

संख्या-भा0स0-197/81-7-2024-09(रिट)/2016 टी0सी0-3

प्रेषक,

अनिल कुमार,
प्रमुख सचिव,
उ0प्र0 शासन।

सेवा में,

- 1- अपर मुख्य सचिव/प्रमुख सचिव,
नगर विकास/आवास एवं शहरी नियोजन/परिवहन/गृह/ऊर्जा/
अतिरिक्त ऊर्जा स्रोत/कृषि/अवस्थापना एवं औद्योगिक विकास/
लोक निर्माण/सूक्ष्म लघु एवं मध्यम उद्योग तथा निर्यात प्रोत्साहन/
खाद्य एवं रसद विभाग, उ0प्र0 शासन।
- 2- चेयरमैन,
भारतीय राष्ट्रीय राजमार्ग
प्राधिकरण, नई दिल्ली।
- 3- प्रधान मुख्य वन संरक्षक और
विभागाध्यक्ष, उ0प्र0, लखनऊ।
- 4- मुख्य कार्यपालक अधिकारी,
नोएडा/ग्रेटर नोएडा/
यमुना एक्सप्रेसवे अथॉरिटी।
- 5- प्रबन्ध निदेशक,
पश्चिमांचल विद्युत वितरण
निगम लि0, मेरठ।
- 6- मुख्य कार्यपालक अधिकारी,
नोएडा पावर कम्पनी लि0,
ग्रेटर नोएडा।
- 7- प्रबन्ध निदेशक,
उ0प्र0 राज्य सड़क परिवहन निगम,
लखनऊ।
- 8- निदेशक,
उ0प्र0 नवीन एवं नवीकरणीय ऊर्जा
विकास अभिकरण, लखनऊ।
- 9- जिलाधिकारी,
गाजियाबाद, गौतमबुद्धनगर,
बुलन्दशहर, बागपत, हापुड,
मेरठ, शामली एवं मुजफ्फरनगर।
- 10- मण्डलायुक्त,
मेरठ, सहारनपुर।
- 11- नगर आयुक्त,
नगर निगम, मेरठ एवं
गाजियाबाद।

12- निदेशक,
विद्युत सुरक्षा, 30प्र0, लखनऊ।

13- सदस्य सचिव,
30प्र0 प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

14- अधिशाषी अधिकारी,
नगर पालिका परिषद/नगर
पंचायत, बुलन्दशहर, बागपत,
हापुड, मेरठ, शामली एवं
मुजफ्फरनगर।

पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7 लखनऊ: दिनांक: 19 नवम्बर, 2024

विषय-

1- : Implementation of Actions under stage-IV ('Severe+' Air Quality) of revised Graded Response Action Plan in Delhi-NCR- steps to be taken.

2- रिट याचिका (एस) (सिविल) संख्या-13029/1985 एम0सी0 मेहता बनाम यूनियन ऑफ इण्डिया व अन्य में पारित मा0 उच्चतम न्यायालय, नई दिल्ली के आदेश दिनांक 18.11.2024 के अनुपालन के संबंध में।

महोदय,

उपर्युक्त विषयक राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन हेतु आयोग, नई दिल्ली के पत्र संख्या-120017/27/GRAP/2021/CAQM, दिनांक 17.11.2024 (छायाप्रति संलग्न) का कृपया अवलोकन करें, जिसके द्वारा दिल्ली-एनसीआर में संशोधित ग्रेडेड रिस्पांस एक्शन प्लान के चरण-IV ('गंभीर+' वायु गुणवत्ता) के अंतर्गत कार्यवाही के क्रियान्वयन हेतु उठाये जाने वाले कदम के संबंध में दिशा-निर्देश निर्गत किये गये हैं।

2 - रिट याचिका (एस) (सिविल) संख्या-13029/1985 एम0सी0 मेहता बनाम यूनियन ऑफ इण्डिया व अन्य में मा0 उच्चतम न्यायालय, नई दिल्ली द्वारा पारित आदेश दिनांक 18.11.2024 (छायाप्रति संलग्न) द्वारा ग्रेडेड रिस्पांस एक्शन प्लान स्टेज-IV को लागू किये जाने के संबंध में निम्नवत् निर्देश दिये गये हैं :-

5. We direct all the State Governments of the NCR area to strictly implement Stage IV of the GRAP forthwith. All the NCR State

Governments will immediately constitute teams to monitor the implementation of the actions required under Stage IV of the GRAP. The NCR State Governments and the Central Government will have to immediately take a call on the actions provided in clauses 5, 6, 7 and 8 of Stage IV and place the decision taken on record before the next date.

6. We direct the Government of NCT of Delhi and other NCR State Governments to create a grievance redressal mechanism to enable the citizens to lodge complaints about the violation of restrictions under Stage IV of the GRAP. It is pointed out that the Commission has a grievance redressal mechanism. We direct the Commission to look into the complaints and take prompt and immediate action thereon.

