

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 663/2023

In re : News item published in Indian Express dated 07.10.2023 titled
**“GRAP Stage 1 kicks in as air quality dips to poor, condition likely
to prevail till Sunday”**

Date of hearing: 20.11.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Dr. Abhishek Atrey, Adv. for Commission for Air Quality
Management for NCR & Adjoining Areas
Ms. Suman Arora, Adv. for CPCB
Ms. Jyoti Mendiratta, Adv. for Govt. of NCT of Delhi
Mr. Narender Pal Singh, Adv. for DPCC
Ms. Puja Kalra, Adv. for MCD

ORDER

1. In this original application the issue under consideration is in respect to worsening air quality in Delhi and NCR region. The Tribunal considering the issue on 20.10.2023 had called for the report from different authorities. Thereafter, when the matter was taken on 08.11.2023 the reports were considered by the Tribunal and the status of Air Quality Index (AQI) from 20.10.2023 (i.e the date of passing of first order) till 07.11.2023 was considered and it was noted that instead of improving, the air quality had gone from bad to worse falling in very poor and severe category. Considering the fact that there was no visible improvement in the air quality, the respondents were directed to take stringent measure so that the Air Quality Index in Delhi and NCR improves. Accordingly fresh action taken reports were called.

2. Today we have noticed the Air Quality Index from 09.11.2023 till 19.11.2023 (ie. Yesterday) which is as under:

“Table- Daily Avg.; Air Quality & Index Val of Delhi from 09 Nov 23 to 19 Nov 23, both inclusive

DATE	AIR QUALITY	INDEX VALUE
09 Nov 23	Severe	437
10 Nov 23	Poor	279
11Nov23	Poor	220
12 Nov 23	Poor	218
13 Nov 23	Very Poor	358
14 Nov 23	Very Poor	397
15 Nov 23	Very Poor	398
16 Nov 23	Severe	419
17 Nov 23	Severe	405
18 Nov 23	Very Poor	319
19 Nov 23	Very Poor	301

3. The above chart indicates that in a block of past 11 days the air quality was severe for three days, very poor for five days and poor for three days. Thus we do not notice any significant improvement in the air quality.

4. After the previous order of the Tribunal additional action taken report on behalf of Government of NCT of Delhi has been filed with an attempt to show that an action has been taken to reduce the air pollution.

5. Separate action taken report on behalf of CPCB dated 18.11.2023 has been filed wherein in paragraph 3, the results of trial of various new technologies for air pollution control undertaken for CPCB have been disclosed. It has been pointed out that only the measure relating to control of dust emission using dust suppressant have been found to be

effective and that the pilot study for assessment of reducing air pollution in urban areas by using outdoor cleaning systems (also called Smog Tower) is under evaluation and that the draft report in this regard has been received from IIT Bombay and same is under review from group of expert from IIT Delhi, IIT Kanpur, CSIR, CSIR – NPL and Engineers India Ltd. Similarly action taken report has been filed by the MCD on 18.11.2023 stating about mechanical road sweepers, sprinkling of water on road, prohibiting open burning and others. Further a report has been filed by GNCTD dated 17.11.2023 filing the status on various measures taken for controlling air pollution. However, the action plan has failed to provided concrete proposals and action taken thereof which would indicate an improvement in the air quality. A report has also been filed by Commission for Air Quality Management dated 17.11.2023 which has been the integration of actions taken in the NCR and adjoining area.

6. It is difficult to accept the stand of different authorities that they taking all possible measures to control air pollution and improve the quality of air because the air quality index of Delhi (as reproduced in the earlier part of the order for the previous period) does not indicate any significant improvement. Hence the authorities are directed to take all possible measures to ensure that quality of air improves in Delhi.

7. The newspaper report of the Hindu dated 20.11.2023 disclosed that on account of the poor air quality in the city, serious health hazards are been faced by the residents of the different age group and categories. As per the said report especially asthmatic patient, elderly persons, pregnant women are facing complication and health risk. Considering this human health aspect the authorities are expected to take best possible measure so that air quality in the city improves. Let the further action taken report be filed within one week.

8. List this matter on 29th November, 2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 20, 2023
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HB