



ACTION TO
BE TAKEN

for

B RIDGING
THE GAP
BETWEEN
LAW & ITS
IMPLEMENTATION

by

C ONSCIOUS
& AWARE
PEOPLE

THE 'A, B, C' OF ENVIRONMENTAL POLLUTION

AN E-BOOKLET FOR AWARENESS AND
REMEDICATION OF ENVIRONMENTAL POLLUTION

BY
DELHI JUDICIAL ACADEMY
(HIGH COURT OF DELHI)



Released by
Hon'ble Mr. Justice Satish Chandra Sharma
Chief Justice, High Court of Delhi

in the august presence of
Hon'ble Mr. Justice Siddharth Mridul
Judge, High Court of Delhi and Executive Chairperson, DSLSA

Hon'ble Mr. Justice Vibhu Bakhru
Judge, High Court of Delhi and Chairperson, JETPC

in the
Conference on Remediation of Environmental Pollution
for Protection of Human Rights

Organised by
Delhi Judicial Academy &
Delhi State Legal Services Authority
in collaboration with
Central Pollution Control Board &
Delhi Pollution Control Committee

on
Saturday, 10th September, 2022

at
Auditorium, Delhi Judicial Academy
New Delhi

Prepared By:

Delhi Judicial Academy
Sector-14, Dwarka, New Delhi-110078
Office: 011-20892191, Fax: 011-28036687
Email: dja@nic.in; delhijudicialacademy@gmail.com
Website: judicialacademy.nic.in

The Delhi Judicial Academy acknowledges the valuable inputs given by DSLSA, CPCB and DPCC in the preparation of this E-Booklet.

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**BREATHING EASY:
TOWARDS A MORE
SUSTAINABLE FUTURE
WITH IMPROVED
AIR QUALITY**



SOURCES OF AIR POLLUTION



1 Waste
Burning

2 Dust Re-Suspension,
Construction and
Demolition
Activities



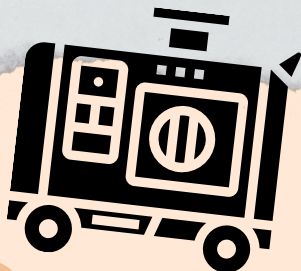
6 
Domestic



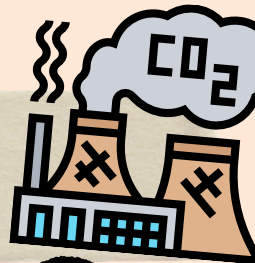
3 Transport



5 Diesel Generators



4 Industries



POLLUTION-WISE, DELHI HAS UNFAVOURABLE TOPOGRAPHY COUPLED WITH UNFAVOURABLE METEOROLOGY, ESPECIALLY DURING THE WINTER MONTHS.

IMPACT OF AIR POLLUTION



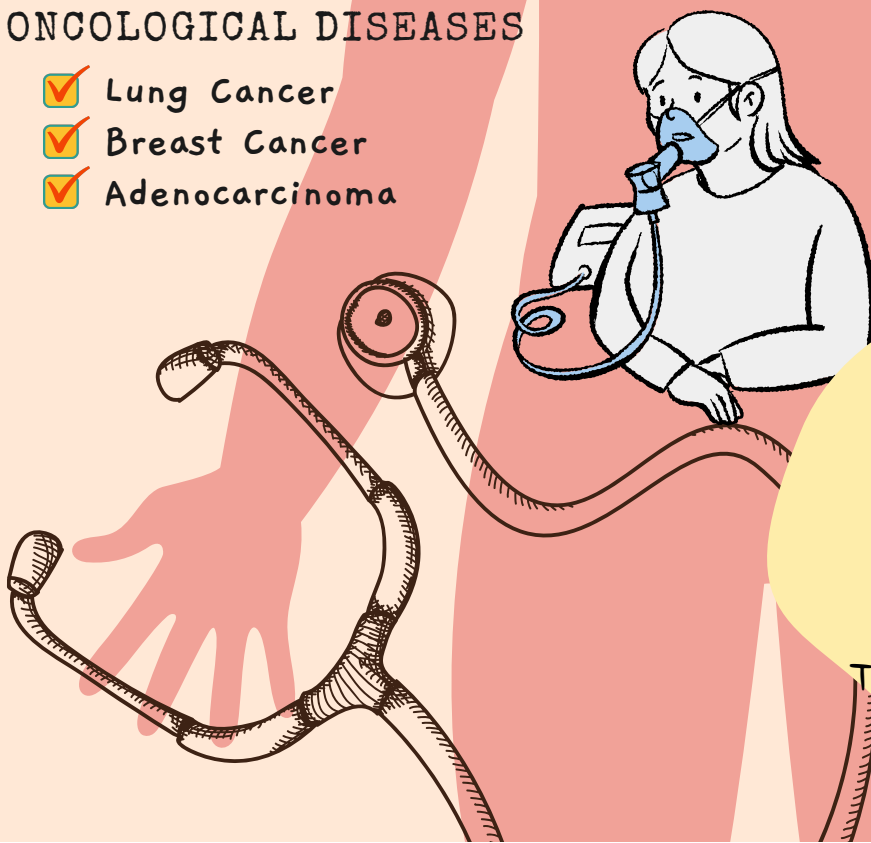
RESPIRATORY DISEASES

- ✓ Asthma
- ✓ Bronchitis
- ✓ COPD
- ✓ Viral Infections
- ✓ Cystic Fibrosis



ONCOLOGICAL DISEASES

- ✓ Lung Cancer
- ✓ Breast Cancer
- ✓ Adenocarcinoma



NEUROLOGICAL DISEASES

- ✓ Headache
- ✓ Anxiety
- ✓ Dementia
- ✓ ADHD
- ✓ Alzheimer's Disease



CARDIOVASCULAR DISEASES

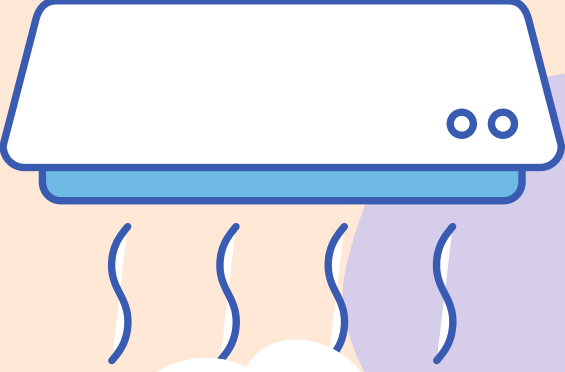
- ✓ Stroke
- ✓ Heart Failure
- ✓ Arrhythmia
- ✓ Myocardial Infraction


!!

THE IMPACT OF AIR POLLUTION IS NOT LIMITED ONLY TO HUMAN HEALTH BUT ALSO EXTENDS TO AGRICULTURE, PROPERTY, AND TO THE FLORA AND FAUNA POPULATION.


Measures to Help Mitigate Air Pollution



- 
- Consume less energy
 - Use lights, refrigerators, and air conditioners wisely or replace them with CFC-Free products

- 
- Implement afforestation
 - Avoid burning leaves, domestic wastes, and other materials
 - Practice segregation of wastes
 - Avoid smoking
 - Use chimney filters



- 
- Turn to public transport or e-vehicles
 - Walk or bicycle short distances
 - Keep your vehicles in good repair
 - Discard old vehicles
 - Avoid bursting crackers



AIR POLLUTION CONTROL LEGISLATIONS

1

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

The Act has as its primary aim to prevent, abate, and control air pollution in the country. It sets up Central and State Boards to carry out the entrusted functions to achieve this aim. The Boards are given the power to lay down regulations to ensure that air pollution is controlled in the country. The legislation also gives the Boards power to take action on the entities that fail to meet the air quality standards that are set.



2

THE ENVIRONMENT (PROTECTION) ACT, 1986

This Act came into force on 23rd May, 1986. This legislation was enacted pursuant to the decisions taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated. The Act relates to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property. It serves as an umbrella legislation.



3

THE OZONE DEPLETING SUBSTANCES (REGULATION AND CONTROL) RULES, 2000

This Enactment deals with the prohibition on investments with ozone-depleting substances, regulation of import, export and sale of products made with or containing ozone-depleting substances, along with monitoring and reporting requirements for the same with control of automobile emissions and specific vehicular emission standards.

4

MOTOR VEHICLES ACT, 1988 (AS AMENDED UP TO DATE)

This Act deals with control of automobile emissions and specifies vehicular emission standards.



AGENCIES TO CONTROL AIR POLLUTION AND THEIR ROLES



CENTRAL POLLUTION CONTROL BOARD

- To advise the Central Government on matters concerning the improvement of the quality of air and the prevention, control and abatement of air pollution.
- To plan and cause to be executed a nationwide programme for the prevention, control and abatement of air pollution.
- To provide technical assistance and guidance to the State Pollution Control Board.
- To carry out and sponsor investigations and research related to the prevention, control and abatement of air pollution.
- To collect, compile and publish technical and statistical data related to air pollution.
- To lay down annual standards for the quality of air.

STATE POLLUTION CONTROL BOARD

- To plan a comprehensive programme for prevention, control and abatement of air pollution and to secure the execution thereof.
- To advise the State Government on any matter concerning prevention, control and abatement of air pollution.
- To collect and disseminate information related to air pollution.
- To collaborate with Central Pollution Control Board in programmes related to prevention, control and abatement of air pollution; and
- To inspect air pollution control areas, assess the quality of air and take steps for prevention, control and abatement of air pollution in such areas.

DELHI POLLUTION CONTROL COMMITTEE

Delhi Pollution Control Committee is an autonomous regulatory body that came into existence on 01.06.1991 vide Notification dated 15.03.1991 of the Central Pollution Control Board, which delegated all its powers and functions to it. DPCC acts as a regulatory body in respect of NCT of Delhi for the implementation of various Environmental/Pollution Control laws.

COMMISSION FOR AIR QUALITY MANAGEMENT

The Commission for Air Quality Management is a statutory body formed under the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021. The Commission for Air Quality Management replaced the Environment Pollution (Prevention and Control) Authority (EPCA) which was appointed by the Supreme Court. The Commission has the power to take measures, issue directions, and entertain complaints for the purpose of protecting and improving the air quality in the National Capital Region. It shall coordinate action taken by States on air pollution, and lay down parameters for air quality and emission or discharge of environmental pollutants.



CASE LAW

COURT ON ITS OWN MOTION (AIR POLLUTION IN DELHI) V. UNION OF INDIA & OTHERS, 2016

The High Court of Delhi heard the issues of air pollution caused due to stubble burning/biomass burning. The mandate that all cabs be modified to run on compressed natural gas was also discussed. The burning of trash in sanitary landfills at Bhalaswa, Gazipur, and Okhla was the following concern that was brought up. The Court held that the Municipal Corporations of Delhi are responsible for the landfill sites and shall ensure that all fires in these landfill sites are extinguished immediately. Lastly, the problem of pollution caused by construction and road dust was also addressed. In this respect, the Court directed all the agencies to remove all the rubble and debris left on and alongside roads and all public areas.

VEHICULAR POLLUTION IN DELHI: WRIT PETITION, 1998

The Supreme Court urged the authorities concerned to take immediate action to address the acute problem of vehicular pollution in Delhi. This included the elimination of leaded petrol, replacement of old cars, taxis, and buses, construction of new Interstate Bus Terminus at entry points, along with strengthening the air quality regulations.

MURLI DEORA V. UNION OF INDIA & OTHERS, 2001

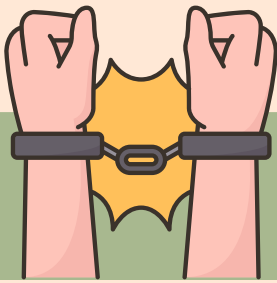
While prohibiting smoking in public places, the Supreme Court stated that the "fundamental right under Article 21 of the Constitution of India provides that no one shall be deprived of his life without due process of law. In any case, there is no reason to compel non-smokers to be the helpless victims of air pollution."

MC MEHTA V. UNION OF INDIA & OTHERS, 2018

The Supreme Court ordered that more than 10-year-old diesel vehicles and 15-year-old petrol vehicles shall not ply in the NCR. The Court also ordered that the vehicles violating the Orders shall be impounded.

