoEFCC notified "Construction & Demolition Waste Management Rules, 2016" *inter-alia* elaborating the duties of various agencies concerned. Further, the Central Pollution Control Board had also issued guidelines on dust prevention, control and mitigation measures for construction activities.

WHEREAS, the Commission, since its inception, has also issued advisories, orders and directions towards mitigation of dust from construction and demolition projects and for further strengthening the compliance of dust control measures and effective monitoring, considering a large number of ongoing C&D activities at any point in time in the entire NCR, the Commission vide Direction dated 11.06.2021 called for mandatory registration of all C&D projects with plot area more than 500 sq. meters on the respective Web-portal of the State Govt. / GNCT of Delhi for remote monitoring, including the following:

- i. Video fencing for all the registered projects to be integrated and incorporated in the web portal for monitoring purposes.
- ii. For an effective self-audit mechanism by the project proponents, an exhaustive standardised check-list, based on various guidelines on dust mitigation measures, notified / published / directed etc. from time to time by the authorities concerned, is also mandated in the web-portal.
- iii. Monitoring of air quality through low-cost air quality monitoring sensors installed at the project sites.
- iv. The link to the dash board of the web portal is to be made available to CPCB, government agencies as well as to the

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administrative departments of the agencies concerned, dealing with such projects.

- v. The CPCB / DPCC/ SPCBs, besides carrying out remote inspections for the verification of degree of compliance and self-declaration / audits by the proponents through the web-portal are also required to 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.

WHEREAS, to effectively combat dust emissions, the Commission vide Direction No. 69 dated 02.11.2022 mandated deployment of anti-smog guns (ASG), in proportion to the total area of the construction as under:

- At least 1 ASGs for area ranging from 5,000 to 10,000 sqm.
- At least 2 ASGs guns for area between 10,001 and 15,000 sqm.
- At least 3 ASGs for area between 15,001 and 20,000 sqm.
- At least 4 ASGs for a total construction area exceeding 20,000 sqm.

WHEREAS, other related directions and policy guidelines issued by the Commission in the context of abatement of dust pollution from construction and demolition activities encompass a range of dust control and mitigation measures as under:

- i. Installing wind barriers / breakers along the project boundary
- ii. Provision of dust screens, particularly covering up the area under construction at the project sites
- iii. Regular use of water sprinklers, water mist and dust-suppressants

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- iv. Proper covering of construction materials as well as debris
- v. Transportation of construction materials and debris / C&D waste only through covered vehicles

WHEREAS, the status of such remote monitoring of large sized projects is being reported by the respective State Governments / GNCTD through their periodic reports to the Commission and that abatement of dust pollution from this sector is also specifically reviewed in various sectoral reviews, including in the meetings of the Sub-Committee of Enforcement and Safeguarding, Sub-Committee on GRAP and also in the meetings of the full Commission;

WHEREAS, noting the concerns as above and significantly high number of ongoing construction projects on plot areas of more than 500 sqm at any given point of time in the entire NCR, it was directed by the Commission vide the minutes of the meetings of the Sub-Committee on Safeguarding and Enforcement held on 17.10.2024 and a GRAP review held on 08.11.2024 respectively that DPCC / NCR State Pollution Control Boards shall primarily supervise the projects with plot area more than 500 sqm and conduct remote inspections as well as physical inspections in such sites as required;

WHEREAS, periodic reviews, inspections conducted by the SPCBs in NCR / DPCC as also the sample inspections conducted by the flying squads of the Commission generally indicate unsatisfactory levels of compliance and ineffective implementation of various statutory directions / rules / orders / guidelines by the project proponents at such of their project sites, including the concerns of heavy dust pollution owing to the transportation of construction materials / demolition debris in open / semi-open trucks;

WHEREAS, the high contribution of dust to the overall PM2.5 / PM10 concentrations and the associated health concerns do not need any further elaboration;

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WHEREAS, Section 14 (1) of the Commission for Air Quality Management in NCR and Adjoining Areas Act, 2021 stipulates that any non-compliance or contravention of any provisions of the Act, rules or any order or directions issued by the Commission shall be an offence;

WHEREAS, Section 14 (2) of the Act stipulates that such an offence shall be non-cognizable and triable by the Jurisdictional Judicial Magistrate of the First Class, who shall not take cognizance of the offence except upon a complaint made by the Commission or any other officer authorised by the Commission in this behalf;

NOW, THEREFORE, towards ensuring strict implementation of various directions, advisories, orders issued by the Commission in this regard, the Construction and Demolition Waste Management Rules 2016 issued by MoEFCC and various dust mitigation measures stipulated from time to time by other authorities concerned viz. the CPCB, SPCBs / DPCC and other agencies under the State Governments / GNCTD, the Commission, in exercise of the powers conferred upon it under Section 14 (2) authorises the Member-Secretaries of the Pollution Control Boards in the NCR states of Uttar Pradesh, Haryana, Rajasthan and Member Secretary, DPCC, in their specific role and capacity as the Members of the statutory Sub-Committee of the Commission for "Safeguarding and Enforcement" to file a complaint for prosecution of the project proponents / executing agencies before the Jurisdictional Judicial Magistrate, in case of gross violations of directions / orders in respect of dust / air pollution control and mitigation measures at such sites, besides ordering closure of such sites and imposition / realisation of environment compensation charges in such cases of gross violations.

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The above directions of the Commission be complied with in right earnest and the status of complaints filed in this regard be appraised to the Commission on a monthly basis along with the monthly progress report as being already submitted to the Commission.

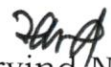

(Arvind Nautiyal)
Member - Secretary

To

1. Member Secretaries of State Pollution Control Board, Uttar Pradesh/ Haryana/ Rajasthan.
2. Member Secretary, Delhi Pollution Control Committee.

Copy, for information and dissemination, to:

1. Chief Secretaries of Government of Uttar Pradesh/ Haryana/ Rajasthan / GNCTD
2. ACS/ Pr. Secretary/ Secretary (Environment), Government of Uttar Pradesh/ Haryana/ Rajasthan / GNCTD
3. Chairman, State Pollution Control Board, Uttar Pradesh/ Haryana/ Rajasthan.
4. Chairman, Delhi Pollution Control Committee.


(Arvind Nautiyal)
Member - Secretary