

**DEPARTMENT OF ENVIRONMENT**  
GOVT. OF NCT OF DELHI  
6<sup>TH</sup> LEVEL, C-WING, DELHI SECRETARIAT  
I.P. ESTATE, NEW DELHI-110002  
PH: 23392029

**ORDER**

F.No. DPCC/(10)/(10)/(01)/Leg-2021/ **3787-3801**

Dated: **03/03/2021**

Whereas, with approval of the Chief Secretary Delhi, a working group under the Secretary-cum Commissioner (Transport) has been constituted vide order dated 30.09.2020 with members from Municipal Authorities, Urban Development Department, Public Works Department, Delhi Jal Board and Transport Department of GNCTD for monitoring C & D waste disposal in NCT of Delhi.

And whereas, it has been observed that a number of diesel driven goods vehicles having National permits, are being used for disposal of construction and demolition waste in Delhi in contravention of their permit conditions.

And whereas, it has been further observed that a number of diesel driven goods vehicles registered in neighbouring states are regularly being plying in Delhi for the use of carrying C & D waste, thereby causing air pollution in NCT of Delhi.

And whereas, the Civic Agencies have designated certain places where the C & D waste can be dumped but many of the vehicle owners dump the C & D waste at non-designated places, causing environmental pollution.

And whereas, the dumping of C & D waste (Malba) at non-designated places has become a source of constant nuisance, thereby warranting intervention to regulate the activities of vehicles engaged in carrying C & D Waste.

And whereas, the goods vehicles are required to carry the C & D waste with adequate covering which is also not being followed by many of these vehicle owners, causing further damage to environment in NCT of Delhi.

And whereas, a mechanism is now being put in place to regulate the activities of goods vehicles to take action against the owner/ person responsible for dumping the C & D waste at unauthorized places and for misuse of vehicle against the permit conditions.

And whereas, the Hon'ble National Green Tribunal in OA no. 21/2014 in the matter of "Vardhaman Kaushik v. Union of India & Ors" vide order dated 04.12.2014 directed that:  
*".... All the trucks or vehicles of any kind which are used for construction purposes and/or are carrying construction materials like cement, sand and other allied material shall be fully covered. The vehicles would be properly cleaned, shall be dust free and/or other 20 precautions would be taken to ensure that enroute their destinations, the dust, sand or other particles are not permitted to be released in the air and/or contaminate air. Any truck which is not complying with these directions would not be permitted to enter NCR Delhi...."*

And whereas vide Order dated 10.04.2015 in the aforementioned matter directed:



*"..... If any person, owner and/or builder is found to be violating any of the conditions stated in this order and/or for their non-compliance such person, owner, builder shall be liable to pay compensation of Rs. 50,000/- per default in relation to construction activity at its site and Rs. 5,000/- for each violation during carriage and transportation of construction material, debris through trucks or other vehicles, in terms of Section 15 of NGT Act on the principle of Polluter Pay. Such action would be in addition not in derogation to the other action that the Authority may take against such builder, owner, person and transporter under the laws in force...."*

And whereas vide Order dated 11.12.2015 in the aforementioned matter further directed:

*".... We hereby also direct that builders who keep their dust, sand, cement, brick and other construction materials on the public place and road, as per the directions of the Tribunal already issued, would not be permitted to do so. Besides, seizing such materials under the provision of the Municipal Corporation Act of the Delhi, they would be liable to pay environmental compensation at the rate of Rs. 50,000/- per incident as already directed. Even the construction material which is stored within the building should be covered, and it should be ensured that there is no emission and it does not disperse into the atmosphere. This will also apply to transportation of construction materials. These directions will be applicable to NCR Delhi as afore indicated...."*

And whereas, the Hon'ble National Green Tribunal in OA no. 06/2012 in the matter of "Manoj Mishra v. Union of India & Ors" vide order dated 13.01.2015 directed that:

*"..... we confirm the interim order dated 22<sup>nd</sup> July, 2013, passed by the Tribunal, with the variation in payment of amount of compensation payable by the offender and direct that no person, authority, corporation and/or by whatever name or designation it is called, shall dump any kind of construction debris, municipal, or any other waste on the flood plain/ river bed of River Yamuna and its associated water bodies. There shall be complete prohibition on dumping of any material in and around River Yamuna.*

*(c) Whoever violates this direction relating to the dumping of debris, shall be liable to pay compensation of Rs. 50,000/- on the 'Polluter Pays' Principle and the Precautionary Principle. Such compensation shall be used for removal of such waste and restoration of environment."*


Now, therefore, to implement the orders of the Hon'ble National Green Tribunal's Government of NCT of Delhi issues following directions:

- i. Any motor vehicle proposed to be used for the purpose of collection and disposal of C&D waste in Delhi will require registration from the Civic Agencies in the area under whose jurisdiction it is proposed to be operated.
- ii. Only CNG fuel based goods vehicle shall be registered for use of above purpose.
- iii. Any goods vehicle proposed to be used for carrying C&D waste will have to be fitted with GPS monitoring system from authorized vendor of Transport Department, GNCTD. The feed of GPS will be received at the joint control room of Civic Agencies for proper monitoring.
- iv. There shall be live tracking of all vehicles registered for above purpose by Civic Agencies.
- v. A camera shall be fitted in rear portion of the vehicle and the recording of minimum seven days shall be preserved for random checking purpose by enforcement agencies.
- vi. In case, a vehicle is found stopped / parked at un-designated place without justifiable reason, necessary action including penalty and de-registration will be taken against the vehicle owner by Transport Department, GNCTD.

- vii. The Civic Agencies will Geo fence the vehicle to ensure that such vehicles do not stray beyond the designated area / route.
- viii. The dumping of C&D waste at non-designated place will be treated as violation of the orders passed by the Hon`ble Tribunal in aforementioned cases and violator is liable to pay environmental compensation as per the order passed by the Tribunal. The environmental compensation is in addition to action taken to be under the relevant statute.
- ix. Junior Engineers of civic bodies, PWD, DPCC and the officers of the rank of Sub-Inspector of Transport Department are authorized to impose environmental compensation on the defaulting vehicle owners under these directions.

The compensation amount so collected shall be deposited in Delhi Pollution Control Committee having account no. 10166747672, IFSC Code SBIN0005715 in State Bank of India, ISBT, Kashmere Gate, Delhi.

Weekly action taken reports of compensation imposed and compensation collected shall be submitted by the authorized officers to Delhi Pollution Control Committee, at **dpcc.rdpc@gmail.com and msdpcc@nic.in**, without fail.

  
**Dr. K. S. Jayachandran**  
**Spl. Secretary (Environment)**

To,

1. The Chairman, New Delhi Municipal Council.
2. The Principal Secretary, PWD, GNCTD.
3. The Secretary-cum Commissioner (Transport), Transport Department.
4. The Commissioner, North Delhi Municipal Corporation.
5. The Commissioner, South Delhi Municipal Corporation.
6. The Commissioner, East Delhi Municipal Corporation.
7. The Chief Executive Officer, Delhi Cantonment Board.

Copy for kind information to:

1. Vice Chairman (DDA), Delhi, Development Authority.
2. Secretary to Chief Minister, GNCTD.
3. Secretary to Dy. Chief Minister, GNCTD.
4. Secretary to all Ministers, GNCTD.
5. Member Secretary, Delhi Pollution Control Committee.
6. OSD to Chief Secretary, GNCTD.
7. PPS to Secretary (Environment), GNCTD.
8. PPS to Special Secretary (Env.), GNCTD.

  
**Dr. K. S. Jayachandran**  
**Spl. Secretary (Environment)**