ARJUN GOPAL V. UNION OF INDIA, 2016

The Supreme Court gave consideration to the critical levels of air pollution in the region of NCR and issued directions regarding the sale and use of firecrackers, also suspending the licenses to sell fireworks in the NCR.



PENALTIES



CRIME	LAW	PENALTY
Causing air pollution beyond air quality limits	The Air (Prevention and Control of Pollution) Act, 1981 bans industries from releasing any air pollutants more than the limits the State Pollution Control Board has laid down.	<ul style="list-style-type: none">• Notify the State Pollution Control Board immediately• Pay for any corrective measures• Reduce the impact of such harmful emissions• Imprisonment not less than 1 year and 6 months but which may extend to 6 years and fine upto ₹ 5,000/- for everyday the contravention continues.
An industrial plant is set up or operated without proper permission	The Air (Prevention and Control of Pollution) Act, 1981 prohibits an industrial plant to set up/operate without permission from State Pollution Control Board, or exceed allowed emission limits, or without proper pollution control equipment.	<ul style="list-style-type: none">• Imprisonment of 1 year and 6 months to 6 years + fine• If the violation continues, then added fine of ₹5,000 for each day• If failure continues for more than 1 year, then the imprisonment of 2 to 7 years + fine
Use of vehicle in an unsafe condition	The Motor Vehicles Act, 1988 states that if a vehicle driven in a public place violates the standards regarding air pollution, it is a punishable offence.	<ul style="list-style-type: none">• ₹1,000 for first offence• ₹2,000 for second offence
Violation of PUC Certificate requirement	The Motor Vehicles Act, 1988 states that a person using a motor vehicle will be fined if they are not carrying a valid Pollution Under Control certificate issued by the Transport Department.	<ul style="list-style-type: none">• Fine of ₹10,000 + punishment up to 3 months
Environmental pollution: Pollution of air	Violation of any provision of the Environmental Protection Act, 1986, i.e. pollution of air or any harm to the environment is a crime.	<ul style="list-style-type: none">• Imprisonment up to 5 years, along with a fine that may extend to ₹1,00,000• Continued failure to comply will lead to an additional fine of ₹5,000 for each day
Releasing harmful pollutants into the environment	The Indian Penal Code states that releasing harmful pollutants into the environment forms part of the offence of public nuisance, i.e. smoking in public is considered a crime of public nuisance.	<ul style="list-style-type: none">• Fine of ₹200



**SEE A VEHICLE POLLUTING?
FILE A COMPLAINT WITH THE
TRANSPORT DEPARTMENT**

**SEE GARBAGE BURNING? LOCATE
YOUR URBAN LOCAL BODY AND
FILE A COMPLAINT**



FAQ



HOW AND WHERE TO COMPLAIN



DID YOU KNOW? IF A VEHICLE DOES NOT HAVE A VALID 'POLLUTION UNDER CONTROL' CERTIFICATE, IT IS LIABLE FOR A ₹10,000 FINE!



SMOKING IN PUBLIC PLACES IS PROHIBITED BY LAW. IT IS LIABLE FOR A ₹200 FINE!



SEE ANYONE OPEN BURNING LEAVES OR GARBAGE? THE MUNICIPALITY CONCERNED CAN IMPOSE A FINE UPTO ₹5,000!

OTHER !! PUNISHABLE OFFENCES

ROAD DUST

NON-COMPLIANCE OF CONSTRUCTION NORMS

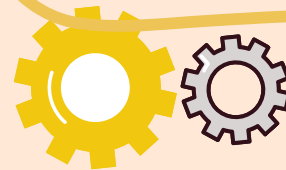
& WRONGFUL TRANSPORTATION OF CONSTRUCTION NORMS

FIRE IN LANDFILL

INDUSTRY EMISSION

CONSTRUCTION DEBRIS

DIESEL GENERATOR EMISSION



BUT WHERE TO COMPLAIN



1. LODGE AN ONLINE COMPLAINT AT:



SAMEER APP

BY CENTRAL POLLUTION
CONTROL BOARD

Lodge Complaint

DOWNLOAD APP
FROM GOOGLE PLAY
STORE OR APP STORE

TO VERIFY
LODGED COMPLAINT,
GO TO 'TRACK
COMPLAINTS'.
ENTER YOUR
COMPLAINT
ID TO TRACK
AND CHECK
ACTION
TAKEN.



INSTALL APP ON MOBILE,
LOGIN AND ENTER YOUR
NAME, MOBILE NO. AND
EMAIL TO REGISTER

+ Add new complaint

TO POST A COMPLAINT, SELECT 'PUBLIC
COMPLAINT'. UPON IDENTIFYING INCIDENCE,
SYSTEM WILL AUTOMATICALLY PICKUP
LOCATION. YOU SHOULD SELECT CATEGORY
OF COMPLAINT & TAKE PHOTOS. ADD YOUR
NAME, PHONE NUMBER AND EMAIL.
PRESS 'LODGE COMPLAINT.'

2. YOU CAN LODGE YOUR COMPLAINT ON THE FOLLOWING SOCIAL MEDIA:



@CPCB_OFFICIAL
@DPCC_POLLUTION



@CPCBINDIA
@DPCCCR



EMAIL: AIRCOMPLAINTS.CPCB@NIC.IN
WWW.DPCC.DELHIGOVT.NIC.IN

ENTER THE
FOLLOWING
DETAILS:

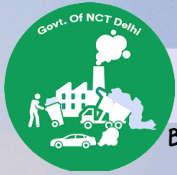
1. NAME
2. EMAIL
3. PHONE NO.
4. TYPE OF AIR
POLLUTION
5. DESCRIPTION
OF VIOLATION
6. PICTURE OF
THE VIOLATION

3. CITIZENS IN DELHI NCR
CAN ALSO LODGE A COMPLAINT
AT CPCB WEBSITE BY CLICKING
ON THE FOLLOWING LINK:

[HTTP://CPCB.NIC.IN/QUERY-FORM1.PHP](http://CPCB.NIC.IN/QUERY-FORM1.PHP)

4. OR LODGE AN ONLINE COMPLAINT AT:

14



GREEN DELHI APP

BY DELHI POLLUTION CONTROL COMMITTEE

LOGIN WITH
PHONE NO.

ENTER OTP
AND REGISTER



CLICK ON **Register Complaint**, UPLOAD A PHOTO/VIDEO/AUDIO ON THE APP OR AT SITE, SELECT OFFENSE FROM THE DROP DOWN LIST, THEN SELECT THE RELEVANT DEPARTMENT, ADD YOUR ADDRESS AND DISTRICT.

Send

LODGE THE
COMPLAINT

Select Offense

Select Offense

SWACCH DELHI APP

BY PUBLIC WORKS DEPARTMENT, DELHI



OPEN THE APP,
CLICK ON 'SUBMIT
COMPLAINT'

COMPLAINT
LODGED!

Submit Complaint

UPLOAD PICTURE OF
THE VIOLATION

CLICK ON SUBMIT COMPLAINT, UPLOAD AN IMAGE ON THE APP, SELECT YOUR LOCATION, FILL IN YOUR PERSONAL DETAILS SUCH AS MOBILE NUMBER, EMAIL, NAME, AND PERSONAL ADDRESS. CLICK ON THE SUBMIT COMPLAINT BUTTON! YOU CAN ALSO CHECK THE STATUS OF YOUR COMPLAINT ON THE APP FOR FURTHER UPDATES ON ACTION UNDERTAKEN.



COMPLAINT@PWDELHI.COM



1800110093, 8130188222



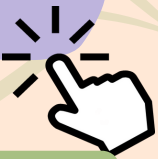
5. FILE A COMPLAINT BEFORE A JUDICIAL MAGISTRATE CONCERNED FOR THE OFFENSE OF VOLUNTARILY SPOILING THE ATMOSPHERE WHICH MAY AFFECT PUBLIC HEALTH UNDER SECTION 278 OF THE INDIAN PENAL CODE, 1860.



6. CALL ON GRIEVANCE REDRESSAL NUMBERS:

CPCB: +91-11-22391025
DPCC: 9717593501,
011-23869378

7. ONE CAN ALSO LODGE A COMPLAINT ON THE NATIONAL GREEN TRIBUNAL WEBSITE



Graded Response Action Plan Measures for NCR by Commission for Air Quality Management

Category	Air Quality Index	Measures
Stage I - 'Poor'	201 - 300	<ul style="list-style-type: none"> • Stop Construction and Demolition (C&D) activities, ensure implementation of guidelines on dust mitigation & management of C&D wastes • Ensure regular lifting of Municipal Solid Waste, C&D Waste, Hazardous Waste & Industrial Waste; all wastes to be properly contained, stored, disposed of & recycled • No open dumping or burning of biomass & wastes • Periodic mechanic sweeping & water sprinkling on roads • Using anti-smog guns at construction sites • Strict enforcement of PUC norms, no tolerance for visible emissions • Diversion of non-destined truck traffic • Strict action against non-compliant & illegal industries, only approved fuel to be used • Enforce air pollution regulations on brick kilns & industries, enforce emission norms on thermal power plants • Fly ash ponds to be watered every alternate day during summers • Ban on firecrackers

Category	Air Quality Index	Measures
		<ul style="list-style-type: none"> • DISCOMs to minimise power supply interruptions in NCR, ensure diesel generators are not used as a source of power supply • Information dissemination through social media, and ensure quick actions for redressal of complaints
Stage II - 'Very Poor'	301 - 400	<ul style="list-style-type: none"> • Mechanical/vacuum-based sweeping of roads daily & water sprinkling of roads every alternate day • Regular inspection of C&D sites & enforcement of dust control measures • Coal & firewood are not allowed; ensure hotels, restaurants & eateries use only electricity or clean fuel gas-based appliances • Ensure uninterrupted power supply to discourage use of generator • Stop use of diesel generators except for essential services • Synchronise traffic movement • Information dissemination through newspapers & social media • Discourage private transport • Augment CNG/electric bus & metro services • RWAs to provide electric heaters to security staff during winters to avoid open bio-mass and MSW burning
Stage III - 'Severe'	401 - 450	<ul style="list-style-type: none"> • Intensify frequency of mechanised/vacuum-based sweeping & daily water sprinkling with use of dust suppressants of roads • Intensify transport services • Strict ban on C&D activities • Enforce strict ban on industries with PNG infrastructure & supply or regulate operations of industries without PNG infrastructure of supply not running on approved fuels • Shut down brick kilns, hot mix plants not operating on approved fuels • Close down operations of stone crushers & mining • State Government may enforce restrictions on BS III petrol & BS IV diesel LMV's (4 wheelers)
Stage IV - 'Severe +'	AQI > 450	<ul style="list-style-type: none"> • Stop entry of truck traffic into Delhi except essential commodities • Ban on plying of Delhi registered diesel operated Light Motor Vehicles (except BS VI), Medium & Heavy Goods Vehicles except vehicles used for essentials • Close down all industries not running on approved fuels • Ban C&D activities • Central Government to decide whether to permit work from home for Central Government offices • State Government to decide whether to allow public, municipal & private offices to work on 50% strength • State Government also to consider additional emergency measures like closure of schools/colleges, closure of non-commercial activities, plying of vehicles on odd-even basis, etc.



