D.O. No.Q-16017/172/2017-CPA

November 20, 2019

Chief Secretary

I would like to draw your attention to the Notification issued by the Ministry of Environment, Forest and Climate Change with regard to Dust Mitigation Measures. This Rule was notified in the Gazette of India on January 25, 2018 and it was expected that all State Governments and Municipal Bodies in the country would put in place processes which would ensure compliance.

It is increasingly brought to the notice of this Ministry that steps regarding construction and demolition of waste handling are not being taken properly in majority of the areas in the country. I am enclosing, once again, a copy of the Notification with a request that these may kindly be implemented in your State with absolute strictness. You may also consider a regime of penalising all those violating the norms as well as those officials responsible for not checking such violation. Needless to say, that this would require your personal attention which I request you for in view of the issues relating to air quality in India. Small measures will help in a large way.

Therefore, I would request you to kindly give suitable publicity to the Rules as well as ensure enforcement of the provisions of the Rules strictly.

With Regard,

Yours sincerely,

[C.K. Mishra]

Encl: As above

To

Chief Secretaries of all States / Administrators of all UTs
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
ब्रम्हपुत्र
नई दिल्ली, 25 जनवरी, 2018

स. 94(६) - प्रशासनिक सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की बांट 6 और बांट 25 द्वारा गृह दर्शनार्थक कला का प्रकाश करते हुए, पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए, एवं दुर्भाग्य सार्वजनिक नियम बनाता है, वर्षांतः —
1. (1) इन नियमों का नाम पर्यावरण (संरक्षण) संशोधन नियम, 2018 है।
(2) ये राजस्थान में इनके प्रकाशन की सार्वजनिक जानकारी दिनी जाए।
2. पर्यावरण (संरक्षण) नियम, 1986 में, जुलाई-1 में, कम संख्या 105 और उससे समबन्धित प्रतिष्ठितों के पस्ताद, निर्देशित कम संख्या और प्रतिष्ठितों वास्तविक निम्नांकित वार्षिक 2018 में, जनवरी 25 में, का संशोधन करने के लिए ब्रम्हपुत्र के स्वाक्षरित मान्यता सार्वजनिक दिया जाए।

"106. पर्यावरणीय त्वरित-कृति की अपेक्षा वाली परिवर्तनात्मकों से संबंधित निम्नांक एवं विशेष नियमालापों के लिए धूम
उपन्यासन उपयोगों का आधारपक कार्यक्षेत्र":

(i) पर्यावरणीय त्वरित-कृति की अपेक्षा वाली कोई भी भवन अथवा अवरोधन अवरोधन परिवर्तन के 
उपन्यासन उपयोग के बिना कार्यक्षेत्र नहीं की जाएगी।
(ii) निर्माण स्थलों पर या वहाँ तक जाने वाली सड़कें बढ़ता और बैकलोपाइ (अर्थात् मैटलिक सड़कें) होनी चाहिए।
(iii) पर्यावरण धूम उपन्यासन उपायों के बिना मिट्टी की बुद्धि नहीं की जाएगी।
(iv) कोई भी मिट्टी या रेत या निर्माण और विराजमान अवरोधन या सड़कों वाली कोई वन निर्माण स्थलों बिना देखके नहीं जोड़ी जाएगी।
(v) समुचित उपन्यास अर्थात् भवन के उपन्यास की 1/3 और अधिकतम 10 मीटर तक के बिंदु-बंद की अवस्था की 
जाएगी।
(vi) लंबे विद्युत प्रवाही की स्थापना की जाएगी।
(vii) निर्माण स्थल पर बालकों की आसानी से दिखाई देने के लिए धूम उपन्यासन उपयोग का स्पष्ट ढील पर प्रदर्शन किया 
जाएगा।"
G.S.R. 94(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in Schedule-I, after serial number 105 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:

"106. Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance:

(i) No building or infrastructure project requiring Environmental Clearance shall be implemented without approved Environmental Management Plan inclusive of dust mitigation measures.
(ii) Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).
(iii) No excavation of soil shall be carried out without adequate dust mitigation measures in place.
(iv) No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
(v) Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.
(vi) Water sprinkling system shall be put in place.
(vii) Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

107. Mandatory Implementation of Dust Mitigation Measures for all Construction and Demolition Activities:
(i) Grinding and cutting of building materials in open area shall be prohibited.
(ii) Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.
(iii) No uncovered vehicles carrying construction material and waste shall be permitted.
(iv) Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site.

Note : The serial numbers 106 and 107 above shall apply to cities and towns where value of particulate matter 10/ particulate matter 2.5 exceeds the prescribed limits in National Ambient Air Quality Standards."

[F. No. Q-16017/172/2017-CPA]
RITESH KUMAR SINGH, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number S.O. 844(E), dated the 19th November, 1986 and subsequently amended vide the following notifications, namely:—