7. We make it clear that till this Court passes further orders, the implementation of Stage IV of the GRAP will continue even if AQI drops below 450. All the NCR State Governments and the Central Government will file compliance affidavits by 21st November, 2024.

8. We also direct the Commission to provide for more stringent actions at Stages III and IV of the GRAP and, perhaps, not to leave anything for the discretion of the Governments or the local Authorities. The Commission will immediately take a call on this aspect.

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11. The constitutional obligation of the Central Government and the State Governments is to ensure that the citizens live in a pollution-free atmosphere. Therefore, in addition to the actions proposed under Stages III and IV of the GRAP, all possible actions shall be taken at the level of the State Governments to ensure that the AQI is brought down.

12. Notwithstanding what is provided in clause 5 of Stage IV of the

GRAP, the Delhi Government and the NCR State Governments will take an immediate call on stopping physical classes of all standards up to the twelfth standard.

3- अतः इस संबंध में मुझे यह कहने का निदेश हुआ है कि राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबन्धन हेतु आयोग, नई दिल्ली के उक्त संदर्भित पत्र दिनांक 17.11.2024 द्वारा निर्गत दिशा-निर्देश एवं रिट याचिका (एस) (सिविल) संख्या-13029/1985 एम0सी0 मेहता बनाम यूनियन ऑफ इण्डिया व अन्य में मा0 उच्चतम न्यायालय, नई दिल्ली द्वारा पारित उक्त आदेश दिनांक 18.11.2024 का कड़ाई से अनुपालन सुनिश्चित कराने का कष्ट करें।

4- इस संबंध में मुझे यह भी कहने का निदेश हुआ है कि राष्ट्रीय राजधानी क्षेत्र से आच्छादित जनपदों के जिलाधिकारी GRAP स्टेज IV से आच्छादित कार्यों के क्रियान्वयन हेतु अपने स्तर से यथोचित निर्णय लेते हुए अनुश्रवण हेतु तत्काल टीम गठित करने की कार्यवाही सुनिश्चित कराने का कष्ट करें। कृत कार्यवाही की आख्या पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, 30प्र0 शासन (ई-मेल soenvups@rediffmail.com) एवं सदस्य सचिव, 30प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ (ई-मेल ms@uppcb.in) को उपलब्ध कराया जाना सुनिश्चित करें।

संलग्नक-यथोक्त (ई-मेल से प्रेषित)।

भवदीय,

Signed by

Anil Kumar

Date: 19-11-2024 00:40:20 (अनिल कुमार)

प्रमुख सचिव।



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



No.120017/27/GRAP/2021/CAQM

Dated: 17.11.2024

ORDER**Sub.: Implementation of Actions under stage-IV ('Severe+' Air Quality) of revised Graded Response Action Plan in Delhi-NCR- steps to be taken.**

The Commission for Air Quality Management in NCR and adjoining areas, vide Direction No. 83 dated 17th September, 2024, issued statutory direction for implementation of the revised schedule of the Graded Response Action Plan (GRAP), available on the CAQM website (caqm.nic.in), as and when orders under GRAP are invoked.

The Sub-Committee for invoking actions under the GRAP in its earlier meetings held, had invoked actions under Stage-I, Stage-II and Stage-III of the GRAP on 14th October, 2024, 21st October, 2024 and 14th November, 2024.

The Sub-Committee in its urgent meeting held on 17th November, 2024 further reviewed the air quality scenario in the region as well as the forecasts for meteorological conditions and air quality index of Delhi made available by IMD/IITM.

The Sub-Committee observed that the AQI of Delhi was recorded at 441 (Severe) at 4:00 P.M on 17.11.2024 (today) and has been gradually increasing further and has already reached Severe+ category, as the AQI clocked 447, 452 and 457 at 5:00 PM, 6:00 PM and 7:00 PM respectively. Further, the average AQI for Delhi is expected to remain in this adverse range owing to heavy fog, variable winds, highly unfavorable meteorological and climatic conditions. Forecasts from IMD/IITM also indicate a likelihood of the AQI of Delhi to particularly remain in higher end of "SEVERE"/"SEVERE+" category in the coming days, owing to unfavorable climatic conditions.