**QUENCHING THE
THIRST FOR
CLEAN WATER:
LEGAL REGIME
IN PRACTICE**

SOURCES OF WATER POLLUTION

1 Lack of Dilution



2 Domestic Waste and Sewage



3

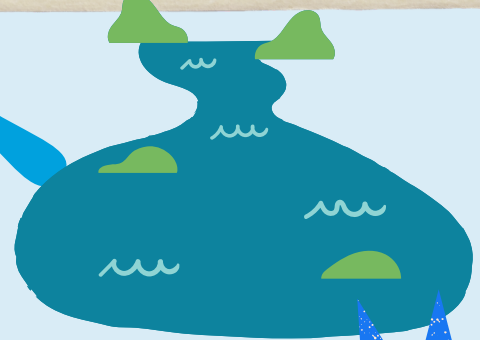
Agriculture
Runoff: Fertilizers
& pesticides



6 Industrial Effluents and Dumping



4 Encroachment of Flood Plains



5 Sand Mining



IMPACT OF WATER POLLUTION

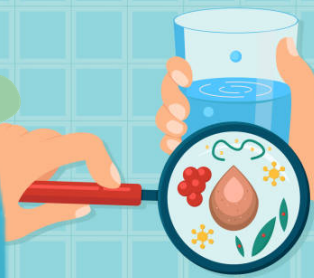
BACTERIAL DISEASES

- ✓ Cholera
- ✓ Diarrhoea
- ✓ Typhoid
- ✓ Giardiasis (Small Intestine)



EUTROPHICATION

- ✓ Blue-Green Algae
- ✓ Depletion of Dissolved Oxygen in Water
- ✓ Increase in Water Toxicity



VIRAL DISEASES

- ✓ Hepatitis
- ✓ Encephalitis
- ✓ Polio

CHANGES IN THE ECOSYSTEM

- ✓ Damage to the Aquatic Life
- ✓ Contamination of Groundwater



COMPOSITE WATER MANAGEMENT INDEX (CWMI) REPORT 2018 OF NITI AAYOG STATED THAT ABOUT TWO LAKH PEOPLE DIE EVERY YEAR DUE TO INADEQUATE ACCESS TO SAFE WATER. IN THE SAME REPORT OF NITI AAYOG IT IS ESTIMATED THAT ABOUT 600 MILLION PEOPLE MAY FACE WATER STRESS THUS CONSTITUTING ABOUT 40% OF INDIA'S PROJECTED POPULATION BY 2030.

SOURCE: MINISTER OF STATE FOR JAL SHAKTI, SHRI PRAHLAD SINGH PATEL IN LOK SABHA ON 21ST MARCH 2022

Measures To Help You Prevent Water Pollution at an Individual Level



Avoid dumping waste in the drainage system and open areas. Try de-clogging the drain on a regular basis.



Sweep fertilizers and pesticides back onto the grass if it gets onto paved areas. Don't put fertilizer on the grass right before it rains. The chemicals will wash into storm drains and waterways.

Don't pour your used motor oil down the storm drain. Take it to the nearest auto parts store.



TIME SERIES WATER QUALITY DATA OF 521 RIVERS FOR THE YEAR 2016 AND 2017 WAS ANALYSED. BASED ON THE ASSESSMENT OF WATER QUALITY DATA, IN 2018, 351 POLLUTED RIVER STRETCHES ON 323 RIVERS WERE IDENTIFIED IN 28 STATES AND 03 UTS. THE WATER QUALITY PARAMETER BIOCHEMICAL OXYGEN DEMAND (BOD) WHICH IS THE INDICATOR OF ORGANIC POLLUTION WAS CONSIDERED FOR IDENTIFICATION OF POLLUTED RIVER STRETCHES. AS PER CPOB, ZERO LIQUID DISCHARGE CONCEPTS WERE TO BE APPLIED WHEREVER POSSIBLE TO CONSERVE THE WATER AND PROTECT THE ENVIRONMENT.

SOURCE: CPOB ANNUAL REPORT 2018-2019

WATER POLLUTION CONTROL LEGISLATIONS

1

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

The Water (Prevention and Control of Pollution) Act was enacted in 1974 to provide for the prevention and control of water pollution, and for maintaining or restoring wholesomeness of water in the country. This Act lays down provisions for the establishment of Central and State Boards for pollution control. The Act prohibits the disposal of any poisonous, noxious or polluting matter to the flow of water in a stream.

2

THE ENVIRONMENT (PROTECTION) ACT, 1986

This Act came into force on 23rd May 1986. This legislation was enacted pursuant to the decisions taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated. The Act relates to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property. It serves as an umbrella legislation.

3

THE INDIAN PENAL CODE, 1860

The Code provides for the punishment to be given to the person who commits an offence of fouling of a public reservoir or a public spring voluntarily, who shall be liable to be punished with imprisonment of 3 months or with a fine of ₹500, or with both.



AGENCIES TO CONTROL WATER POLLUTION AND THEIR ROLES



CENTRAL POLLUTION CONTROL BOARD

- To advise the Central Government on matters concerning the improvement of the quality of the water and the prevention, control and abatement of Water Pollution.
- To provide technical assistance and guidance to the State Pollution Control Board.
- To carry out and sponsor investigations and research related to prevention, control and abatement of Water Pollution.
- To collect, compile and publish technical and statistical data related to Water Pollution.
- To lay down annual standards for the quality of water.

STATE POLLUTION CONTROL BOARD

- To collect and disseminate information related to Water Pollution.
- To collaborate with Central Pollution Control Board in programmes related to prevention, control and abatement of Water Pollution; and
- To inspect water pollution control areas, assess the quality of water and take steps for prevention, control and abatement of Water Pollution in such areas.

DELHI JAL BOARD

- It is responsible for the treatment and disposal of sewage in the State of Delhi.
- It regularly takes samples and tests the drinking water and open water bodies to determine the pollutants level.
- It has an effective grievance redressal system which can provide compensation and collect fines from the offenders/violators.



Delhi Jal Board

DELHI POLLUTION CONTROL COMMITTEE

DPCC is an autonomous regulatory body that came into existence on 01.06.1991 vide Notification dated 15.03.1991 of the Central Pollution Control Board, which delegated all its powers and functions to it. DPCC acts as a regulatory body in respect of NCT of Delhi for the implementation of various Environmental/Pollution Control laws.





CASE LAW



VELLORE CITIZENS WELFARE FORUM UOI & ORS. (VELLORE RIVER PALAR CASE, 1996)

The Supreme Court critically analysed the relationship between the environment and industrial development. The "Polluter Pays" principle as interpreted by the Apex Court in this case means that the absolute liability for harm to the environment extends not only to compensate the victims of pollution but also to the cost of restoring the environmental degradation. Remediation of the damaged environment is part of the process of "Sustainable Development" and as such polluter is liable to pay the cost to the individual sufferers as well as the cost of reversing the damaged ecology.

VINODKUMAR RAMESHCHAND GUPTA & ANR V. UOI & ORS (IMMERSION OF IDOLS CASE, 2021)

High Court of Bombay prohibited such idol making with Plaster of Paris and harmful affluent which have to be immersed in water bodies after worshiping.

SUBHASH KUMAR V. STATE OF BIHAR & ORS. (TISCO & RIVER BOKARO POLLUTION CASE, 1991)

The Supreme Court had held that under Article 21 of the Constitution, the right to the enjoyment of pollution-free water and air for full enjoyment of life is also essential under the Right to Life. If anything endangers or impairs that quality of life in derogation of laws, a citizen has the right to have recourse to Article 32 of the Constitution of India for removing the pollution of water or air which may be detrimental to their quality of life.

MANOJ MISHRA V. DELHI DEVELOPMENT AUTHORITY (ART OF LIVING EVENT, YAMUNA FLOOD PLAIN CASE, 2016)

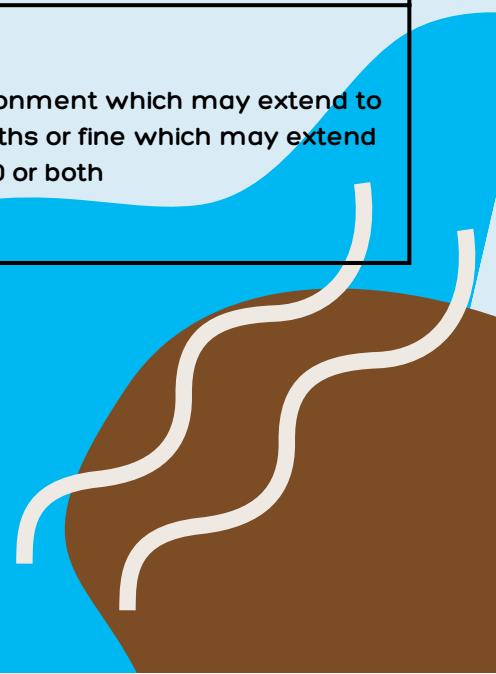
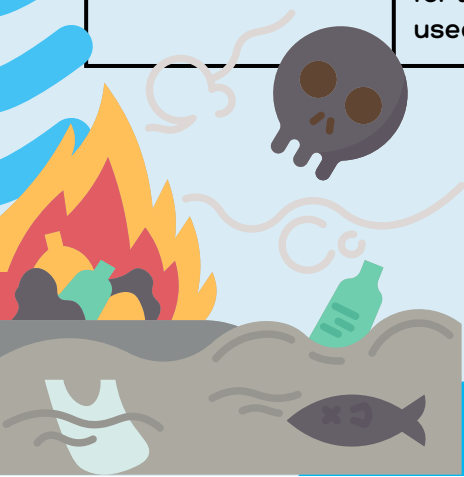
The National Green Tribunal held that nobody can be spared from the Doctrine of Absolute Liability. The consequences of the event conducted on the flood plains of river Yamuna would include cost of restoration/restitution. The onus lies upon the perpetrators to satisfy that they took all the precautions that were required to be taken prior, at the time and subsequent to the event, and in fact, there was neither any damage or degradation to the river or the flood plain, nor was there any pollution after the event.



PENALTIES



CRIME	LAW	PENALTY
Discharging poisonous, noxious or polluting matter into stream or well or sewer or on land	The Water (Prevention & Control of Pollution) Act, 1974 prohibits any person who knowingly discharges any harmful toxic substance or any other matter in the water stream, well, sewer or land beyond the prescribed limit of the respective State Water Pollution Control Body which may pollute the water bodies and/or harm the natural ecosystem.	<ul style="list-style-type: none"> • Imprisonment for a minimum of 1 year and 6 months which may extend to 6 years • Appropriate fine as prescribed by the respective State Water Pollution Control Body • Imprisonment of 2-7 years and fine in case of a second offence
Constructing something without the permission of the concerned authority which is likely to discharge pollutants in the water bodies	According to the aforementioned Act, one should seek permission from the respective State Water Pollution Control Body before establishing any industry, operation or process where such establishment is likely to discharge sewage or trade effluent into a stream, well, sewer or on land.	<ul style="list-style-type: none"> • Imprisonment for a minimum of 1 year and 6 months which may extend to 6 years • Appropriate fine as prescribed by the respective State Water Pollution Control Body • Imprisonment of 2-7 years and fine in case of a second offence
Interfering and/or altering the measurement devices which are setup and used for collecting data from water bodies	According to the aforementioned Act, no person should knowingly or wilfully alter or interfere with such measuring devices which collect data from water bodies so as to prevent them from monitoring or measuring the quality and oxygen level of that water body.	<ul style="list-style-type: none"> • Imprisonment which may extend to 3 months or fine which may extend to ₹10,000 or both.
Polluting water of public spring or reservoir	According to the Indian Penal Code, 1860, no person should voluntarily corrupt or foul the water of any public spring or reservoir, which makes it unfit for the purpose for which it is ordinarily used.	<ul style="list-style-type: none"> • Imprisonment which may extend to 3 months or fine which may extend to ₹500 or both



HOW AND WHERE TO COMPLAIN

1. YOU CAN LODGE YOUR COMPLAINT ON
THE FOLLOWING SOCIAL MEDIA:



@CPCB_OFFICIAL
@DPCC_POLLUTION



@CPCBINDIA
@DPCCCR



WWW.CPCB.NIC.IN
WWW.DPCC.DELHIGOV.T.NIC.I
N

2. CITIZENS IN DELHI NCR CAN ALSO
MAKE QUERIES ABOUT WATER
POLLUTION AT CPCB WEBSITE BY
CLICKING ON THE FOLLOWING LINK:

[HTTP://CPCB.NIC.IN/QUERY-FORM.PHP](http://CPCB.NIC.IN/QUERY-FORM.PHP)

3. GRIEVANCE REDRESSAL NUMBER:

CPCB: +91-11-22391025, 011-22304812
DPCC: 9717593501 / 011-23869378
DJB: 1916 (TOLL FREE)

4. WANT TO TAKE ACTION AGAINST
SOMEONE POLLUTING THE PUBLIC
WATER BODY? FILE FIR AT POLICE
STATION UNDER SECTION 277 OF THE
INDIAN PENAL CODE, 1860.



