

Status of action taken on the directions issued by the Hon'ble Supreme Court vide orders dated October 9, 2015, December 16, 2015, January 5, 2016 and January 21, 2016 and further directions sought in hearing scheduled on April 30, 2016

**Environment Pollution (Prevention and Control) Authority
for NCR**

April 30, 2016

Sr. No	Directives	Status and directives sought from Hon'ble Supreme Court
1.	<p>Diversion of Non-Destined Traffic by Haryana and Uttar Pradesh</p> <p>(Note 1)</p>	<p>Haryana has set up 13 check posts (map and data attached in note 1) and this is resulting in diversion of roughly 6,500 vehicles daily between January 21 to April 25, 2016. A total of 6,00,880 vehicles have been diverted in this period, as they were not destined for Delhi. This is corroborated with data from increase in vehicles on the toll road NH 71 and NH 71a, as given to EPCA by the state government.</p> <p>EPCA finds that Haryana government's efforts are considerable and need to be recognised.</p> <p>Uttar Pradesh has also taken steps to set up check posts and also install billboards about the diversion of traffic not bound for Delhi. While the number of vehicles diverted are less, only 3278, between January 25 to April 11 2016, its officials inform EPCA that they are finding that information about diversion and cost of entry to Delhi has resulted in fewer vehicles on the road for diversion. However, EPCA has noted with concern that the number of vehicles diverted from UP have been on the decline and will take up this matter with its officials.</p> <p>The urgent need is to improve the conditions of highways to facilitate this bypass (Hon'ble Court may please see item 2 in this regard).</p>
2.	<p>Upgradation of alternative bypass available</p> <p>(Note 2)</p>	<p>EPCA has done a detailed study to ascertain the condition of roads, which bypass traffic from Delhi, which are already built but need improvement.</p> <p>EPCA has taken into account that the Hon'ble Supreme Court</p>

		<p>has already directed for the speedy commissioning of the two expressways – Eastern and Western that bypass Delhi. These roads will, as per the deadline submitted to the Hon’ble Supreme Court, be commissioned by mid-2018 at the earliest. Therefore, this study was done to understand the scope to improve current roads, which can be done expeditiously.</p> <p>The study shows (see map and note 2) that there are certain critical roads, needed to bypass traffic, which are in sub-standard condition. There is an urgent need to take up improvement on these roads. The study has identified the agencies that are in charge of these roads and the steps that are needed.</p> <p>EPCA has since then taken up this matter with the Union Ministry of Road Transport and Highways (MoRTH) and state governments and NHAI.</p> <p><i>The Hon’ble Court may direct MoRTH to coordinate the work to upgrade the critical roads that allow for bypass to Delhi so that it is done expeditiously. MoRTH may be directed to submit a time-bound schedule to the Hon’ble Court.</i></p>
3.	<p>Installation of weigh-in-motion bridges at all entry points</p> <p>(Note 3)</p>	<p>NHAI/MoRTH rules provide that vehicles that are overloaded will be charged a levy that is equivalent of 10 times of the applicable toll charge and it will not be allowed to ply on the highway.</p> <p>NHAI has informed EPCA that is in the process of installing weigh-in-motion (WIM) at 7-toll plaza on entry roads to Delhi. These will be installed between March to September 30, 2016 as per the schedule provided (see note 3). In EPCA’s review on March 30, 2016, NHAI reported that their schedule was on track and that on most entry points to Delhi, WIM would be installed by April 30, 2016.</p> <p>This means that all commercial vehicles entering Delhi can be monitored to check against over-loading and actions enforced as per the current provisions.</p> <p><i>The Hon’ble Supreme Court may direct NHAI to commission the weigh-in-motion as per the schedule provided to EPCA. It must then do the needful to enforce its provisions to levy penalty of 10 times of applicable rates and to ensure that the vehicle is not allowed to ply with the load.</i></p>

