

To,

The secretary  
U.P RERA, KLANKAR HOUSE,  
LUCKNOW-226007

**Sub- Regarding Extension of date of possession ie: upto September 2020 due to ban in construction work by the direction of EPCA(NGT)**

Respected Sir,

This is to bring into your kind notice that as you are very well aware, because of pollution issue Hon'ble supreme court put the ban on all construction related activity in Delhi & NCR and instruct EPCA(NGT) to maintain it. Due to ban in construction work as per direction of the EPCA(NGT) the construction at site was completely closed for a period of approx one and half month(01-11-2019 to 10-12-2019). In the aforesaid matter a direction has already been passed by the Hon'ble Apex court as per article U/S 41,47,48 in writ petition civil no. 13029, all the state government where directed to take specific effort to prevent the Air pollution. Such directions was also passed by the Hon'ble Apex court several times. In the light of report submitted by N.G.T in above referenced subject particularly in Delhi & NCR, there was a complete ban on construction of buildings. We are enclosing herewith some news paper cutting & courts order for ready reference. It has also been said in reports that ban of one month will effect another six months because after the ban period labours and skilled hands are required to reorganized to start the work. Therefore it has been prayed your honor to extend the period of completion of our project namely "WORLD RESIDENCY" Shakti Khand-IV, Indirapuram Ghaziabad, (Tower A & B).

Therefore you are requested to look in to the matter and pass an appropriate order with regard to extension of date of completion for another six months. We think it will be proper to consider our grievances in aforesaid circumstances.

We shall be obliged forever.

"Thanking you"

Your faithfully,



S.P. Singh  
(9999531275)  
(Authorized signatory)

For M/S Real Anchors Developers pvt. Ltd.



ITEM NO.302

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

((1) REPORT NO. 106 SUBMITTED BY EPCA (SPECIAL REPORT ON POLLUTION HOT SPOTS IN NCR WITH REQUEST FOR URGENT DIRECTIONS TO IMPROVE ENFORCEMENT AND POLLUTION CONTROL),

IN RE: STUBBLE BURNING AND SMOG IN DELHI,

(2) IA NO. 127792/2017 (DISPOSED OF) (APPLN. FOR DIRECTIONS FILED BY A.C.)

(3) IA NOS. 158128 AND 158129/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF DR. KAUSHAL KANT MISHRA)

(4) IA NOS. 177602 AND 177610/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF INDIA TRADE PROMOTION ORGANISATION)

(5) IA NOS. 179126 AND 179130/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF DR. ARVIND KUMAR)

IN RE: COLOUR CODED STICKERS

REPORT NO. 103 SUBMITTED BY EPCA (SPECIAL REPORT FOR DELAY IN IMPLEMENTATION OF COLOUR CODED STICKERS ON VEHICLES) AND

IA NO. 168887/2019 (APPLN. FOR EXEMPTION FROM FILING O.T. ON BEHALF OF STATE OF U.P.)

IN RE: DIESEL VEHICLES

IA NO. 79444/2019 (APPLN. FOR DIRECTIONS ON BEHALF OF EAST DELHI MUNICIPAL CORPORATION),

IA NO. 177432/2018 (APPLN. FOR DIRECTIONS ON B/O NORTH DELHI MUNICIPAL CORPORATION),

IA NO. 142872/2019 (APPLN. FOR MODIFICATION OF ORDERS DT. 16.12.2015 AND 31.03.2016 ON B/O DY. COMMISSIONER OF POLICE)

WITH

JUDGMENT,

Diary No(s). 35562/2019 (XVII)

No.161186/2019-CONDONATION OF DELAY IN FILING and IA  
No.161189/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SMW(C) No. 3/2019 (PIL-W)  
(FOR ADMISSION)

natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures. Article 51A(h) requires to develop scientific temper, humanism and the spirit of inquiry and reform.

13. Not only the basic Fundamental Rights are being ignored with respect to air and water, problem of governance are being projected, which cannot come into the way of the basic Fundamental Rights which a human enjoys, much less to talk of the Fundamental Duties and Directive Principles contained in the State policy which have already found statutory expression in the form of Municipal laws, Prevention of Air Pollution and Water Acts and various schemes framed by the Central Government and State Governments, but we see neither the air quality has improved nor the water quality in several States, not to talk of Delhi only. We have called for the report from Delhi Government where the reports indicate that the contaminated water is being supplied and also from Bureau of Indian Standards to submit report in this regard.

14. In the aforesaid situation, we have to direct the various State Governments to submit a report not only as to the air quality but also as to the quality of water which is being supplied, and water management system.