WHAT TO COMPLAIN ABOUT & HOW

TDS (TOTAL DISSOLVED SOLVENTS)

When routed through metallic pipes, fresh water picks up solids which then dissolve into the water. Similarly groundwater passes through several strata of soil and can dissolve the minerals along the way. These dissolved solids in water are collectively referred to as TDS and is expressed in parts per million (ppm).

THE BUREAU OF INDIAN STANDARDS (BIS) FIXES THE UPPER LIMIT OF TDS IN DRINKING WATER AT 500 PPM.

FECAL COLIFORM BACTERIA IN WATER

The presence of this bacteria in aquatic environments indicates that the water has been contaminated with the fecal material of humans or other animals. The source water may have been contaminated by pathogens or disease-producing bacteria or viruses which can also exist in fecal material.

HOW
TO
MEASURE
?



[HTTP://DELHIJALBOARD.NIC.IN/CONTENT/CONTACT-US-3](http://delhijalboard.nic.in/content/contact-us-3)



FOR WATER PROBLEMS, SEWER PROBLEMS
AND ILLEGAL BORING RELATED
COMPLAINTS,

CONTACT: 1916 / 1800117118 (Toll Free)
Also mail to grievances: djb@delhi.gov.in.
Complaints can also be registered through
DJB WhatsApp No: 9650291021



[HTTP://DELHIJALBOARD.NIC.IN/CONTENT/IMPORTANT-PHONE-NUMBERS-COMPLAINTS-REDRESSAL](http://delhijalboard.nic.in/content/important-phone-numbers-complaints-redressal)

TDS METERS ARE
EASILY AVAILABLE TODAY FOR
LESS THAN A THOUSAND
RUPEES AND TO START WITH
ONE CAN MEASURE THE TDS
OF BOTH THE GROUND WATER
AS WELL AS THE WATER
SUPPLIED BY CORPORATION/
MUNICIPALITY.

FOLLOWING IS THE TENTATIVE TIMELINE FOR
RESOLUTION OF COMPLAINTS.

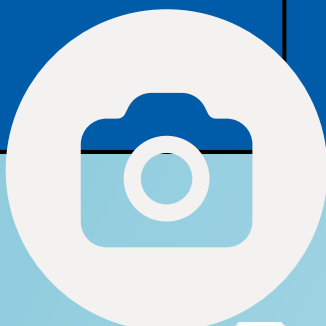
Nature of Complaint	Time Required to Resolve
Dirty Water (Contamination)	24 Hour(s)
Illegal Boring	24 Hour(s)
Sewer Blockage	24 Hour(s)
Sewer Overflow	24 Hour(s)

WHAT TO COMPLAIN ABOUT & HOW



DELHI JAL BOARD ENFORCEMENT DRIVE ON NGT DIRECTIONS*

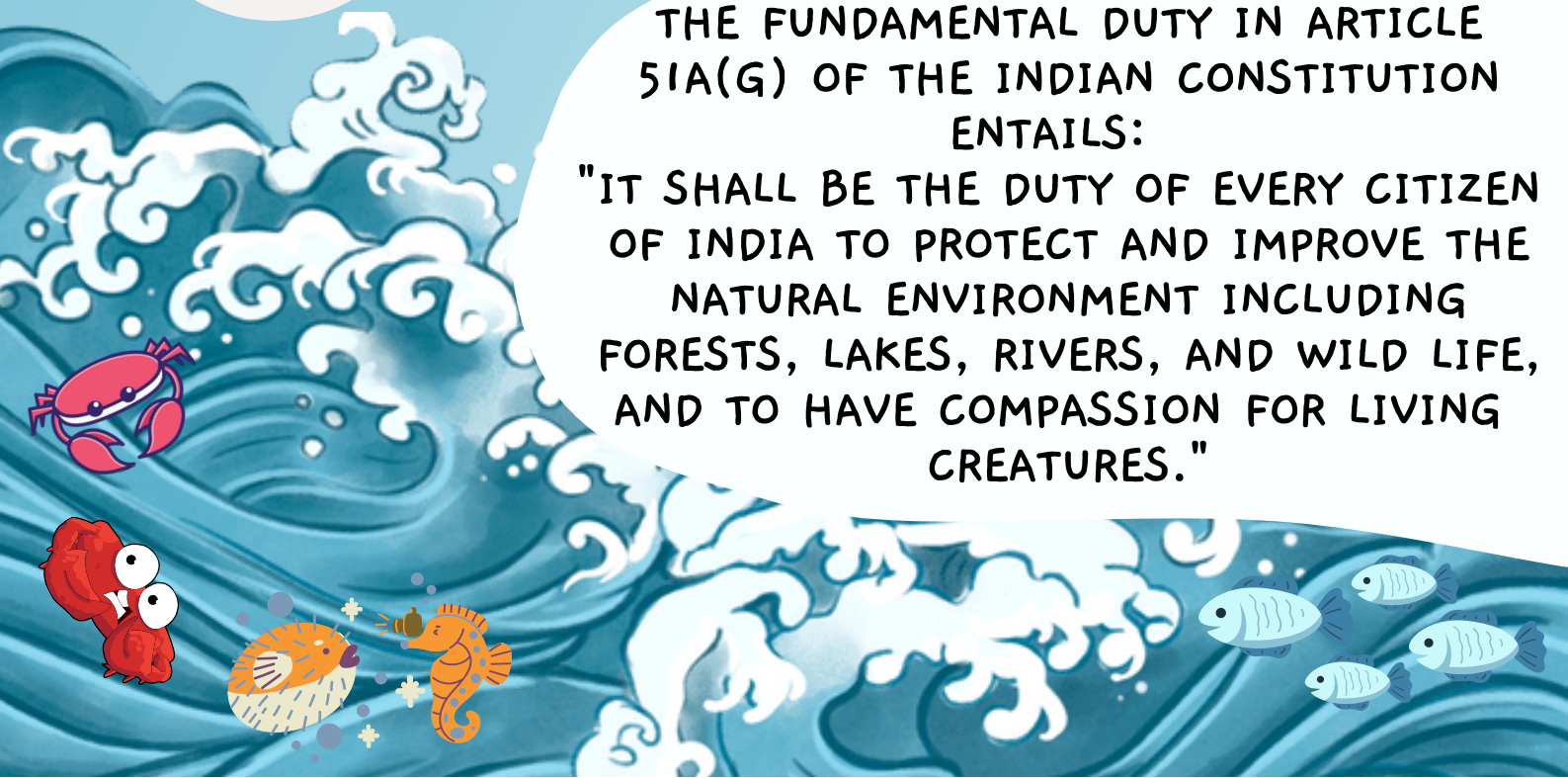
PENALTY	₹2,000 (FIRST OFFENCE)	₹5,000 (SECOND OFFENCE)
OFFENCES TO BE COVERED?	OVER-FLOWING TANKS	MISUSE OF POTABLE WATER FOR WASHING VEHICLES, PORCH, FLOORS OR HOUSE EXTERIOR
WHAT YOU CAN DO?	TAKE PICTURES AND TAG @DELHIJALBOARD OR DIAL 1916	<ul style="list-style-type: none"> • USE VALVES OR TANK OVERFLOW ALARMS • FIX LEAKS IN PIPES, TAPS AND TOILETS • USE RO REJECT OR WASHING MACHINE WATER FOR CLEANING FLOORS



*Orders on misuse of potable water by Delhi Jal Board in July 2020

THE FUNDAMENTAL DUTY IN ARTICLE 51A(G) OF THE INDIAN CONSTITUTION ENTAILS:

"IT SHALL BE THE DUTY OF EVERY CITIZEN OF INDIA TO PROTECT AND IMPROVE THE NATURAL ENVIRONMENT INCLUDING FORESTS, LAKES, RIVERS, AND WILD LIFE, AND TO HAVE COMPASSION FOR LIVING CREATURES."





**DEAFENING NOISE,
DROWNING VOICES:
IMPACT OF NOISE
POLLUTION ON
HUMAN RIGHTS**



SOURCES OF NOISE POLLUTION



1

Urban Activities

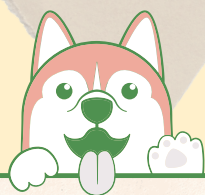


2

Road, Air & Rail Transport;
Industrial Noise

7

Neighbourhood
& Recreational
Noise



6

Fire Crackers,
Honking, Barking
of Stray Animals

3

Increased
Population
Density



4

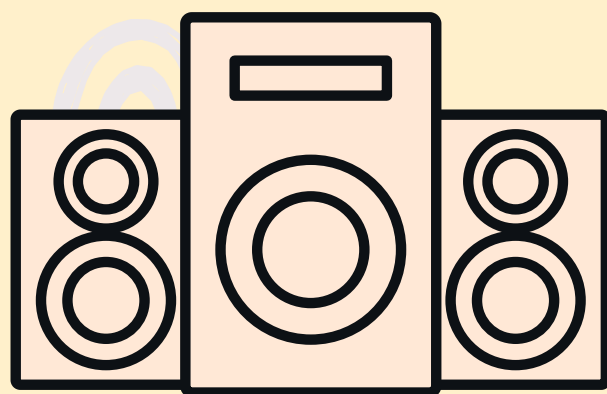
Loudspeakers

5

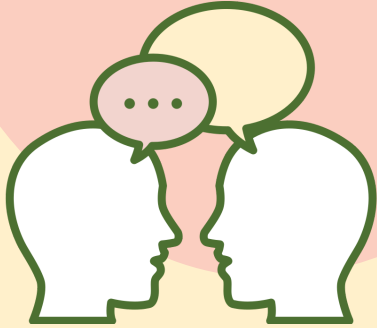
Religious
Congregation



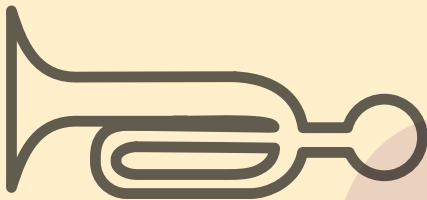
Source	Noise Level dB(A)	Source	Noise Level db(A)
Air Compressors	95-104	Quiet Garden	30
110 KVA Diesel Generator	95	Ticking Clock	30
Lathe Machine	87	Computer Rooms	55-60
Milling Machine	112	Type Institute	60
Oxy-acetylene Cutting	96	Printing Press	80
Pulversier	92	Sports Car	80-95
Riveting	95	Trains	96
Power Operated Portable Saw	108	Trucks	90-100
Steam Turbine (12,500 kW)	91	Car Horns	90-105
Pneumatic Chiseling	118	Jet Takeoff	120



IMPACT OF NOISE POLLUTION



- ✓ Communication Difficulties



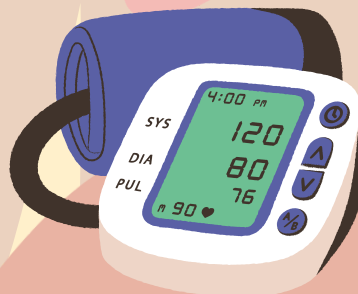
- ✓ Hearing Problem
- ✓ Stress



- ✓ Loss of Sleep



- ✓ Fatigue



LOSS OF PSYCHOLOGICAL WELL-BEING

- ✓ Breathing Amplitude
- ✓ Blood Pressure
- ✓ Elevated Heart Rate
- ✓ Pulse Rate
- ✓ Blood Cholesterol



- ✓ Productivity Loss Due to Poor Concentration



- ✓ Lowered Property Values
- ✓ Buildings Damaged by Exposure to Infrasonic and Ultrasonic Waves



- ✓ Healthcare Costs



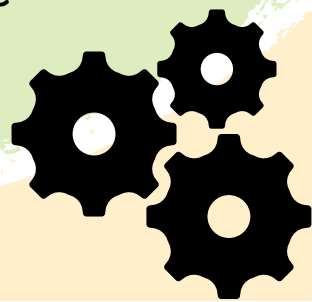
- ✓ Nervous Breakdown

Mitigating Factors

- Checking Noise pollution at source, in transmission or at reception point.
- Improved insulation/soundproofing is used to block noise
- Follow the decibel limits of the noise level
- Natural soundproofing by going green and planting trees
- A sound source may be enclosed within a paneled structure such as a room as a means of reducing the noise levels
- Installation of barriers between the noise source and the receiver can attenuate the noise levels