		<i>The state governments of Uttar Pradesh, Haryana and Rajasthan may be directed to provide police support to ensure compliance with this provision.</i>
4.	<p>Status of enforcement and impact of imposition of Environmental Compensation Charge (ECC)</p> <p>(Note 4)</p>	<p>The data supplied by SDMC and Delhi Transport Department to EPCA shows a drastic decline in the number of commercial vehicles entering Delhi. The number of vehicles paying ECC average 8000 per day, which is a decline of 60-80 per cent against the surveys done in October 2015 (prior to ECC). (note 4 contains details)</p> <p>But this estimate does not include the number of vehicles that are entering Delhi but are exempt from paying ECC. Therefore, the decrease in number, in EPCA's estimation would be roughly 50-60 per cent.</p> <p>EPCA is working to get data from SDMC and Delhi Transport department to verify this, including data from the CCTV cameras installed by Delhi government at 9 entry points. However, it is also clear that the current system is prone to leakages as it is based on manual check of exempted vehicles and cash collection. This, in EPCA's view can only be checked once the system is upgraded using RFID.</p> <p>But what is clear is that there is substantial decrease in the number of commercial vehicles entering Delhi and this is also evident from the data supplied by the Haryana government.</p> <p>Most importantly, there is visible impact of the imposition of ECC on the air quality of Delhi.</p> <p>EPCA has also estimated what would be the impact on air quality of this reduction in truck traffic, which is known to be the largest contributor to PM in vehicles. It has found that there is a clear trend in the reduction of peak air pollution levels, which suggests that the measures being taken are working (see note 4). This does not mean that pollution is under control or that further steps do not need to be taken. But it does suggest that the imposition of ECC and the effort made to divert trucks from Delhi has hugely beneficial impacts and must be continued.</p> <p>Based on this data, which showed impact on air quality, EPCA has directed the Delhi government and SDMC that ECC should be continued till further orders from the Hon'ble Supreme Court.</p>
5.	Utilisation of ECC funds	In its order of October 9, 2015, the Hon'ble Supreme Court had directed that the funds collected should be used

	<p>(Note 5)</p>	<p>exclusively for augmenting public transport and improving roads, particularly for most vulnerable users. The Delhi government was directed to furnish accounts of receipts and expenditure to EPCA and to the Hon'ble Supreme Court.</p> <p>As of April 21, 2016 over Rs 188 crore has been collected under ECC (see note 5). EPCA has asked Delhi government to submit its plan for utilisation of ECC as per the directions of the Hon'ble Supreme Court.</p> <p>EPCA in its meeting with SDMC and Delhi government, prior to the re-tendering of the toll concession had also agreed that the new agreement should not include any compensation because of loss of revenue or added costs of enforcement. Instead this compensation of Rs 1 crore/week should be paid to SDMC. EPCA had agreed to put this recommendation for considerable and approval by the Hon'ble Supreme Court. Since then SDMC has been deducting this amount but putting it in a separate bank account, pending Hon'ble Supreme Court's approval</p> <p><i>The Hon'ble Supreme Court may approval the recommendation of EPCA as discussed with SDMC and Delhi Transport Department officials to compensate SDMC at Rs 1 crore/week for loss of revenue and added costs of enforcement of ECC</i></p>
6.	<p>Installation of RFID for effective and credible toll and ECC collection</p>	<p>In the January 6 and 7, 2016 hearings and subsequent orders, it has been agreed that RFID or other better technology system for effective and credible toll collection would be installed within 9 months by SDMC.</p> <p>EPCA has consulted key experts and prepared a scope of a system, which would be initially used to electronically check entry of commercial vehicles; date, time, age and to charge the toll and ECC through cashless system. The cost of this system should be paid from the collection of ECC, as it would make the entire monitoring and enforcement stringent.</p> <p>This system can also be scaled up so that all vehicles are required to carry RFID and it can be used to implement parking charges, congestion charges etc. Based on this scoping note, which has been discussed with all agencies, EPCA has now prepared draft technical specifications so that SDMC can issue a tender and select the agency to set up the system and to operate it.</p> <p>The timeframe is to complete the tender notice by end April and EPCA will report progress and seek directions from the</p>

		Hon'ble Supreme Court as the initial work gets completed.
7.	Pre 2006 traffic not to be allowed within city limits (Note 7)	<p>MoRTH, Delhi government's transport department and SDMC have all cooperated to ensure compliance with the directions to check pre-2006 vehicle entry to Delhi.</p> <p>The MoRTH has made available its VAHAN database, which records the registration date of all vehicles to the toll operators. Now all commercial vehicles as they enter Delhi are checked against this data and any vehicle found to be registered before 2006 is turned back.</p> <p>EPCA will continue to monitor that this system is in use and is working to check pre-2006 vehicles.</p>
8	Taxis in NCR to run on CNG: Order dated 16.12.2015 (Note 8)	<p>EPCA had brought to the notice of the Hon'ble Supreme Court that taxis in NCR were being registered under All-India-Tourist-Taxi-Permits, which allows for diesel to be used. This was defeating the objective to convert taxi to CNG.</p> <p>EPCA has since met with transport commissioners of all states and reviewed the conditions in different taxi registration schemes. It has based on these deliberations directed state governments to register taxis under NCR city taxi scheme and to take a signed affidavit from all taxis registered under All-India-Tourist Taxi Permits (AITTP) that their loading or unloading point will be outside Delhi-NCR region.</p> <p>In its review meeting on March 30, 2016, compliance with the directions have been reported. Haryana has registered 806 CNG taxi for NCR wide operations; UP 680 CNG taxi. Delhi, which has roughly 30,000 diesel taxi registered under AITTP scheme has informed EPCA that it will ensure that the operators provide an undertaking that either their loading or unloading will be outside NCR.</p> <p>Ola and Uber have given EPCA a letter that they will comply with the orders of the Hon'ble Supreme Court. However, EPCA has asked for a signed affidavit from the CEO's of the companies saying the following: "Taxi that we will aggregate for use in NCR will be those that are registered with the respective transport departments of NCR states to operate on CNG fuel only".</p> <p><i>The Hon'ble Supreme Court may direct the state governments of Delhi NCT, Haryana, UP to ensure that taxi registered under AITTP provide the undertaking as required by EPCA and also install GPS in the vehicles so that there is compliance with these orders.</i></p>
9	Ensuring	EPCA took a review meeting on April 27, 2016 to know the