15. At the same time, as we find that in spite of various orders passed by this Court, we are not able to improve the situation of air quality which we can see at least in Delhi and NCR with certainty. Time has come to require the State Governments to explain why they should not be asked to compensate the persons who are being affected by bad air quality. Obviously, the State is run

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## SC partially lifts ban on construction activities in Delhi-NCR region

The Delhi-NCR region has been partially lifted from the ban on construction activities. The ban was imposed by the Supreme Court in 2014 to prevent air pollution. The new order allows construction work to resume in certain areas, but with strict conditions to minimize dust and noise.



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SHARE COMMENT

As a school near collapse, parents will be forced to look for a better one.

The Supreme Court Monday partially lifted its ban on construction activities in the Delhi-NCR region, allowing them between 6 AM and 6 PM, after the Central Pollution Control Board said that air quality index (AQI) level is not severe at present.

The apex court, which had on November 2 stopped construction and demolition in Delhi National Capital Region (NCR) pending the affidavit filed by CPCB, which said however that no construction should be permitted during 6 PM to 6 AM.

The CPCB said the ban could be partially lifted by allowing these activities during the day time (6 AM to 6 PM) stipulated in Graded Response Action Plan (GRAP) which would have strict enforcement of just the dust control at construction activities and control of non-compliant sites during moderate to poor AQI category days.

However, the situation not being severe, CPCB is of considered opinion that partial ban could be in place for construction activities as much as 70% for construction should be permitted during night time (6 PM to 6 AM), said the affidavit, which was perused by a bench of justices Anurag Mishra and Deepan Chandra.

The ban imposed could be partially lifted by permitting activities during day time (6 AM to 6 PM), subject to the criteria stipulated in GRAP, where the level of risk is not high. Construction activities and degree of non-compliance level is mentioned in the order. It also said that the level of non-compliance should be less than 40% category and further a ban on construction activities should be imposed by 10% in ambient air quality index (AQI) level and 20% in AQI level for 48 hours or more - 6 PM.

Additional Solicitor General (ASG) R. S. Natarajan said the bench had on November 2

## ALSO READ

- Air pollution issue: HCT to summon Delhi, central govt officials on Tuesday
- Action plan for Delhi
- From masks to putting off events, how embassies are coping with Delhi air
- Delhi air quality 'severe', take these precautions to stay fit and healthy
- Delhi continues to suffer as air quality slips to very poor category

### Delhi's Air Quality

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# Blowing in the air: Answer to when infra work will be finished

## No Clarity On Construction Ban Despite Improvement In Air Quality

Kham Haider, Pankhuri Yadav & Vibha Sharma | TNN

New Delhi: It's been more than three weeks now since construction activities came to a halt to check pollution, leaving various development projects in the city behind schedule. While such a ban is envisaged for periods when the pollution breaches the "severe" level and remains there for more than 48 hours, the air quality in recent times has fallen below that benchmark. Yet the Supreme Court has not notified the withdrawal of its November ban orders. On Monday, though, the court did ask the Central Pollution Control Board for a report by Friday.

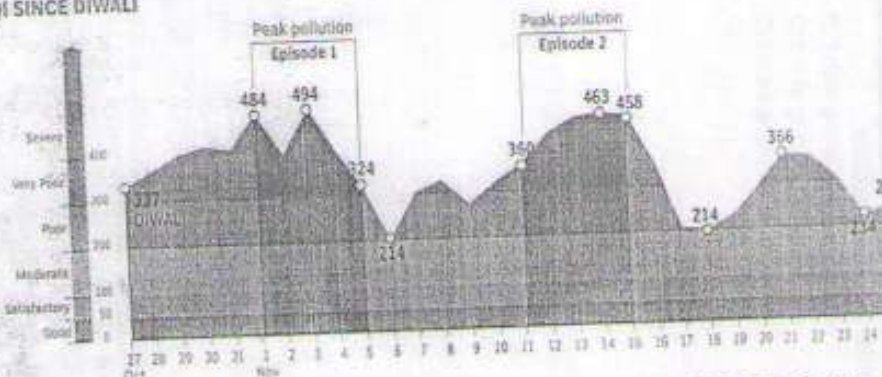
The delay to 30 days of suspension of construction work has affected the schedules of major projects across the capital. A Public Works Department official cited the Pragati Maidan redevelopment plan as an example of how the construction ban has made things difficult for the builders and for others. The department, he pointed, has had to remain covered there, averting traffic jams and the spot.