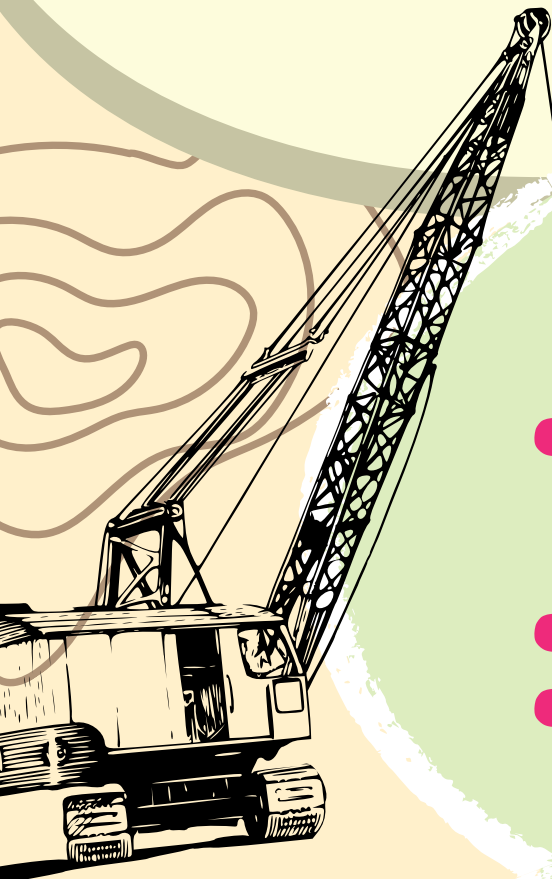
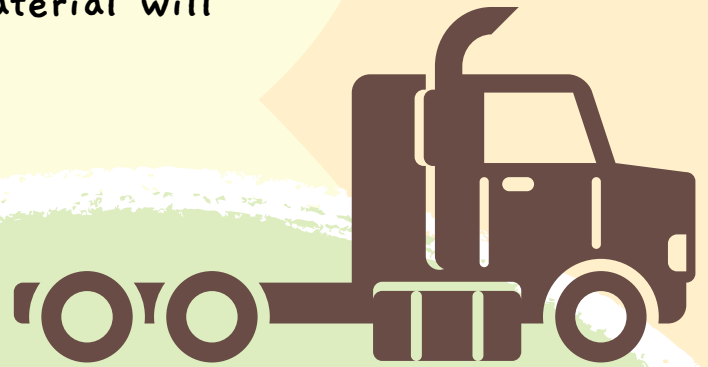


- Invest in noise-cancelling headphones, essentially important for industrial and construction workers
- Install a Fence - Noise can be reduced by creating a barrier that absorbs the strong sound waves, mainly used at airports
- Control in the transmission path can increase the length of travel of the wave which gets absorbed/refracted/radiated in the surrounding environment





- Use proper and frequent lubrication for better maintenance of machinery
- Equipment like sound level meters, impulse meters, frequency analysers, graphic recorders, noise dosimeters, and calibrators that are used in the measurement of noise levels should be installed
- The design of the building incorporating the use of suitable noise-absorbing material will reduce the noise levels



The techniques employed for noise control can be broadly classified as:

- Control at source - Reducing the noise levels from domestic sectors like washing machines, tape recorders, televisions, etc.
- Control in the transmission path
- Using protective equipment

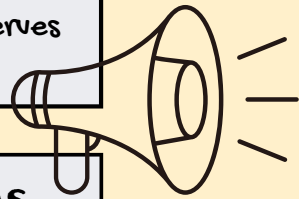


NOISE POLLUTION CONTROL LEGISLATIONS

1

ENVIRONMENTAL (PROTECTION) ACT, 1986 (AS AMENDED IN 1991)

This Act came into force on 23rd May 1986. This legislation was enacted pursuant to the decisions taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated. The Act relates to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property. It serves as an umbrella legislation.



2

AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 (AS AMENDED IN 1987)

Under Section 2(a) of the Air (Prevention and Control of Pollution) Act, 1981, "Noise" is defined as an air pollutant. The Act makes the Central Pollution Control Board and the State Pollution Control Board the monitoring agency.

3

PROTECTION OF ENVIRONMENT OPERATIONS (NOISE CONTROL) REGULATIONS, 2017 READ WITH THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000

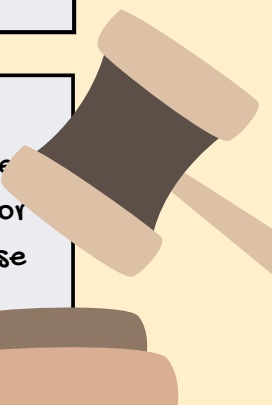
The objective of these rules is to regulate and control noise-producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise. The Noise Standards for firecrackers were amended by the Environment (Protection) Second Amendment Rules, 2006, dated the 16th October 2006, under the Environment (Protection) Act, 1986.

1. The manufacture, sale, or use of fire-crackers generating noise levels exceeding 125 dB(A) or 145 dB(C)pk at 4 meters distance from the point of bursting was prohibited.
2. For individual fire-cracker constituting the series (joined firecrackers), the abovementioned limit be reduced by $5 \log_{10}(N)$ dB, where N = Number of crackers joined together.

4

MOTOR VEHICLES ACT, 1988

This Act deals with the control of automobile emissions and specific vehicular emission standards. As per Section 190(2) of the amended Motor Vehicle Act which came into effect in October, 2021, causing air and noise pollution can now attract penalties and punishments.



AGENCIES TO CONTROL NOISE POLLUTION AND THEIR ROLES



DELHI POLLUTION CONTROL COMMITTEE

DPCC has been asked by the Justice (retd.) S. P. Garg Committee formed by the NGT to prepare guidelines to prevent noise pollution at construction and demolition sites



DELHI POLICE

Implementing agency of ambient air and noise standards in the region of Delhi NCR.



BUREAU OF INDIAN STANDARDS

It has published several code books for sampling and analysis of noise pollution and guidelines for control of noise pollution from domestic and industrial sources.



The Board's functions are:

- To advise the Central Government on any matter concerning the prevention, control and abatement of noise pollution.
- To plan and cause to be executed a nationwide programme for the prevention, control, and abatement of noise pollution.
- To provide technical assistance and guidance to the State Pollution Control Board.
- To carry out and sponsor investigations and research related to prevention, control and abatement of noise pollution.
- To collect, compile, and publish technical and statistical data related to noise pollution; and
- To lay down and annul standards for the quality of noise.
- Real-time monitoring of noise at 70 stations across 7 cities.

STATE POLLUTION CONTROL BOARD

The Board's functions are:

- To plan a comprehensive programme for prevention, control, and abatement of noise pollution and to secure the execution thereof;
- To advise the State Government on any matter concerning prevention, control, and abatement of noise pollution.
- To collect and disseminate information related to noise pollution.
- To collaborate with Central Pollution Control Board in programme related to prevention, control, and abatement of noise pollution; and
- To inspect noise pollution control areas, assess quality of noise and take steps for prevention, control and abatement of noise pollution in such areas.

CASE LAW

FORUM, PREVENTION OF ENVIRONMENT & SOUND POLLUTION V. UOI & ANR, 2005

While dealing with the use of loudspeakers, the Supreme Court observed that a limited power of exemption from the operation of the Noise Rules granted by the Central Government in the exercise of its statutory power cannot be held to be unreasonable. The power to grant exemption is conferred on the State Government. It cannot be further delegated. The State Government would exercise the power with due care and caution and in the public interest. However, the scope of the exemption cannot be widened either by increasing the number of days or by increasing the duration beyond two hours.

TARUNMOY MODAK V. STATE OF WEST BENGAL, 2022

The Calcutta High Court directed that sound levels must be within the permissible range. Loudspeakers, microphones, and loud music shall not be allowed between 10:00 p.m. to 6 a.m. A vigil shall be maintained in the locality to prevent noise pollution in general.

HARDEEP SINGH & ORS V. SDMC & ORS. WITH AKHAND BHARAT MORCHA VS. UOI. IN COMPLIANCE OF ORDER DATED 15.11.2019

Report on the scale of compensation to be recovered for violation of Noise Pollution (Regulation and Control) Rules, 2000 was submitted by CPCB. The Committee for compliance of NGT directions agreed to revise the compensation for bursting firecrackers for different classes of defaulters and frequencies of defaults as per directions of the NGT.

SHREE NATH SHARMA V. UOI & ORS. IN COMPLIANCE OF THE HON'BLE NGT ORDER DATED 29.01.2021

Report on the scale of compensation to be recovered for violation of Noise Pollution (Regulation and Control) Rules, 2000 was submitted by CPCB. The Committee for compliance of NGT directions agreed to revise the compensation for bursting firecrackers for different classes of defaulters and frequencies of defaults as per directions of the NGT.

IN RE: NOISE POLLUTION CASE, 2005

The Supreme Court stressed that in modern days noise has become one of the major pollutants and it had serious effects on human health. It emphasized that those who made noise often took shelter behind Article 19(1)(a) of the Constitution of India, pleading freedom of speech and right to expression. However, it held that nobody could claim a fundamental right to create noise by amplifying the sound of his speech with the help of loudspeakers.



PENALTIES

CRIME	LAW	PENALTY
Over the use of loudspeakers/ public address systems between 10 pm to 6 am	According to the Noise Pollution (Regulation and Control) Amendment Rules, 2010, the Union and State Government are to ensure that the noise level at the boundary of the public places, where loudspeakers and public addresses are used as per law, should not exceed 10 db (A) above the ambient noise standards for the area or of 75 db (A), whichever is lower.	<ul style="list-style-type: none"> • Confiscation of equipments • Fine of ₹10,000 *
Bursting of Firecrackers	In the aforesaid Act, the violation of noise norms while bursting firecrackers beyond the time limit (prescribed by the Supreme Court) i.e., after 10 pm at night.	<ul style="list-style-type: none"> • Fine of ₹ 1,000 (residential, commercial or mixed zone) • ₹ 3,000 fine (silence zone)*
Violation of norms during public rallies, marriage procession or any religious event	Violation of Noise Pollution Rules is a criminal offence punishable under Section 15 of the Environment (Protection) Act, 1986.	<ul style="list-style-type: none"> • Fine of ₹10,000 on the organiser in residential/ commercial or mixed zone • ₹20,000 in a silence zone*
Over 1000 KVA use of diesel generator	Delhi Pollution Control Committee has revised the penalty for violation of Noise Rules in the national capital after Justice SP Garg Committee Report.	<ul style="list-style-type: none"> • Sealing of the genset • Fine from ₹10,000 upto 1 lakh depending on size of genset*
Marriage function, public or institution event, banquet hall, open ground functions	The National Green Tribunal noted that "since prosecution of a non-cognizable offence may have its own limitations," civil liability on 'polluter pays' principle can be invoked with a proper compensation regime.	<ul style="list-style-type: none"> • Fine of ₹20,000 • Fine of ₹40,000 on second violation • More than 2 violations, fine of 1 lakh + sealing of the premises*
Sound emitting construction equipments	Noise emanating from industry is regulated by State Pollution Control Boards/ Pollution Control Committees for States/Union Territories under the Air (Prevention and Control of Pollution) Act, 1981.	<ul style="list-style-type: none"> • A fine of ₹50,000 • Seizure or sealing*
<p>*In compliance of the orders of the NGT dated 15.11.2019, the aforesaid enhanced compensation/ penalties were proposed by CPCB. These penalties were implemented vide order dated 25.06.2021 passed by DPCC</p>		

NORMS LAID DOWN BY JUSTICE SP GARG COMMITTEE REPORT

 **TAKE
ACTION**

- In industrial areas, the permissible limit is 75 dB for daytime and 70 dB at night and in commercial areas, it is 65 dB and 55 dB, while in residential areas it is 55 dB and 45 dB during daytime and night respectively. (Rule 3 read with the Schedule to the Noise Pollution (Regulation & Control) Rules, 2000.
- The SDMs and ACPs are empowered to take action against loudspeakers, generator sets, and firecrackers.
- Officials of the Transport Department were directed to file a comprehensive report regarding the difficulties and requirements of enhanced manpower, resources, and equipment for fulfilling the objective on the ground. They were also directed to specify the action plan for combating noise pollution by vehicles and retrofitting silencers and pressure horns.
- Further Transport Dept. was directed to conduct campaigns for control of vehicular noise pollution in Delhi and to give it maximum publicity through media campaigns.
- The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule annexed to the Noise Pollution (Regulation and Control) Rules, 2000 as amended up to date. The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance with the ambient air quality standards in respect of noise.



