

Status of action taken on the directions issued by the Hon'ble Supreme Court vide order dated December 16, 2015

Environment Pollution (Prevention and Control) Authority for NCR

January 2016

Note for Amicus in M C Mehta vs Union of India

| <u>Sr. No.</u> | <u>Directives</u> | <u>Action Taken Till Date</u> |
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| 1. | <p>Diversion of Non- Destined Traffic:</p> <p><i>“No vehicle which is not bound for Delhi will be allowed to enter from N.H.-8, which connects Jaipur to Delhi and N.H.-1 that connects the States to Punjab, Haryana and other northern States to Delhi via Kundli border... We according direct that traffic from these two entry points viz. Kundli border on N.H.-1 and Rajokri on N.H.-8, shall be diverted to bypass Delhi through such alternative routes as the transport/traffic departments of the governments concerned may stipulate”. (para 2, Page 5 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • Haryana police is diverting commercial vehicles at Bawal on NH8 for Rajokri tollbooth that are not bound for Delhi. • Haryana police is also working to divert traffic for NH1 (Kundli Toll Booth). EPCA has asked for detailed compliance. • The Haryana government has installed boards and signs indicating alternate routes much before NCT limits begins. • Modalities of checking and turning around of non-destined vehicles are being finalized by the police officials of all concerned neighbouring states in NCR. EPCA is taking stock of these developments and will inform the Hon'ble Court of progress |
| 2. | <p>Environmental Compensation Charge:</p> <p><i>“We are further of the view that empty/unladen vehicles bound for Delhi, can enter Delhi on payment of the ECC earlier stipulated by us @ Rs.700/- and Rs.1300/- per vehicle depending upon the category to which the vehicle belongs. We, however, direct that for Delhi bound vehicles loaded with goods, the ECC will be twice the charge stipulated by us by our order dated 9th October, 2015. This measure shall, in our</i></p> | <ul style="list-style-type: none"> • Implementation of the directive has begun effective December 17th 2015. |

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| | <p><i>opinion, discourage any vehicle trying to enter Delhi on a false pretext of the goods loaded on it being Delhi bound". (para 1, Page 6 of Order dated 16/15,2016)</i></p> | |
| 3. | <p>Pre 2006 traffic not to be allowed within city limits:</p> <p><i>"We accordingly direct that while vehicles "bound for Delhi" may enter on payment of ECC at the rates stipulated hereinabove, those registered in the year 2005 or earlier shall not qualify for such entry. State Governments and Union Territories concerned shall ensure that vehicles bearing registration numbers of the year 2005 or earlier do not enter Delhi. The governments will evolve a suitable system for implementation of this direction". (para 2, Page 6 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • MoRTH and the Transport Dept, Govt of NCT Delhi are working out modalities to identify pre-2006 vehicles. • The use of SMS based verification using the VAHAN database, and/or OCR readers via cameras are being considered. • EPCA has asked them to finalise the method urgently and hopes that the directive of the Hon'ble Court will be implemented at the earliest. • Transport Dept., Govt. of Delhi has directed the toll collector to check the RC of vehicles till such technology is available. |
| 4. | <p>Ban on registration of 2000cc+ diesel cars:</p> <p><i>"We accordingly direct that Registration of SUVs and private cars of the capacity of 2000 CC and above using diesel as fuel shall stand banned in the NCR upto 31st March, 2016". (para 1, Page 8 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • Govt. of NCT of Delhi, Govt. Of Uttar Pradesh, Govt. Of Haryana and the Govt. of Rajasthan have informed EPCA that they are in compliance with the order and all registration of new luxury cars and SUV running on diesel have stopped w.e.f. 21.12.16 |
| 5. | <p>Taxis in NCR to run on CNG:</p> <p><i>"We, therefore, direct that all taxis including those operating under aggregators like OLA and UBER in the NCT of Delhi, plying under city permits shall move to CNG not later than 1st March, 2016". (para 2, Page 8 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • EPCA followed the spirit of the order, reminding the representatives of states in NCR that under the common reciprocal agreement it has been agreed that all vehicles, autos, taxi and bus would move to CNG. • EPCA directed taxi aggregators to comply with the directive, requiring all diesel taxis in NCR to move to CNG. • For the same, directions have been issued to stop registration of diesel taxis under city permits in 7 adjoining districts of NCT with immediate effect. • No fitness certificate to be issued to |