Therefore, in an effort to prevent further deterioration of the air quality, the Sub-Committee decided that **ALL actions** as envisaged **under Stage IV of the GRAP -'Severe+' Air Quality (DELHI AQI>450)** be implemented in right earnest by all the agencies concerned in the NCR, **in addition to the Stage-I, II and III actions already in force, from 8:00 A.M. of 18.11.2024 in the National Capital Region (NCR).**

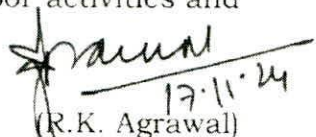
99 DPS
18.11.24

These include:

1. Stop entry of truck traffic into Delhi (except for trucks carrying essential commodities/ providing essential services). All LNG/ CNG / Electric/ BS-VI Diesel trucks) shall, however, be permitted to enter Delhi.
2. Do not permit LCVs registered outside Delhi, other than EVs / CNG / BS-VI diesel, to enter Delhi, except those carrying essential commodities / providing essential services.
3. Enforce strict ban on plying of Delhi - registered BS-IV and below diesel operated Medium Goods Vehicles (MGVs) and Heavy Goods Vehicles (HGVs) in Delhi, except those carrying essential commodities / providing essential services.
4. Ban C&D activities, as in the GRAP Stage-III, also for linear public projects such as highways, roads, flyovers, overbridges, power transmission, pipelines, tele-communication etc.
5. NCR State Govts. and GNCTD may take a decision on discontinuing physical classes even for classes VI – IX, class XI and conduct lessons in an online mode.
6. NCR State Governments / GNCTD to take a decision on allowing public, municipal and private offices to work on 50% strength and the rest to work from home.
7. Central Government may take appropriate decision on permitting work from home for employees in central government offices.
8. State Governments may consider additional emergency measures like closure of colleges/ educational institutions and closure of non-emergency commercial activities, permitting running of vehicles on odd-even basis of registration numbers etc.

Further, citizens may be urged to adhere to the citizen charter and assist in effective implementation of the GRAP measures aimed towards sustaining and improving the Air Quality in the Region, in addition to the citizen charter of Stage-I, Stage-II and Stage-III, as under:

- Children, elderly and those with respiratory, cardiovascular, cerebrovascular or other chronic diseases to avoid outdoor activities and stay indoors, as much as possible.


17.11.24
(R.K. Agrawal)
Director (Technical)
(Member Convenor of Sub-Committee on GRAP)

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 Rajasthan, Government Secretariat, Jaipur, Rajasthan - 302 005.
3. The Chief Secretary, Government of Haryana, 4th Floor, Civil Secretariat, Sector - 1, Chandigarh.
4. The Chief Secretary, Government of NCT of Delhi, 3rd Floor, Delhi Secretariat, I. P. Estate, New Delhi - 110 002.
5. Additional Chief Secretary/Principal Secretary, Department of Environment, Uttar Pradesh.
6. Additional Chief Secretary, Department of Environment, Room No. 335, 3rd Floor, Haryana New Secretariat, Sector 17, Chandigarh.
7. Additional Chief Secretary / Principal Secretary, Department of Environment, Government of NCT of Delhi, Room No. 801, 8th Floor, B Wing, Delhi Secretariat, Delhi - 110002.
8. Principal Secretary, Department of Environment, Room No. 4224, 2nd Floor, Main Building, Government of Rajasthan Sectt. Jaipur.
9. Principal Secretary, Department of Transport, Government of Uttar Pradesh, Room No. 701, Babu Bhawan, Hazratganj, Lucknow, Uttar Pradesh
10. Addl. Chief Secretary, Department of Transport, Govt. of Rajasthan, Room No. 4102, Main Building, Rajasthan Sachivalya, Jaipur, Rajasthan.
11. Principal Secretary, Department of Transport, Government of Haryana, Room No. 621, 6th Floor, New Secretariat Bldg. Sector 17, Chandigarh.
12. Principal Secretary cum Commissioner, Department of Transport, Government of NCT of Delhi 5/9, Under Hill Road. Ludlow Castle, Civil Lines, Delhi - 110054.
13. Principal Secretary, Urban Local Bodies, Uttar Pradesh, 201, Lok Bhawan, Lucknow, Uttar Pradesh.
14. Principal Secretary, Urban Local Bodies, Rajasthan, Food Building, Secretariat Jaipur, Rajasthan.
15. Principal Secretary, Urban Local Bodies, Haryana, 506, 5th Floor, New Civil Secretariat, Sector 17, Chandigarh.
16. Commissioner of Police, Delhi, New Police Hqrs., Jaisingh Road, New Delhi.
17. Director General of Police, Uttar Pradesh, Police Headquarters, 9th Floor, Tower -2, Gomti Nagar Ext., Shaheed Path, Lucknow, Uttar Pradesh.
18. Director General of Police, Rajasthan, Police Headquarters, Lal Kothi, Tonk Road, Jaipur, Rajasthan.
19. Director General of Police, Haryana, Police Headquarters, Sector-6, City-Panchkula, Haryana -134109.