NOISE HELPLINE TO
COMPLAIN TO DELHI POLICE

155271



TO LODGE YOUR COMPLAINT, VISIT: NGMS.DELHI.GOV.IN

Noise Pollution
Grievance Redressal & Monitoring System

Government of NCT of Delhi
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार

Home Departmental Login

THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000

- Principal Rules, 2000
- Noise Limits for vehicles, 2000
- Noise Limit for Generator Sets run with Diesel, 2000
- Noise standards for fire-crackers, 2000
- Noise standards Gazette of India, 2013

Lodge Your Complaint

Helpline Number is: 155271

Mobile Number [Get OTP](#) [View Your Complaint Status](#)

- ENTER YOUR MOBILE NUMBER AND VERIFY WITH YOUR OTP.
- A NEW PAGE FOR FILING A COMPLAINT WILL OPEN.
- ENTER YOUR NAME, EMAIL ID AND DESCRIPTION OF THE COMPLAINT.

Mobile Number 9540051584

* Name of Complainant

* Complaint Description (Max 250 Characters)

* Does This Problem Occurs Daily ☒

* Locality

* Police Station

* Complainant Email

* Place of occurrence

Time of Occurrence Hour Minute Second

* Complaint Type

[Submit](#)

- ENTER THE PLACE OF OCCURRENCE, THE LOCALITY, AND THE NEAREST POLICE STATION.
- TICK THE CHECK BOX IF THE IRREGULARITY IS SEEN DAILY.
- ENTER THE REGULAR TIME OF OCCURRENCE OF POLLUTION.

- SELECT THE COMPLAINT TYPE FROM THE DROP-DOWN BUTTON AND SUBMIT.
- YOUR COMPLAINT WILL BE REGISTERED AND FORWARDED TO THE OFFICER CONCERNED.
- SAVE YOUR COMPLAINT NUMBER TO CHECK YOUR COMPLAINT STATUS LATER.
- YOU WILL RECEIVE A CALL FROM THE NOISE POLLUTION HELPLINE NUMBER 8130099101 FOR FURTHER VERIFICATION.

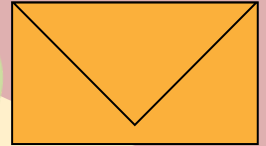
To check status of your complaint, click 'View Complaint Status' → Enter your Complaint Number → Enter your Mobile number → Status will display the record of your Complaint.

Complaint Number [Home](#)

Mobile Number

S.No.	Complaint No.	Mobile	Applicant Name	Complaint Description	Police Station Name	Locality	EmailId	Address	Status
1	8208	9540051584	jagriti	I am from delhi judicial academy and checking the working of the website	Dwarka North	DWARKA	aggarwaljagriti07@gmail [dot] com	delhi	Under Process

Thereafter, a message will be received by the complainant on their registered mobile number with a unique reference number in lieu of their call on 112.



ACTIONS TO CURB NOISE POLLUTION

1. Central Pollution Control Board established 70 noise monitoring stations under the National Ambient Noise Monitoring Network (NANMN) across 7 cities.
2. Delhi Police distributed 244 Sound Level Meters among ACPs/Sub Divisions and SHOs.
3. State governments declared 'silent zones' including areas that lie within 100 meters of the premises of schools, colleges, hospitals, and courts. The permissible noise limit in this zone is 50 dB during the day and 40 dB during the night.
4. Central Pollution Control Board ordered the strict enforcement of 'no-honking' zones/silence zones.
5. The Intelligent Traffic Management System was set up to ensure the free flow of traffic, reducing idling vehicular noise.
6. The Hon'ble National Green Tribunal has directed the Delhi government to issue an appropriate Gazette Notification for the mandatory installation of sound systems.
7. The presence and vigilance of Traffic Police have been increased to check violations.
8. In Delhi, the local and civic bodies can report the violation to the designated authorities.

Indian Standards for Ambient Noise Levels

Area	Noise Limits, Leq, dB(A)	
	Day Time (0600 Hours to 2100 hours)	Night Time 2100 hours to 0600 hours)
Silence Zone*	50	45
Residential Area	55	45
Commercial Area	65	55
Industrial Area	75	65

Ministry of Environment and Forest (MOEF) Guideline vide Environment (Protection) Act, 1986 third amendment rules dated 26/12/89.

*Silence Zone: Up to 100m around hospitals, educational institutions and courts. The zones are to be declared by competent authority. Use of vehicle horns, loud speakers, and bursting of crackers shall be banned in these zones.

WHERE TO COMPLAIN



GREEN DELHI APP

BY DELHI POLLUTION
CONTROL BOARD



SWACHH DELHI

BY PUBLIC WORKS
DEPARTMENT, DELHI



**DELHI POLLUTION
CONTROL COMMITTEE:**

9717593501

011-23869378



@CPCB_OFFICIAL



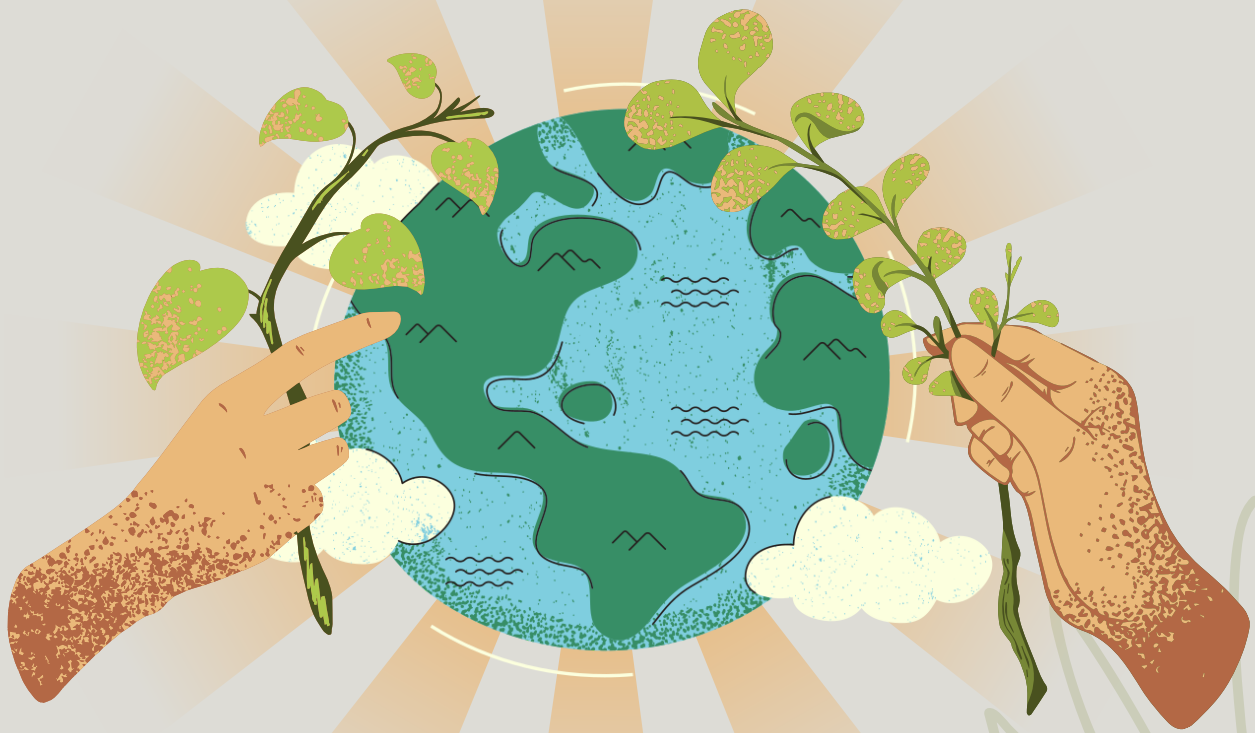
@CPCBINDIA



SAMEER APP



+91-11-22391025



**AMELIORATING
HUMAN RIGHTS AND
HUMAN HEALTH:
STRATEGISING SOLID
WASTE MANAGEMENT**



TYPES OF SOLID WASTE POLLUTION

1 Residential



2 Industrial



6 Municipal



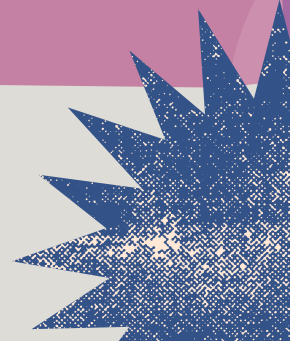
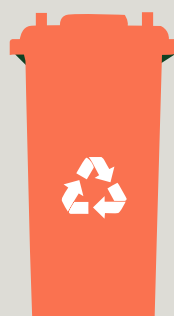
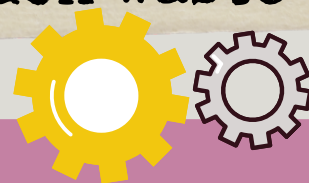
3 Commercial



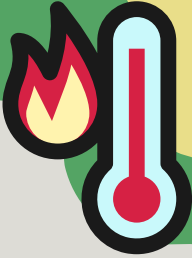
5 Agricultural



4 Construction and Demolition Waste



IMPACT OF POOR SOLID WASTE MANAGEMENT



✓ AIR

CONTAMINATION

Burning of wastes including open dumps and landfills causes air pollution by releasing harmful gases and other pollutants into the environment.



✓ CLIMATE CHANGE

Poor waste management has led to the release of greenhouse gases contributing to global warming.



✓ WATER

CONTAMINATION

The haphazard dumping of solid waste finds its way to water bodies. It adversely impacts aquatic life and the health of water bodies.



✓ SOIL

CONTAMINATION

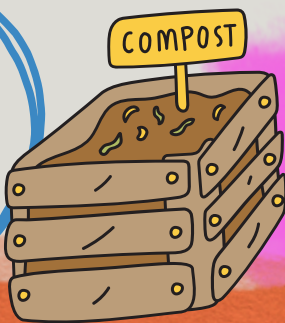
Contamination occurs by spilling and burying toxic components in the soil. This further leads to the infertility of soil and may decrease the yield of the soil. So, one needs to be watchful about leaching and how we dispose of e-waste, batteries, glass, aluminium, etc.





Measures to Improve Solid Waste Management

SEGREGATION AT SOURCE → COMPOSTING FOR BIODEGRADABLE PRODUCTS → RECYCLING OF RECYCLABLE PRODUCTS



Composting requires biodegradable material to be segregated at source and composted. Yields are stable end products that are good natural soil conditioners.

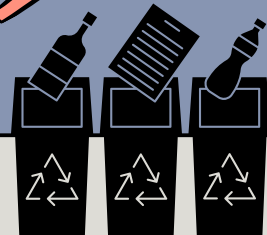
Biodegradable waste, such as food items, animal waste or organic industrial waste from food packaging industries are sent to bio-degradation plants. Then they are converted to biogas by degradation with the help of bacteria, fungi, or other microbes. Biogas is used as fuel and the residue is used as manure.



Materials such as metal, paper, glass, rags, certain types of plastic, and so on can be salvaged, recycled, and reused. This method can also be used in the case of E-waste where recycling agencies can retrieve the functioning parts from a device such as chips, metals, motherboards, etc. and use it for making new products reducing E-waste as a result.

Solid Waste Sanitary Landfills process is a simple, clean, and effective method to treat solid waste. In this procedure, layers are compressed with mechanical equipment and covered with earth, leveled and then compacted. A deep trench of 3 to 5 m is excavated and micro-organisms act on the organic matter and degrade it.

SOLID WASTE MANAGEMENT RULES



1

SOLID WASTE MANAGEMENT RULES 2016

According to Solid Waste Management Rules (2016), waste segregation at the source is mandatory. Households are required to separate waste into three streams – Organic or Biodegradable waste, Dry waste (such as plastic, paper, metal and wood), and Domestic Hazardous waste (diapers, napkins, mosquito repellents and cleaning agents). Further, bulk waste generators such as hotels and hospitals are expected to treat organic waste either onsite or by collaborating with the concerned urban local body.

