

Haryana Urban Development Authority

सार्वजनिक सूचना/नोटिस

माननीय राष्ट्रीय हरित अधिकरण में योजित मूल प्रार्थना पत्र सं० 21/2012 वर्धमान कौषिक बनाम यूनियन आफ इण्डिया एवं अन्य तथा मूल प्रार्थना पत्र सं० 95/2014 संजय कुलश्रेष्ठ बनाम यूनियन आफ इण्डिया व अन्य में पारित आदेश दिनांक 10.04.2015 के अनुपालन किये जाने के सम्बन्ध में ।

हरियाणा शहरी विकास प्राधिकरण के क्षेत्र में आने वाले सभी प्रकार के भवनों यथा- आवासीय, गुप हासिंग, व्यवसायिक, औद्योगिक, संस्थागत एवं अवस्थापना व विकास निर्माण कार्यों के निर्माण कर्ताओ/संस्थाओ/बिल्डर्स/प्रमोटर्स/विकास कर्ताओं/व्यक्तिओ आदि को इस सार्वजनिक सूचना/नोटिस द्वारा यह अवगत कराया जाता है कि उनके द्वारा निर्माण कार्यों से सम्बन्धित वन एवं पर्यावरण मंत्रालय, भारत सरकार के दिशा निर्देश-2010 का अनुपालन किये बगैर विभिन्न परियोजनाओ एवं निर्माण स्थलो पर कराये जा रहे निर्माण कार्यों के फलस्वरूप वायु की गुणवत्ता प्रभावित होने के साथ पर्यावरण एवं स्वास्थ्य पर भी प्रतिकूल प्रभाव पड़ रहा है । अतः इस सम्बन्ध में माननीय राष्ट्रीय हरित अधिकरण द्वारा अपने समक्ष विचाराधीन मूल प्रार्थना पत्र सं० 21/2012 वर्धमान कौषिक बनाम यूनियन आफ इण्डिया एवं अन्य तथा मूल प्रार्थना पत्र सं० 95/2014 संजय कुलश्रेष्ठ बनाम यूनियन आफ इण्डिया व अन्य में पारित आदेश दिनांक 10.04.2015 में विस्तृत दिशा- निर्देश जारी किये गये हैं जो कि निम्न प्रकार हैं

- 1) No Corporation, authority or instrumentality of the State vested with the power of sanctioning plans, drawings for construction of any commercial, residential and even construction of small plots would impose a clear condition that sanction of plans is subject to the builder, owner or person seeking sanction would strictly comply with the directions contained in this order as well as the MOEF Guidelines, 2010 while raising construction.
- 2) Such Authorities shall forth with issue notices to all the builders raising any kind of construction that they should strictly adhere to and comply with the directions contained in this order of the Tribunal as well as MOEF Guidelines, 2010 in relation to precautions required to be taken while carrying on construction.
- 3) Every builder or owner shall put tarpaulin on scaffolding around the area of construction and the building. No person including builder, owner can be permitted to store any construction material particularly sand on any part of the street, roads in any colony.
- 4) The construction material of any kind that is stored in the site will be fully covered in all respects so that it does not disperse in the Air in any form.
- 5) All the construction material and debris shall be carried in the trucks or other vehicles which are fully covered and protected so as to ensure that the construction debris or the construction material does not get dispersed into the air or atmosphere, in any form whatsoever.
- 6) The dust emissions from the construction site should be completely controlled and all precautions taken in that behalf.
- 7) The vehicles carrying construction material and construction debris of any kind should be cleaned before it is permitted to ply on the road after unloading of such material.