20. Special Commissioner of Police (Traffic) Delhi, Delhi Police New Headquarters, Tower-I, 3rd Floor, Jaisingh Road, New Delhi.
21. Addl. Director General of Police, (Traffic) Uttar Pradesh, Police Headquarters, Signature Bldg, Gomati Nagar Vistar, Lucknow, Uttar Pradesh.
22. Addl. Director General of Police (Traffic), Rajasthan, Room No. 740, Police Headquarters, Nehru Palace, Tonk Road, Jaipur, Rajasthan.
23. Inspector General of Police (Traffic & Highways), Haryana, Sector-7, Karnal, Haryana.
24. Chairman, National Highway Authority of India (NHAI), G 5&7, Sector 10, Dwarka, New Delhi - 110075.
25. Vice-Chairman, Delhi Development Authority (DDA), B Block, 1st Floor, Vikas Sadan, INA, New Delhi - 110023.
26. Chairman, New Delhi Municipal Council (NDMC), Palika Kendra, Parliament Street, New Delhi - 110001.
27. Commissioner, Municipal Corporation of Delhi, Civic Centre, 4th Floor, Minto Road, Delhi - 110002
28. Engineer in chief (E in C-I,II, III) Municipal Corporation of Delhi, Civic Centre, Minto Road, New Delhi 110002
29. Chief Executive Officer, Delhi Cantonment Board, Sadar Bazar Road, Delhi Cantonment, Delhi 110010.
30. Chairman, Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun Nagar, Delhi - 110032.
31. Chairman, Uttar Pradesh Pollution Control Board, T C, 12 V, Vibhuti Khand, Gomati Nagar, Lucknow, Uttar Pradesh.
32. Chairman, Rajasthan Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongari, Jaipur, Rajasthan - 302004.
33. Chairman, Haryana Pollution Control Board, C-11, Sector 6, Panchkula, Haryana - 134109.
34. Chairman, Delhi Pollution Control Committee, 6th Floor, C Wing, Delhi Secretariat, IP Estate, Delhi - 110002.
35. Engineer-in-Chief, Public Work Department (PWD), Delhi, 12th Floor, Maso Building, Indraprastha Estate, New Delhi-110002.
36. Engineer-in-Chief, Public Works Department, Haryana, Nirman Sadan, Plot No.1, Dakshana Marg, Sector -33 A, Haryana PWD (B&R), Chandigarh.
37. Engineer-in-Chief, Public Works Department, Rajasthan, 170, Kamala Nehru Nagar, Ganpati Nagar, Jaipur, Rajasthan - 302007.
38. Engineer In Chief, U.P. Public Works Department, Nirman Bhavan, 96 M.G. Marg, Opp. Raj Bhavan, Lucknow-226001.
39. CMD, NTPC, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi - 110003.
40. Managing Director, DMRC Ltd., Metro Bhawan, Brigade Lane, Barakhamba Road, New Delhi - 110 001.

41. Managing Director & CEO, DIMTS, 8th Floor, A Block, IT Park Road, Metro Vihar, Shastri Park, Shahdara, New Delhi, Delhi -110053.
42. Managing Director, National Capital Region Transport Corporation, Gati Shakti Bhawan, INA, New Delhi – 110023.
43. Chairman cum Managing Director, NBCC Bhawan, Lodhi Rd, New Delhi - 110003
44. Chairman, New Okhla Industrial Development Authority (NOIDA), Main Administrative Bldg. Sector 6, NOIDA, Uttar Pradesh.
45. Chairman, Greater Noida Industrial Development Authority, Plot No. 01, Knowledge Park -04, Greater NOIDA, Gautam Budh Nagar, UP – 201308.
46. Vice Chairman, Ghaziabad Development Authority, Vikas Path, Old Bus Stand, Ghaziabad, Uttar Pradesh – 201001.
47. Chief Executive Officer, Gurugram Metropolitan Development Authority, Metro Station, Plot No3, Sector 44, Near HUDA City Centre, Gurugram, Haryana.
48. Member Secretary, Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun Nagar, Delhi – 110032.
49. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Vibhuti Khand, Gomati Nagar, Lucknow, Uttar Pradesh – 226010.
50. Member Secretary, Rajasthan Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongari, Jaipur, Rajasthan – 302004.
51. Member Secretary, Haryana Pollution Control Board, C-11, Sector 6, Panchkula, Haryana – 134109.
52. Member Secretary, Delhi Pollution Control Committee, 6th Floor, C Wing, Delhi Secretariat, I P Estate, Delhi – 110002.
53. Chief Engineer, Urban Local Bodies, Haryana, Directorate of Urban Local Bodies, Bays No. 11-14, Sector 4, Panchkula, Haryana – 134112.
54. Chief Engineer, Directorate of Urban Local Bodies, Plot No. 18, Sector-7, Gomati Nagar, Uttar Pradesh.
55. Chief Engineer, Directorate of Urban Local Bodies, 22 Godam, Near Shiv Line Fatak, Jaipur, Rajasthan.
56. The Deputy Commissioner, Central Delhi, 14, Daryaganj, New Delhi – 110002.
57. The Deputy Commissioner, East Delhi, L M Bund, Shastri Nagar, Delhi – 110031.
58. The Deputy Commissioner, New Delhi, 12/1, Jam Nagar House, Sahajahan Road, New Delhi – 110011.
59. The Deputy Commissioner, North Delhi, Alipur, Delhi – 110036.
60. The Deputy Commissioner, North East Delhi, DC Office Complex, Nand Nagari, Opposite Gagan Cinema, Delhi – 110093.
61. The Deputy Commissioner, North West Delhi, O/o of the Deputy Commissioner, Kanjhawala, Delhi – 110081.
62. The Deputy Commissioner, Shahdra, Nand Nagari, Opposite Gagan Cinema, Delhi - 110093.