2

CONSTRUCTION AND DEMOLITION RULES 2016

These Rules were introduced to improve the collection, segregation, recycling, treatment, and disposal of solid waste in an environmentally sound manner. According to the Rules, all generators of C&D waste must segregate it into four categories – concrete, soil; steel and wood; plastics; bricks and mortar – and then either deposit it at collection centres set up by the local authority or hand it over to processing facilities.

3

E-WASTE MANAGEMENT RULES 2016

E-Waste refers to the garbage that is generated from electric appliances, including their components, spares and consumables. There are two main sources that contribute to producing a huge amount of e-waste, first is information technology and communication equipment and the second is consumer electrical and electronics. The e-waste types produced from these sources can be further categorised into 21 subtypes.



4

BIO MEDICAL WASTE MANAGEMENT RULES 2016

The objective of these Rules is to ensure the safe management of Bio-Medical waste including its collection, segregation, storage, transportation, treatment and disposal. Based on 3Rs: Reduce, Reuse and Recycle



AGENCIES TO CONTROL SOLID WASTE MANAGEMENT

CENTRAL POLLUTION CONTROL BOARD

- To advise the Central Government on matters concerning the improvement of the methods of Solid Waste Management.
- To plan and cause to be executed a nationwide program for the prevention, control, and abatement of dispensing untreated waste into natural water bodies.
- To provide technical assistance and guidance to the State Pollution Control Board.
- To carry out and sponsor investigations and research related to the methods of treating solid waste.
- To collect, compile and publish technical and statistical data related to untreated solid waste



MUNICIPAL CORPORATION OF DELHI

- To plan a comprehensive program for disposing of solid waste.
- To collect and disseminate information related to untreated solid waste.
- To collaborate with Central Pollution Control Board in programs related to the prevention, control, and abatement of dispensing untreated solid waste into the environment.
- To act as a complaint mechanism body for the territory of NCT of Delhi regarding untreated solid waste or illegal dumping of solid waste.



DELHI POLLUTION CONTROL COMMITTEE

Delhi Pollution Control Committee is an autonomous regulatory body that came into existence on 01.06.1991 vide Notification dated 15.03.1991 of the Central Pollution Control Board, which delegated all its powers and functions to it. DPCC acts as a regulatory body in respect of NCT of Delhi for the implementation of various Environmental/Pollution Control Laws. Various other Pollution Control Committees are Puducherry, Chandigarh, Daman and Diu, Andaman and Nicobar Islands, and Lakshwadeep PCC.



CASE LAW



ALMITRA H. PATEL & ORS. V. UOI & ORS, 2000

The Supreme Court directed MCD, and NDMC to levy and recover charges and costs from any person littering or violating provisions of the diverse Acts, bye-laws and Regulations relating to sanitation and health. The Court also gave directions to regularly publish the names of concerned Superintendents of Sanitation who are responsible for cleaning Delhi who can be approached for any complaint/grievance.

RE:OUTRAGE AS PARENTS END LIFE AFTER CHILD'S DENGUE DEATH (SUO-MOTO), 2018

A Division Bench of the Supreme Court, comprising Justice Madan Lokur and Justice S. Abdul Nazeer, has, vide its order dated 31 August 2018, stayed all construction activities in certain Union Territories and States until a Solid Waste Management policy was framed as required under Rule 11 of the Solid Waste Management Rules, 2016.



M.C. MEHTA V. UOI, 1988

This case before the Supreme Court was based on the discharge of 'trade effluents' into water bodies (Ganga River). Trade Effluents include any liquid, volatilized, or solid substance that is discharged from any premises used for carrying on any trade or business, apart from domestic waste material. It was highlighted that the State Board is additionally entrusted with the work of laying down standards of treatment of waste material and trade effluents to be discharged into any specific stream.

DR.B.L.WADEHRA V. UOI & ORS, 1996

The writ petition was filed under Article 32 of the Constitution of India seeking directions for the Municipal Corporation of Delhi and the New Delhi Municipal Council to perform their statutory duties in the collection, removal, and disposal of garbage and other wastes from the city. The Supreme Court issued interim orders, wherein directions were issued to the Delhi Administration to perform their duties. The Court held that the authorities entrusted with the work of pollution control have been negligent in the discharge of their duties under the law and that they cannot absolve themselves of their duties on the pretext of financial and other limitations like the inefficiency of staff, etc.



PENALTIES

CRIME	LAW	PENALTY
Not Separating Household Waste	According to The Solid Waste Management Bye-Laws 2018 (NCT of Delhi), household waste should be segregated into biodegradable, non-biodegradable, and domestic household waste.	<ul style="list-style-type: none"> • ₹200 (for individual households) • ₹10,000 (for gated communities) • ₹20,000 (for market associations)
Littering	The Hon'ble National Green Tribunal issued directions on 25.04.2019 in O.A. No. 606/2018 to the State on waste management. Any person, hotel, resident, slaughterhouse, or vegetable market that does not comply with the National Green Tribunal Rules should be liable to pay a fine.	<ul style="list-style-type: none"> • Fine of ₹10,000
Illegal dumping of construction debris	In O.A No. 603/2019, the National Green Tribunal banned the dumping of garbage or construction or demolition debris on the Yamuna floodplain in 2015.	<ul style="list-style-type: none"> • Fine of ₹50,000
Illegal dumping of Bio medical Waste	As per the Bio-Medical Waste Rules 2016, laboratory waste, microbiological waste, blood samples, and blood bags should be pre-treated through disinfection or sterilization on-site. In non-compliance with this norm, the offenders shall be penalized as per the The Environment Protection Act, 1986.	<ul style="list-style-type: none"> • Fine of ₹1,00,000

ACCORDING TO SOLID WASTE MANAGEMENT RULES BYLAWS, 2018, FAILURE TO SEGREGATE AND STORE WASTE AND HANDOVER SEGREGATED WASTE CAN ATTRACT A FINE OF:

- ₹200 FOR RESIDENTIAL WASTES
- ₹10,000 FOR MARRIAGE HALLS AND PARTY HALLS
- FINE OF ₹5000 FOR SHOPPING COMPLEXES, PUBS AND MULTIPLEXES





IN A BID TO CONTROL THE SOLID WASTE PRODUCTS FROM EDUCATIONAL INSTITUTIONS, THE DELHI GOVERNMENT HAS STARTED PROVIDING COMPOSTING MACHINES AT SUBSIDISED PRICES. TO FURTHER INQUIRE, CALL @1969.

IF A STREET VENDOR FAILS TO DEAL WITH WASTE IN ACCORDANCE WITH THE SOLID WASTE MANAGEMENT RULES, 2018, THE VIOLATOR CAN BE FINED FOR ₹200.



FAILURE TO DEAL WITH SANITARY WASTE, GARDEN WASTE AND HORTICULTURE WASTE IN ACCORDANCE WITH THE WASTE MANAGEMENT RULES, 2018 WILL ATTRACT A FINE OF ₹200 FOR RESIDENTIAL DWELLINGS AND ₹500 FOR NON RESIDENTIAL DWELLINGS.



RIGHT TO INFORMATION

A PRECURSOR TO TAKING ACTION IS COLLECTING RELEVANT DATA ABOUT ILLEGAL ACTS. FOR THIS PURPOSE, RIGHT TO INFORMATION CAN BE INVOKED AGAINST ANY ORGANISATION AND IT IS BOUND TO PROVIDE SUCH DATA UNDER THE RIGHT TO INFORMATION ACT, 2005. THE DATA CAN THEN BE USED FOR THE PURPOSE OF FILING A COMPLAINT.



HOW AND WHERE TO COMPLAIN

1. CITIZENS IN DELHI NCR CAN ALSO
LODGE A COMPLAINT USING THE
FOLLOWING APPS:



SUP APP

BY CENTRAL POLLUTION
CONTROL BOARD



GREEN DELHI APP

BY DELHI POLLUTION CONTROL BOARD



SWACHH DELHI: PWD DELHI APP

BY PUBLIC WORKS DEPARTMENT, DELHI

2. YOU CAN LODGE YOUR COMPLAINT ON
THE FOLLOWING SOCIAL MEDIA:



@CPCB_OFFICIAL



@CPCBINDIA

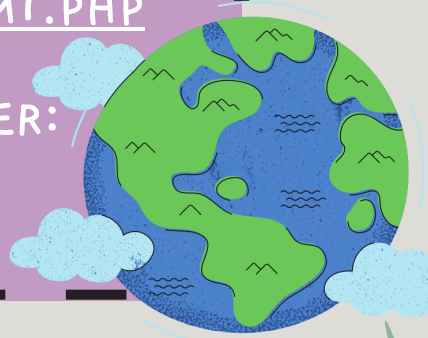


EMAIL: CHDPCC@NIC.IN

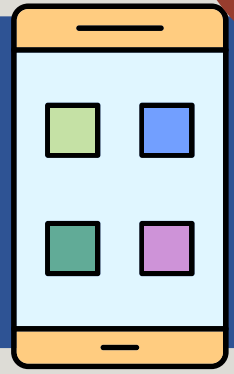
2. CITIZENS IN DELHI NCR CAN ALSO
LODGE A COMPLAINT AT CPCB WEBSITE
BY CLICKING ON FOLLOWING LINK:

[HTTP://CPCB.NIC.IN/QUERY-FORM1.PHP](http://CPCB.NIC.IN/QUERY-FORM1.PHP)

4. GRIEVANCE REDRESSAL NUMBER:
8588833540



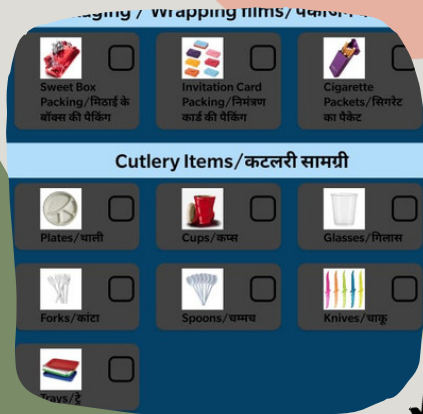
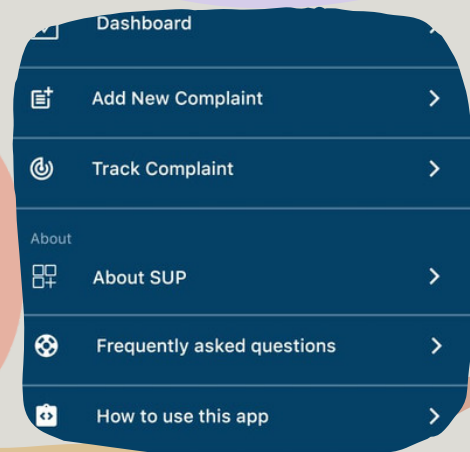
COMPLAINT MECHANISM USING APPS



SINGLE USE PLASTIC APP

- The Central Pollution Control Board launched the SUP mobile app so people can report against those using, manufacturing, or stocking single-use plastic.
- The app also provides a tracking mechanism where complainants can track the progress of their complaints and the action taken by the authorities concerned.
- The App is freely available on Play Store/App Store.

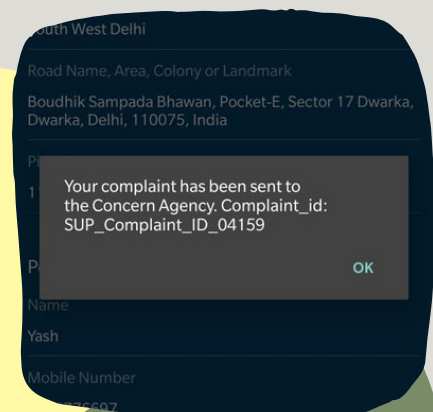
- INSTALL THE APP FROM THE PLAY STORE/APP STORE.
- GRANT THE APP ACCESS TO THE LOCATION AND CAMERA.
- ENTER YOUR EMAIL ID AND CONTACT NUMBER TO COMPLETE REGISTRATION.