While the trade fair ground redevelopment might perhaps not finish as expected within 2019, PWD's pedestrianisation of Chandni Chowk too is hanging fire. "This is one project that we were intent on starting at the earliest and finishing on time, but there is nothing that can be done till the ban is lifted," said an official, requesting anonymity. The street-closing project — the 100m stretch's redesigning in nine sections, according to chief minister Arvind Kejriwal — will witness the completion deadline of 11 months.

The issue of projects delayed due to the suspension of the ban on construction activity was raised in the meeting of the standing committee of the North Delhi Municipal Corporation on Monday. Leader of the House, Shankar Kumar, said that an agreement to suspend the

## AFTER 2 SMOG EPISODES, AIR GETS CLEANER..

AQI SINCE DIWALI



### ... BUT NO END TO CONSTRUCTION BAN

► EPCA imposed the ban between 6pm and 5am from October 29-30 as a one-day suspension.

► On October 31, the ban was extended till November 2 as the AQI was in the "severe" category for two days at a stretch.

► On November 3, a complete ban was announced.

► Supreme Court on November 4 ordered construction and

demolition activities in the region till further orders.

► According to Graded Response Action Plan, construction activity is banned when air quality remains in "severe plus" category for two days at a stretch.

► When the AQI is in the "severe plus" category, the GRAP task force

recommends tougher measures that EPCA notifies to the NCR states.

► Nearly 30 days of construction ban have halted major projects.

► Despite days of comparatively lower pollution, there is no

clearly extending the ban till the AQI is in the "severe" category.

### KEY PROJECTS DELAYED

- Pragati Maidan redevelopment
- Chandni Chowk pedestrianisation
- Nine stretches that the PWD planned redesigning entirely in 11 months
- Unblocking of the city's arterial roads, 77 problematic intersections and corridors

ed from the councillors' fund could not be utilised due to stoppage of work. "While the sanction letter for the release of fund was issued to some councillors, we can't ask officials to begin the work on repair of roads, drains or parks due to the ban," Kataria said.

An official with the north corporation said that though the civic body didn't have money to take up big projects, this had planned to tap into the funds available to municipal councillors. "MIA and MIA are construction, sewer, drainage and drainage and to repair roads. All these have been stalled,"

said Kataria.

In SDMC, the first tower parking at Green Park was scheduled to have become operational in mid-November. An official, however, said, "We had to change the deadline for holding all work here. The deadline for the multilevel parking at Lajpat Nagar might also be extended for the same reason."

The Supreme Court-appointed Environment Pollution (Prevention & Control) Authority initially banned construction activities between 6pm and 5am from October 29 to 30 as a pre-emptive measure in view of the Diwali pollution. On October

30, as pollution soared, the ban was extended till November 2 and the ban window stretched by four hours to 10am. On November 1, a complete ban was announced when the air quality worsened. On November 4, the apex court banned construction and demolition work till further orders.

Just after Diwali, the November 1-5 period saw pollution at emergency levels, aggravated by the burning of paddy harvest residue in the neighbouring states and pollutants carried to Delhi by winds. A slight drizzle on November 2 worsened the situation, making November 3 the

foulest day of the month.

"Rain washes away toxins, but light drizzle, calm wind conditions allow particles to deposit," an official explained.

In the second episode of extreme pollution in November (November 11-14), however, the slow speed wind speed due to a disturbance significantly worsened the dispersion, accumulated pollution creating smog conditions in the city. The air quality stayed in the "poor" to "very poor" levels since the top court hasn't revised the ban order.







Industrial units in Delhi today have to shut down if pollution is too high, says the government.



**N**ational Green Tribunal has directed the Delhi Government immediately to open all the industrial units operating in residential areas. Delhi's pollution levels have crossed the severe category in last few weeks and a public health emergency was imposed on November 4th, shutting down the construction and demolition activities in Delhi NCR. After this imposition, the Supreme Court, too took up the hazardous pollution level in Delhi. The government of Delhi has agreed to work for the alleviation of the severe problem.

NGT on Monday, took up the problem of industrial units running in close proximity of residential areas. It directed the Delhi Government to take immediate steps to shut down all the industrial units in the vicinity of residential areas. The court also directed the government to take steps to improve the air quality in the vicinity of industrial units. The court also directed the government to take steps to improve the air quality in the vicinity of industrial units.

According to NGT, the Delhi Government has not taken any steps to improve the air quality in the vicinity of industrial units. The court also directed the government to take steps to improve the air quality in the vicinity of industrial units. The court also directed the government to take steps to improve the air quality in the vicinity of industrial units.

- 1. Delhi Government has directed the industrial units to shut down if pollution is too high.
- 2. The court has directed the government to take steps to improve the air quality in the vicinity of industrial units.
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### RECOMMENDED



Justice J. S. Chelumalai Sundaram



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