63. The Deputy Commissioner, South Delhi, M B Road, Saket, New Delhi 110068.
64. The Deputy Commissioner, South East Delhi, Old Gargi College Building, Lajpat Nagar-IV, New Delhi – 110024.
65. The Deputy Commissioner, South West Delhi, Old Terminal Tax Building, Kapashera, New Delhi- 110037.
66. The Deputy Commissioner, West Delhi, Plot No. 3, Shivaji Palace, Near West Mall Gate, Raja Garden, New Delhi – 110027.
67. The District Magistrate, Meerut, Office of the District Magistrate, Collectorate, District Meerut, Uttar Pradesh – 250002.
68. The District Magistrate, Ghaziabad, District Magistrate Office, Collectorate, Rajnagar, Ghaziabad, Uttar Pradesh – 201001.
69. The District Magistrate, Shamli, Bara bazar, Shamli, Uttar Pradesh - 247776
70. The District Magistrate, Bulandshahr Collectorate, Bulandshahr, Uttar Pradesh – 203001.
71. The District Magistrate, Muzaffarnaga, Collectorate, (Near Prakash Chowk), District – Muzaffarnagar, Uttar Pradesh -251001.
72. The District Magistrate, Hapur, Collectorate, Hapur, Uttar Pradesh -245101.
73. The District Magistrate, Baghpat, Collectorate, Baghpat, Uttar Pradesh - 250619.
74. The District Magistrate, Gautam Budhha Nagar, Tulsi Marg, Pocket G, Sector - 27, Noida, Gautam Budhha Nagar, Uttar Pradesh -201301.
75. The Deputy Commissioner, Rohtak, Mini Secretariat, District Rohtak, Haryana - 124001.
76. The Deputy Commissioner, Gurugram, First Floor, Mini Secretariat, Gurugram
77. The Deputy Commissioner, Sonapat, Mini Secretariat, District Sonapat, Haryana – 131001.
78. The Deputy Commissioner, Panipat, 1st Floor, Mini Secretariat, District Panipat, Haryana – 132103.
79. The Deputy Commissioner, Karnal, Mall Road, Karnal, District Karnal, Haryana - 132001.
80. The Deputy Commissioner, Faridabad, Room No.- 111, 1st Floor, Mini Secretariat, Sec-12, Faridabad -121004.
81. The Deputy Commissioner, Bhiwani, Commissioners' Office, Bhiwani, Haryana -127021.
82. The Deputy Commissioner, Rewari, Mini Secretariat, Bawal Road, Rajiv Chowk, Rewari, Haryana – 123401.
83. The Deputy Commissioner, Mahendragarh 1st Floor Mini Secretariat, Narnaul, Mahendragarh, Haryana.
84. The Deputy Commissioner, Palwal, Room No-201, Second Floor, Mini Secretariat, Palwal, Haryana- 121102.

85. The Deputy Commissioner, Nuh, Second Floor, Mini Secretariat Nuh, Haryana - 122107.
86. The Deputy Commissioner, Jhajjar, Mini Secretariat, DC Office, Jhajjar, Haryana - 124103.
87. The Deputy Commissioner, Charkhi Dadri, Mini Secretariat, Charkhi Dadri, Haryana.
88. The Deputy Commissioner, Jind, O/o Deputy Commissioner, Mini Secretariat, Jind, Haryana -126102.
89. The District Collector & Magistrate, Collectorate, Rajendra Nagar, Bharatpur, Rajasthan - 321001.
90. The District Collector & Magistrate, Mohalla Ladiya, Alwar, Rajasthan - 301001.
91. The Commissioner, Meerut Nagar Nigam, Near Ghanta Ghar, Kaiser Ganj Road, Meerut - 250002.
92. The Commissioner, Ghaziabad Nagar Nigam, Navyug Market, Opp. Old Bus Stand, Ghaziabad, Uttar Pradesh - 201001.
93. The Chairman, Nagar Palika Parishad Shamli Mill Road, Shamli, Uttar Pradesh - 247776.
94. The Chairman, Nagar Palika, Bulandshahr, Uttar Pradesh.
95. The Chairman, Nagar Palika Parishad, SD Area, Muzaffarnagar, Uttar Pradesh - 251002.
96. The Chairman, Nagar Palika Parishad, Hapur, Lothi Gate Nagar, Atarpura Chopla, Hapur, Uttar Pradesh -245101.
97. The Chairman, Nagar Palika Prishad, Baghpat, Uttar Pradesh.
98. Chief Executive Officer, Gautam Budhha Nagar, Uttar Pradesh.
99. The Commissioner, Municipal Corporation Rohtak, Ambedkar Chowk, M C Office, Opp. BSNL Office, Rohtak, Haryana - 124001.
100. The Commissioner, Municipal Corporation, Sonapat, Near Railway Station, Railway Road, Sonapat, Haryana - 131001.
101. The Commissioner, Municipal Corporation Panipat, Tau Devi Lal Complex, Railway Road, Panipat, Haryana - 132103.
102. The Commissioner, Municipal Corporation Karnal, Sector-12, (near Mini Secretariat), Urban State, Karnal, Haryana - 132001.
103. The Commissioner, Municipal Corporation Faridabad, B.K Chowki, New Industrial Town, Faridabad, Haryana - 121001.
104. The Commissioner, Municipal Corporation Gurugram, C 1, Info City, Sector 34, Gurugram, Haryana -122001.
105. The District Municipal Commissioner, Bhiwani Municipal Committee, Near Railway Station, Bhiwani, Haryana.
106. The Additional Deputy Commissioner, Municipal Council Rewari, Bharawas Rd, Near Agarsen Chowk, Bhajan Ka Bagh, Raam Bagh Mahalla Rewari, Haryana -123401.