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| | | <p>existing diesel taxis under city permit from January 01, 2016.</p> <ul style="list-style-type: none"> • The availability of CNG supply was an issue that was pointed out. To this, the MoPNG has undertaken the addition of 104 additional CNG stations in 10 districts of NCR by 31st March 2016, in addition to creating a supply network in districts where there is no supply currently. • Differential pricing of CNG has been rolled out to resolve long queues at fuel stations • 2 out of 3 app based taxi aggregators have given undertakings to adhere to the directive, agreeing to switch to CNG cars but only throughout NCT. EPCA will discuss this further and ensure that the spirit of the order, which was to move all taxis, including aggregators like Ola and Uber to CNG is done across NCR. |
| 6. | <p>On Pollution through Construction Activities:</p> <p><i>“It was submitted that Union of India and State Governments concerned must be directed to take steps to enforce the CPCB rules and norms against those engaged in such construction activities to prevent further rise of pollution levels. We see no reason to decline a direction to that effect. CPCB norms regarding prevention of pollution by putting curtains and other devices at construction sites must be strictly enforced by the enforcement agencies concerned. We direct accordingly.” (para 3, Page 9 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • CPCB has issued directions for controlling dust, including from construction activities. • DPCC has carried out inspection of construction sites operating within NCT and has issued notices to 172 construction projects found violating pollution norms. • DPCC has further authorized all SDMs and Tehsildars to inspect and fine any one found violating the norms. • All agencies within Delhi (Dept. Of Revenue, N-DMC, EDMC, SDMC, NDMC, DDA and DPCC) have collectively issued 916 challans and notices and have collected fines worth Rs. 85,50,000/- • Other State Pollution Control Boards in NCR have been given directions to comply with the directions and report to EPCA on the action taken. |
| 7. | <p>On Road Dust:</p> <p><i>“We accordingly direct the Government of NCT of Delhi to take immediate steps for repair of</i></p> | <ul style="list-style-type: none"> • The Govt. Of NCT of Delhi is preparing an action plan on the repair of pavements. • The PWD, Govt of Delhi has |

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| | <p><i>pavements and make pavements wherever the same are missing and also to take immediate steps for procurement of the requisite vacuum cleaning vehicles for use on Delhi roads expeditiously but not later than 1st April, 2016". (para 2, Page 9 of Order dated 16/15,2016)</i></p> | <p>undertaken that the tendering of the procurement of vacuum cleaners will start from March 15th 2016</p> <ul style="list-style-type: none"> • The PWD, Govt of Delhi has submitted to EPCA that they shall "undertake extensive horticultural works w.e.f. 1st January 2016 with the objective to ensure that open areas prone to generating dust are greened". |
| 8. | <p>On Waste Burning:</p> <p><i>"We accordingly direct that the State Government and the local bodies concerned including M.C.D., N.D.M.C. and all other institutions that are generating solid waste shall take steps to ensure that no part of such waste is burnt and that proper arrangements are made for disposal of such waste in a scientific way without causing any hazard to environment".</i></p> <p><i>(para 1, Page 10 of Order dated 16/15,2016)</i></p> | <ul style="list-style-type: none"> • DPCC Submitted to EPCA that it has set up weekly monitoring of the issue of MSW burning, under the aegis of the Department of Environment, Govt. Of NCT Delhi. It has also set up monitoring through social media. • The Department OF Urban Development, Govt. Of NCT Delhi has launched the "Swachh Delhi App" to enable detection of violators. Action will be initiated against the concerned violating section officer (horticulture) or the sanitary inspector of municipal corporations/ DDA. • All parks and public gardens larger than 1 acre within NCT Delhi under DDA/ MCD's have been asked to create compost pits for disposal of horticultural waste. • All agencies within Delhi (Dept. Of Revenue, N-DMC, EDMC, SDMC, NDMC, DDA and DPCC) have collectively issued 72 challans and notices and have collected fines worth Rs. 2,55,000/- • Haryana and Uttar Pradesh Pollution control board said they have notified the concerned authorities on this issue. However, they are yet to submit details of implementation to EPCA. • EPCA has asked the Pollution Control Boards of Haryana and UP to be proactive on the issue and to implement the best practices of Delhi. They were also directed to submit weekly reports on compliance to EPCA. |