	availability of CNG in NCR (Note 9)	progress on installation of CNG stations. There are 347 existing stations in NCR; 104 new stations were to be commissioned by March 31, 2016. Out of this 23 CNG stations have been commissioned as on March 31, 2016 and another 56 are on track to be commissioned by April 30 and 25 by May 30, 2016.
10	Ensuring land for depot for augmentation of bus fleet in NCT to 10,000 (Note 10)	<p>EPCA has commissioned a study to look into the depot land requirements for buses in the city and the possibilities of improving infrastructure to optimise on this land.</p> <p>It has also reviewed if the land allotted by DDA to the transport department can be taken possession off and found that in all cases the land is in dispute or there is a lack of entry into the land. The joint inspection of the 16 acre land in Karkari More also found that the land was not usable.</p> <p>Based on this, a further list of 55.9 acres of land has been identified by the Delhi Transport department and handed over to DDA for its review and possible allotment. EPCA will monitor this carefully.</p> <p>EPCA has assessed that the Delhi government is in possession of 68 acres of land, which can park 1600 buses. In addition, DTC also has surplus land capable of accommodating 500 buses. In this way, there is depot land currently with the Delhi government, which can park up to 2000 buses.</p> <p>EPCA's assessment is that the city requires between 132 to 330 acres of additional land to meet its target of 11,000 to 16,000 buses. It is also clear that current depot land will need to be optimised through multi-storey use so that this land requirement can be reduced.</p> <p>EPCA has finalised its recommendations regarding the multi-level parking of buses and will direct DDA to do the needful to facilitate this. Once this is done then Delhi government should be able to use the existing depot land to park 3 times more buses.</p>
11	Augmentation of metro	EPCA has began discussions with officials of DMRC to review the steps that can be taken to optimise on the current capacity of the system, including the ways in which it can increase ridership in the off-peak hours and improve its last-mile-connectivity for cost-effective usage. EPCA will bring to the Hon'ble Court its recommendations on the actions that are required to be taken within 2 weeks.
12	Phasing out of	SG to respond

	old government diesel vehicles	
13.	Advancing BS-VI fuel and vehicle technology (see note 14)	EPCA has sought details of the BS-IV compliance from the MoPNG. It has received a list of the districts where BS IV fuel is available and will explore options to ensure that only BS IV fuelled vehicles are registered in these districts. It is also reviewing options to advance BS VI deadlines with concerned ministries.
14.	On pollution through Construction Activities (Note 15)	EPCA has reviewed action on this and also conducted surprise inspections to check on compliance. It has developed an accountability mechanism so that it can identify the agency and actions that have been taken to check pollution from construction activities. It has also developed a guidance note for inspection of such sites, which will assist inspections and improve enforcement. It will continue to monitor progress with the agencies and will inform the Hon'ble Supreme Court on its recommendations for actions.
15	Checking road Dust (Note 16)	PWD has informed EPCA that it has given 142 road-cutting approvals between December 2015 and February 2016. Many other stretches need to be repaired. EPCA has recommended that there should be a stringent time frame and management system to ensure that agencies complete work and that the road is repaired to minimise dust pollution. EPCA is in discussions with PWD to ascertain a system for this and will bring its report to the Hon'ble Court.
16.	Checking Waste Burning (Note 17)	EPCA is working on an accountability system and mobile app to improve information about garbage burning. It will bring this to the Hon'ble Court by the next hearing. It has also discussed the serious problem of fires in the landfill dumps in Ghazipur and Bhalswa with municipal officials and will keep the Hon'ble Court informed of progress in this matter.
17.	Show cause notice on closure/move to alternative fuel by Badarpur Thermal Power Plant	SG to respond