107. The District Municipal Commissioner, Municipal Council Narnaul, Near PWD Rest House, Narnaul, Mahendragarh, Haryana.
108. The Deputy Commissioner, Municipal Council, Palwal, Second Floor, Mini Secretariat, Palwal, Haryana- 121102.
109. The Executive Officer, Municipal Committee, Nuh, Near Sabzi Mandi, Civil Lines, Nuh, Haryana - 122107.
110. The Executive Officer, Municipal Council, Jhajjar, Chhuchhakwas Road, Jhajjar, Haryana - 124103.
111. The Deputy Commissioner, Municipal Council, Mini Secretariat, District Charkhi Dadri, Haryana.
112. The Deputy Commissioner, Municipal Council, Police Lines, District Jind, Haryana -126102.
113. The Commissioner, Nagar Nigam Bharatpur, Mathura Gate, Bharatpur, Rajasthan - 321001.
114. The Commissioner, Nagar Parishad, Alwar Church Road, Alwar, Rajasthan.
115. The Chief Executive Officer (CEO), Plot No. 3, Sector 44, Near HUDA City Centre Metro Station, Gurugram, Haryana - 122003.
116. Chief Controller of Explosives, PESO, CGO Complex, 5th, A Block, Seminary Hills, Nagpur, Maharashtra - 440001.
117. Managing Director, BSES Rajdhani Power Limited, BSES Rajdhani Power Limited, BSES Bhawan, Nehru Place, New Delhi - 110019.
118. The Managing Director, BSES Yamuna Power Limited, Shakti Kiran Building, Vishwas Nagar, Shahdara, Delhi -110032.
119. Chief Executive Officer, Tata Power Delhi Distribution Limited (TPDDL), Tata Power Delhi Distribution Ltd, Hudson Lines, Kingsway Camp, Delhi-110 009.
120. Managing Director, Uttar Haryana Vidyut Vitran Nigam Limited (UHVVNL) Vidyut Sadan, Plot No. C-16, Sector-6, Panchkula, Haryana.
121. Managing Director, Dakshani Haryana Vidyut Vitran Nigam Limited (DHVVNL), Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005.
122. Managing Director, Pashchimanchal Vidyut Vitran Nigam Limited (PVVNL), Urja Bhawan, Victoria Park, Meerut, Uttar Pradesh - 250001.
123. Managing Director, Noida Power Company Limited (NPCL) Commercial Complex, 1st Avenue, Pocket II, Sector Alpha II, Greater Noida, Uttar Pradesh.
124. Managing Director, Jaipur Vidyut Vitran Nigam Limited (JVVNL), Vidyut Bhawan, Jyoti Nagar, Jaipur, Rajasthan - 302005.
125. Managing Director, Bharatpur Electricity Service Limited (JVVNL) Vidyut Bhawan, Jyoti Nagar, Jaipur, Rajasthan - 302005.
126. Managing Director, Delhi Transport Corporation (DTC), Government of National Capital Territory of Delhi, DTC Headquarters, IP Estate, New Delhi-110002.
127. Managing Director, U P State Road Transport Corporation, Tehri Kothi, MG Marg, Lucknow, Uttar Pradesh - 226 001.