- ONCE YOU ARE REGISTERED, THE FOLLOWING SCREEN WILL APPEAR. SELECT THE "ADD NEW COMPLAINT" OPTION.
- SELECT THE WASTE CATEGORY AS PROVIDED IN THE IMAGE.

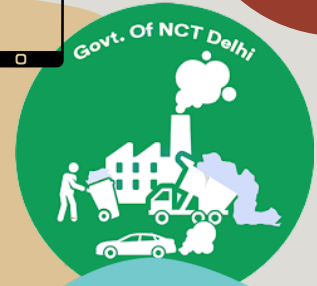
WASTE SELECTION

- GIVE A BRIEF DESCRIPTION OF THE COMPLAINT. ATTACH PICTURES AND SUBMIT THE COMPLAINT.
- YOU WILL BE GIVEN A COMPLAINT NUMBER WHICH CAN BE USED TO TRACK THE COMPLAINT USING THE "TRACK COMPLAINT" BUTTON.



COMPLAINT

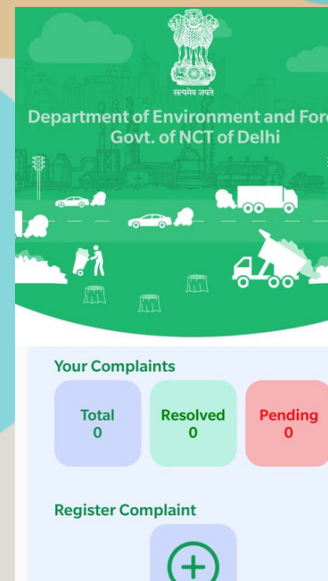
The complaint is forwarded to the authorities concerned in the area. For example, a complaint received from Dwarka will be forwarded to the South Delhi Municipal Corporation.



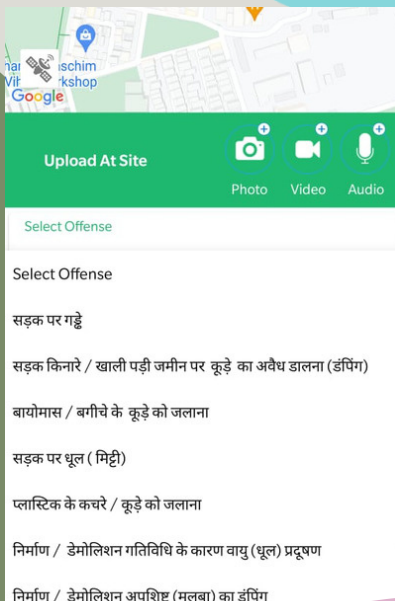
GREEN DELHI APP

- The Green Delhi App, managed by the Delhi Pollution Control Committee, allows citizens to report pollution-causing instances to the Government.
- The App has 27 civic agencies of Delhi on a singular platform to ensure citizens' complaints reach the concerned agency. It allows citizens to identify and report sources of solid waste and provides a remedy with the help of the nearest Civic Agency.
- The Complainant can also attach a picture, a voice note, and a video through the app.

- INSTALL THE APP FROM APP STORE OR PLAY STORE.
- GRANT THE APP ACCESS TO THE LOCATION AND CAMERA.
- ENTER YOUR CONTACT NUMBER AND THE OTP RECEIVED. THE APP WILL AUTOMATICALLY TRACK YOUR LOCATION.



USING THE APP



- ONCE YOU ARE REGISTERED, THE FOLLOWING SCREEN WILL APPEAR. SELECT THE "REGISTER COMPLAINT" OPTION.
- SELECT THE OFFENSE CATEGORY. ADD THE DEPARTMENT CONCERNED, AND IF YOU ARE NOT AWARE OF THE DEPARTMENT, THERE IS AN OPTION CALLED जानकारी नहीं.

WASTE SELECTION

COMPLAINT

- GIVE A BRIEF DESCRIPTION OF THE COMPLAINT. ATTACH PICTURES AND SUBMIT THE COMPLAINT.
- YOU WILL BE GIVEN A COMPLAINT NUMBER WHICH CAN BE USED TO TRACK THE COMPLAINT.
- THE USER CAN VIEW THE ACTION OF THE AUTHORITIES CONCERNED.



The complaint is forwarded to the authorities concerned in the area. For example, a complaint received from Dwarka will be forwarded to the South Delhi Municipal Corporation.

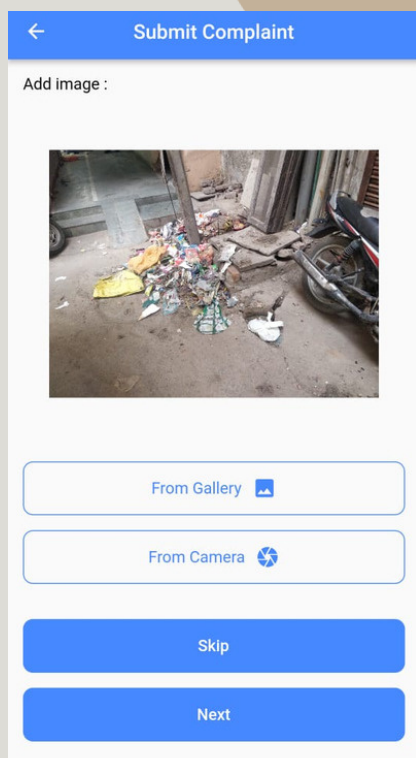
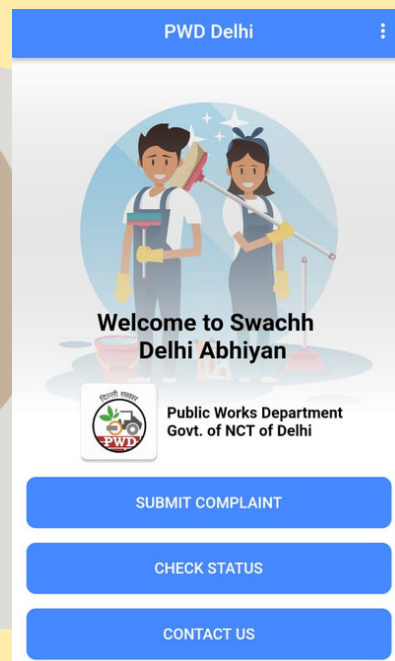


SWACHH DELHI APP

USING THE APP

- The Delhi Government and Municipal Corporations came on a common platform to clean Delhi.
- The app is very simple to operate where the complaint will be received through a registered mobile number with a unique ID at the central monitoring system in Urban Development Department and the complaint will be forwarded to concerned agencies for immediate redressal. An auto-generated message will also be provided to the complainant through software.

- INSTALL THE APP FROM THE APP STORE OR PLAY STORE.
- GRANT THE APP ACCESS TO THE LOCATION AND CAMERA.
- ENTER YOUR ADDRESS AND CONTACT NUMBER TO COMPLETE REGISTRATION.



- ONCE YOU ARE REGISTERED, YOU WILL GET AN OPTION TO UPLOAD A PICTURE.
- DESCRIBE YOUR COMPLAINT.
- ONCE YOU HAVE SELECTED THE IMAGE, THE COMPLAINT CAN BE LODGED.

WASTE SELECTION

COMPLAINT

ONCE THE COMPLAINT HAS BEEN SUBMITTED, YOU WILL BE GIVEN A COMPLAINT NUMBER WHICH CAN BE USED TO TRACK THE COMPLAINT BY USING THE "TRACK COMPLAINT" BUTTON.

The complaint is forwarded to the authorities concerned in the area. For example, a complaint received from Dwarka will be forwarded to the South Delhi Municipal Corporation.



LEGAL DISCOURSE



Does the situation require immediate action? Call 112 or file an FIR at your nearest Police Station.



National Green Tribunal

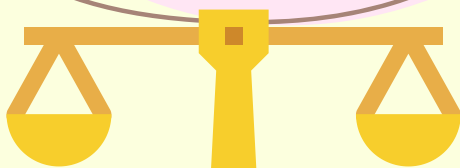
Aggrieved by environmental degradation and pollution? File an Original Application at the respective Zonal National Green Tribunal. The Tribunal has jurisdiction on matters under the Environment (Protection) Act, 1986, the Air (Prevention and Control) of Pollution Act, 1981, and the Water (Prevention and Control) of Pollution Act, 1974.



National Green Tribunal doesn't have the requisite jurisdiction? File a Writ Petition or Public Interest Litigation before the respective High Court under Article 226 of the Indian Constitution.



Is it a problem of a larger scale affecting many States? File a Writ Petition or Public Interest Litigation before the Supreme Court of India under Article 32 of the Indian Constitution.



Wishing for immediate relief against actions causing environmental pollution? You can get a Restraining or Stay Order! File an application for Temporary Injunction in a civil court of appropriate jurisdiction under Order XXXIX, Rule (1) and (2) of the Code of Civil Procedure, 1908 read with Specific Relief Act, 1963. File for Perpetual Injunction under Section 38 and Mandatory Injunction under Section 39 of the Specific Relief Act, 1963.



Is someone voluntarily causing public nuisance? A complaint can be filed before a Judicial Magistrate under Section 290 of the Indian Penal Code, 1860.

On receipt of police report or other information about public nuisance such as construction material kept on pavement, conditional order can be passed by Sub-Divisional Magistrate under Section 133 of the Code of Criminal Procedure. The Order can later be made absolute.

Want to complain against someone who is voluntarily spoiling the atmosphere which may affect public health? File a complaint before a Judicial Magistrate under Section 278 of the Indian * Penal Code, 1860.

Hon'ble Judges of the Supreme Court of India have at times even entertained letters written by public-spirited persons as Public Interest Litigation petitions and even taken Suo Motu Cognizance of issues highlighted.

Did You Know?

In 2020, a Letter-Petition was filed by The People's Charioteer Organisation in the Supreme Court seeking mandatory FIR against open waste burning.



FREE LEGAL AID FOR THE GENERAL PUBLIC

Do you belong to socio-economic weaker section of society or are otherwise eligible for legal aid as per the Legal Services Authorities Act, 1987, and want any Legal Support to take action against perpetrators of environment pollution?



Delhi State Legal Services Authority

DSLSA provides free and competent legal services to the weaker sections of society so as to ensure that opportunities for securing justice are not denied to any citizen on account of socio-economic disabilities or vulnerabilities.



DELHI STATE LEGAL SERVICES AUTHORITY (DSLSA) WILL ASSIST YOU IN FILING THE CASE BEFORE THE APPROPRIATE AUTHORITY AND LEGAL AID COUNSEL WILL ALSO ARGUE ON YOUR BEHALF IN THE LEGAL PROCEEDINGS.



**1516 (24*7 Toll Free)
9870101337, 011-23071265**



lae-dslsa@gov.in



**Central Office, Pre-Fab
Building, First Floor,
Patiala House Courts,
New Delhi – 110001**

RECENT INITIATIVES BY DSLSA FOR ENVIRONMENT PROTECTION

1. DSLSA HAS BEEN ORGANIZING SEVERAL AWARENESS PROGRAMS TO DISSEMINATE INFORMATION ABOUT ENVIRONMENTAL RIGHTS AND DUTIES, ENVIRONMENTAL POLLUTION AND MEASURES TO COUNTER THE SAME.
2. RECENTLY, DSLSA ORGANIZED AN "ENVIRONMENT LITERACY WEEK" FROM 29.05.2022 TILL 05.06.2022, WHEREIN ENVIRONMENT LITERACY PROGRAMS WERE CONDUCTED; SUKSHMA VANS/ MICRO FORESTS WERE SET UP AT ASOLA BHATI WILDLIFE SANCTUARY, DELHI AND OTHER PLACES IN DELHI, ETC.
3. ADDITIONALLY, DSLSA ORGANIZED A ONE-DAY WORKSHOP ON ENVIRONMENT PROTECTION FOR THE ENVIRONMENT PROTECTION LEGAL AID COUNSELS (EPLACS) AND PARA LEGAL VOLUNTEERS (PLVS) ON 01.06.2022, TO SENSITIZE THEM ABOUT LEGAL ISSUES PERTAINING TO THE ENVIRONMENT, FRIENDLY LIFESTYLES AND TO ACHIEVE THE GOAL OF SUSTAINABLE DEVELOPMENT.



**SAVE THE
ENVIRONMENT**