- 8) Every worker working on the construction site and involved in loading, unloading and carriage of construction material and construction debris shall be provided with mask to prevent inhalation of dust particles.
- 9) Every owner and or builder shall be under obligation to provide all medical help, investigation and treatment to the workers involved in the construction of building and carry of construction material and debris relating to dust emission.
- 10) It shall be the responsibility of every builder to transport construction material and debris waste to construction site, dumping site or any other place in accordance with rules and in terms of this order.
- 11) All to take appropriate measures and to ensure that the terms and conditions of the earlier order and these orders should strictly comply with by fixing sprinklers, creations of green air barriers.
- 12) Compulsory use of wetjet in grinding and stone cutting.
- 13) Wind breaking walls around construction site.
- 14) All concerned Government that is state of NCT, Delhi, state of U.P, state of Rajasthan and Haryana shall ensure that mining activity if otherwise permitted in accordance with law and order of the Court is strictly regulated and carry out in a manner prescribed under rules and to ensure that least dust has emitted into air/atmosphere and all steps are taken to prevent the same.
- 15) The corporation, DDA, HUDA, Noida, Greater Noida Authority and all the other Authorities and instrumentalities of the state and its department shall make all efforts to increase the 'tree cover' area by planting large numbers of trees of various species depending upon the quality content of soil and other natural attendant circumstance.
- 16) All the builders who are building commercial, residential complexes which are covered under the EIA Notification of 2006 shall provide green belt around the building that they construct. All Authorities shall ensure that such green belts are in existence prior to issuance of occupancy certificate.
- 17) The state Government of NCT, Delhi, Haryana, Uttar Pradesh, state of Rajasthan, all Public Authorities in these states, Corporations, Development Agencies and all other Authorities persons and Departments of the state Government, Pollution Control Boards and Police Authorities shall ensure complete and expeditious compliance of all these directions with immediate effect.
 - a) The Station House Officer, Environmental Engineers, Engineers of the Corporations and of all the Regulatory and Development Authority responsible for sanctioning of plan, granting consent and issuance of completion certificate would be personally and strictly responsible for compliance of these directions in the area/areas that fall under their jurisdiction. In the event of default they shall be liable to pay compensation for such environmental degradation or for pollution of ambient air quality in NCR, Delhi particularly.
 - b) If any persons, owner and or builder is found to be violating any of the conditions stated in this order and or for their non-compliance such person, owner, builder shall be liable to pay compensation of Rs.50, 000/- per default

in relation to construction activity as its site and Rs.5, 000/- for each violation during carriage and transportation of construction material, debris through trucks or other vehicles, in terms of Section 15 of the NGT Act on the principle of the Polluter Pay. Such action would be addition not in derogation to the other action that the Authority made take against such builder, owner, person and transporter under the laws in force.

- c) The Government of NCT, Delhi shall take immediate step to enhance the capacity of its plant for reutilization and recycling of C&D waste .It is undisputed on record that NCR, Delhi is generating nearly 4000 Mt of C&D waste every day and the capacity of the plant is not able to utilized even 10% of such generated waste. All builders shall ensure that C&D waste is transported in terms of this order to the site in question only and due record in that behalf shall be maintained by the builders, transporters and NCR of Delhi.
- d) We make it clear that even if constructions have been started after seeking Environmental Clearance under the EIA notification 2006 and after taking other travel but it is being carried out without taking preventive and protective environmental steps as stated in this order and MOEF guidelines, 2010, the State Government, SPCB and any officer of any department as aforesated shall be entitled to direct stoppage of work.

माननीय राष्ट्रीय हरित अधिकरण के उपरोक्त आदेशों का अनुपालन किये जाने हेतु सभी संबंधित को यह आदेशित किया जाता है कि उनके द्वारा अपनी सभी निर्माणाधीन परियोजनाओं /स्थलों में माननीय राष्ट्रीय हरित अधिकरण के आदेशों का अनुपालन अक्षरशः सुनिश्चित किया जाये। अग्रेतर यह भी आदेशित किया जाता है कि सभी संबंधित अपनी निर्माणाधीन परियोजनाओं/स्थलों पर तत्काल प्रभाव से निर्माण के संबंध में हरियाणा शहरी विकास प्राधिकरण में सूचित करें। सभी निर्माणकर्ताओं द्वारा उपरोक्तानुसार अनुपालन के संबंध में सूचना न देने की स्थिति में उनके विरुद्ध विधि सम्मत नियमानुसार कार्यवाही की जायेगी, जिसमें परिसर को सील करना एवं अन्य दण्डात्मक कार्यवाही भी सम्मिलित है, जिसके लिये वे स्वयं उत्तरदायी होंगे।

आज्ञा से

मुख्य प्रशासक
हुडडा, पंचकुला