128. Managing Director, State Road Transport Corporation of Haryana, 30 Bays Building, 2nd Floor, Sector - 17C, Chandigarh - 160017.
129. Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Chaumu House, Jaipur, Rajasthan - 302 001
130. The Chief Engineer (O&M), Rajiv Gandhi Thermal Power Project, Haryana Power Generation Corporation Ltd., Tehsil, Khedar, Barwala, Vidyut Sadan Vidyut Nagar Hisar, Haryana - 125 122.
131. The Chief Engineer (O&M), Deen Bandhu Chhotu Ram Thermal Power Station, Haryana Power Generation Corporation Ltd, Village- Pansara, Yamunanagar - 135 004.
132. The Chief Engineer (O&M), Panipat Thermal Power Station, Haryana Power Generation Corporation Ltd., Village Assan, Jind Road, Panipat, Haryana - 132 105.
133. Sr. Vice President (O&M), Jhajjar Power Ltd., Mahatma Gandhi Thermal Power Plant, CLP India Ltd, Tehsil- Matanhai, Dist- Jhajjar, Haryana - 124106
134. Plant in charge, Harduaganj Thermal Power Station, Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited, 14, Ashok Marg, Shakti Bhavan, Lucknow
135. The Chief Engineer (O&M) Talwandi Sabo Power Ltd, Village - Banawala, Mansa, Talwandi Sabo Road, Mansa - 151 302.
136. Sr. Vice President (O&M), Rajpura Thermal Power Plant, Nabha Power Ltd, Nalash/Nalas Village, Rajpura, Dist. Patiala, Punjab.
137. The Chief Engineer (O&M), Guru Gobind Singh Thermal Power Station, Punjab State Electricity Board, Ropar, Punjab.
138. The Chief Engineer (O&M), Guru Hargobind Singh Thermal Power Station, Punjab State Electricity Board Lehra Mohabbat, Bhatinda, Punjab.
139. Chief General Manager, National Capital Thermal Power Station (NCTPS) National Thermal Power Corporation, Dadri, Dist: Gautam Budhnagar, Uttar Pradesh -201 008.
140. The Chief Engineer (O&M) Rajiv Gandhi Thermal Power Project, Haryana Power Generation Corporation Ltd., Tehsil, Khedar, Barwala, Hisar, Haryana - 125 122.

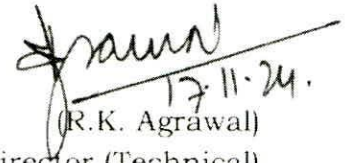
Copy for information and appropriate action to:

1. The Chairman and CEO, Railway Board, Raisina Road, Central Secretariat, New Delhi, Delhi 110001.
2. The Secretary, Department of Personnel and Training (DoPT), Government of India, Room No. - 112, North Block, New Delhi - 110 001
3. The Director General, Central Public Work Department (CPWD) A-Wing, Room No. 101 Nirman Bhawan, New Delhi
4. The Additional Chief Secretary, Health Department, Govt. of Haryana

5. The Additional Chief Secretary, Medical Health & Family Welfare Department, Govt. of Rajasthan
6. The Principal Secretary, Medical Health & Family Welfare, Govt. of Uttar Pradesh
7. The Secretary, Health & Family Welfare, Govt. of NCT of Delhi

Copy also to:

1. The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, Indira Paryavaran Bhawan, Jor Bagh, New Delhi
2. The Defence Secretary, Ministry of Defence, Government of India, South Block, New Delhi – 110 001.
3. The Secretary, Ministry of Petroleum and Natural Gas, Government of India, Shastri Bhawan, New Delhi – 110 001.
4. The Secretary, Ministry of Road Transport and Highways, Government of India, Transport Bhawan, New Delhi – 110 001.
5. The Secretary, Ministry of Power, Government of India, Rafi Marg, Shram Shakti Bhawan, New Delhi, Delhi 110001
6. The Secretary, Department of Telecommunication, Ministry of Communication & IT, Government of India, Sanchar Bhawan, 20 Ashoka Road, New Delhi
7. The Chairperson and all Members (including Associate Members), CAQM


17.11.24.
(R.K. Agrawal)

Director (Technical)

(Member Convenor of Sub-Committee on GRAP)

श. अ. 198/81.7-2024

ITEM NO.64

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION(S)(CIVIL) NO(S). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: COMMISSION FOR AIR QUALITY MANAGEMENT (CAQM) (AIR POLLUTION)

NAME OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST: MR. HARISH N. SALVE, SR. ADVOCATE (A.C.) MS. APARAJITA SINGH, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. M.K. MARORIA MR. SANJAY KR. VISEN, MR. SUDEEP KUMAR, MR. KARAN SHARMA, MR. SANDEEP KR. JHA MR. JYOTI MENDIRATTA, MR. RAHUL KHURANA, MR. NIRAJ GUPTA ADVOCATES)

Date : 18-11-2024 This petition was called on for hearing today.

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HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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Mr. Gaurang Bhushan, Adv.
Mr. Raghav Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Pursuant to the request made by Ms. Aparajita Singh, learned Senior Advocate appointed as Amicus Curiae, today we have listed this Petition. We have listed this Petition today to find out how the Graded Response Action Plan (for short, "the GRAP") for NCR and adjoining areas published by the Commission for Air Quality Management (for short, "the Commission") in September 2024 is being implemented.

2. Stage III ('Severe' Air Quality) of the GRAP comes into picture when Delhi AQI ranges between 401-450. From the minutes of the meeting dated 13th November 2024 of the Sub-Committee of the Commission for dealing with the GRAP, it can be seen that, on 13th November 2024, the AQI had crossed 401. The learned Amicus Curiae stated that the AQI crossed 400 on 12th November, 2024.

Instead of immediately directing the implementation of Stage III of the GRAP, the Commission directed that Stage III should be implemented from 14th November 2024. The same is the case with the implementation of Stage IV ('Severe +' Air Quality). The order dated 17th November 2024 issued by the Commission records that the AQI crossed 450 at 6:00 p.m. on 17th November 2024. But still, a direction was issued to implement Stage IV from this morning.

3. From the submissions made across the Bar and from the minutes of the meeting dated 13th November, 2024, we find that the approach adopted by the Sub-Committee of the Commission is contrary to what is observed by this Court in paragraph 3 of the order dated 29th October, 2018 whereby a direction was issued to EPCA (the predecessor of the Commission) to take pre-emptive steps under the GRAP without strict adherence to the pollution stages delineated in the plan. The approach adopted by the Commission seems to be that it waited for improvement of the AQI and, therefore, the implementation of Stages III and IV of the GRAP was delayed. This is an entirely wrong approach. In anticipation of the AQI crossing the threshold limit, it is the duty of the Commission to start immediate implementation of Stages III and IV of the GRAP, as the case may be. The Commission cannot wait for the improvement of the AQI.

4. There is another issue which may require consideration. The issue is the data of which agency should be taken as the official data of the AQI level. The parties will have to be heard on this

aspect.

5. We direct all the State Governments of the NCR area to strictly implement Stage IV of the GRAP forthwith. All the NCR State Governments will immediately constitute teams to monitor the implementation of the actions required under Stage IV of the GRAP. The NCR State Governments and the Central Government will have to immediately take a call on the actions provided in clauses 5, 6, 7 and 8 of Stage IV and place the decision taken on record before the next date.

6. We direct the Government of NCT of Delhi and other NCR State Governments to create a grievance redressal mechanism to enable the citizens to lodge complaints about the violation of restrictions under Stage IV of the GRAP. It is pointed out that the Commission has a grievance redressal mechanism. We direct the Commission to look into the complaints and take prompt and immediate action thereon.

7. We make it clear that till this Court passes further orders, the implementation of Stage IV of the GRAP will continue even if AQI drops below 450. All the NCR State Governments and the Central Government will file compliance affidavits by 21st November, 2024.

8. We also direct the Commission to provide for more stringent actions at Stages III and IV of the GRAP and, perhaps, not to leave anything for the discretion of the Governments or the local

Authorities. The Commission will immediately take a call on this aspect.

9. The learned Amicus Curiae has tendered a compilation of documents across the Bar. Every disturbing factual aspect has been brought to the notice of this Court. The Indian Space Research Organisation (for short, "the ISRO") gets data from the NASA satellites, which pass over the NCR area at around 10:30 a.m. and 1:30 p.m. daily. Therefore, the instances of farm fires captured by the satellites are only during this limited period. Based on the information given by Dr Hiren Jethva, a senior research scientist at NASA Goddard Space Flight Center, the learned Amicus Curiae has pointed out that a South Korean satellite, GEO-KOMSAT 2A, which is a stationary satellite, has captured farm fires at 4:20 p.m. It is pointed out that there is a difference between the data collected through the stationery satellites and the data from the polar-orbiting satellites, such as NASA satellites, which are being relied upon by the ISRO. We, therefore, direct the Central Government as well as the Commission to make immediate arrangements for getting the data, either from the South Korean stationery satellite or any other stationery satellites, so that the data of farm fires throughout the day can be made available to the States to enable them to take immediate action. Needless to add that the Commission and the Central Government will also involve the ISRO in taking this step. The ultimate objective should be to ensure that all instances of farm burning throughout the day are reported to the concerned States so that they can take prompt action.

Compliance with this aspect shall also be reported by 22nd November, 2024. Needless to add that, the Central Government and the Commission will procure data from the stationery satellites from 1st October, 2024.

10. List the Petition at the end of the cause list on 22nd November, 2024 for considering the compliance with today's directions.

11. The constitutional obligation of the Central Government and the State Governments is to ensure that the citizens live in a pollution-free atmosphere. Therefore, in addition to the actions proposed under Stages III and IV of the GRAP, all possible actions shall be taken at the level of the State Governments to ensure that the AQI is brought down.

12. Notwithstanding what is provided in clause 5 of Stage IV of the GRAP, the Delhi Government and the NCR State Governments will take an immediate call on stopping physical classes of all standards up to the twelfth standard.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)