

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF ENVIRONMENT AND FOREST
6th Level, C-Wing, Delhi Secretariat, New Delhi-110002

F. No.10(39)/Env/2021/7579-93

Date 24/12/2025

Subject: Directions u/s 5 of the Environment (Protection) Act, 1986 to all Resident Welfare Associations (RWAs), housing society, institution, government or private establishment, contractor, agency, or any other entity of Delhi to ensure the provision of adequate heating arrangements (via electric/approved fuels) to their staff engaged in security, sanitation, horticulture and other miscellaneous services to avoid open Bio-Mass/ MSW during the winter season.

Whereas Delhi faces grave air pollution particularly in winter season and level of pollutants like Particulate Matter Concentration (PM2.5 and PM10) goes much beyond the prescribed standards for Ambient Air Quality.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under the sub section (1) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, the Commission for Air Quality Management in NCR and adjoining areas has repeatedly taken up the matter relating to air pollution with Government of NCT of Delhi and various organizations and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR from time to time.

And whereas, the Commission For Air Quality Management (CAQM) in National Capital Region and Adjoining Areas, in exercise of its powers conferred upon it under section 12 of Commission For Air Quality Management in NCR and Adjoining Areas Act 2021 has issued Direction No. 75 containing revised Graded Response Action Plan (GRAP) on 27.07.2023 vide Direction no. 75, which defines four stages of adverse air quality in Delhi viz. Stage I-Poor (AQI 201-300), Stage II-Very Poor AQI (Air Quality Index) (301-400), Stage III-Severe (AQI 401-450), and Stage IV-Severe + (AQI > 450) respectively, thereafter followed by its amendment vide Direction No. 77 dt 06.10.2023 and revision dt 13.12.2024.

And whereas, CAQM Policy to Curb Policy to Curb Air Pollution in the National Capital Region, issued in July 2022, also provides guidelines for prohibition of open burning of waste, including biomass, and mandated enforcement measures by local authorities to prevent such practices.

And whereas, the Hon'ble Supreme Court, in its order dated 13.12.2023 in W.P. (C) No. 1135/2020, emphasized the necessity of curbing air pollution in Delhi-NCR and directed strict measures against open burning, including providing alternative heating solutions with following direction as reproduced below:

"...ix. Open MSW burning being resorted to for warming / heating purposes and therefore steps must be taken to address this issue..."

And whereas, Hon'ble National Green Tribunal vide its order dated 28th April 2015 in OA 21 of 2014 titled "Vardhman Kaushik Vs Union of India &Ors", regarding air Pollution in Delhi has imposed compensation on burning of any kind of garbage leaves, waste plastic, rubber, self- moulding compound and such other material in open with following direction as reproduced below:

"...the person who is found actually burning such material and/or responsible abating such burning would be liable to pay compensation in terms of Section 15 of the National

Green Tribunal Act, 2010 for polluting environment and would be liable to pay a sum of Rs 5,000 to be paid instantaneously."

And whereas, CAQM, vide Comprehensively revised schedule of the Graded Response Action Plan (GRAP) issued on 13.12.2024 has directed for following to Resident Welfare Associations (RWAs) during invoking of actions envisaged under Stage II – 'Very Poor' Air Quality (DELHI AQI ranging between 301-400)

"Resident Welfare Associations to necessarily provide electric heaters to staff engaged in security, sanitation, horticulture and other miscellaneous services to avoid open Bio-Mass/ MSW burning"

And whereas, as per the Comprehensive study on air pollution and greenhouse gases 2015 conducted by Indian Institute of Technology (IIT Kanpur), biomass burning contribute about 16.7% of PM10 and 25.8% of PM2.5 in winters and about 6.8% to PM10 and 12.2% to PM2.5 in summers. Open burning of biomass, municipal solid waste, and other combustible materials for heating purposes during winters contributes significantly to air pollution, worsening air quality and leading to severe health and environmental hazards.

And whereas, an analysis of ambient air quality data indicates a progressive increase in particulate matter concentrations during the winter period from October to January every year. In 2024, Annual City average of PM 10 and PM 2.5 was 225 ($\mu\text{g}/\text{m}^3$) and 110 ($\mu\text{g}/\text{m}^3$) respectively which is already above the defined National Ambient Air Quality standards (NAAQS). From October 2024 till January 2025, maximum level of PM 10 was recorded as 420 $\mu\text{g}/\text{m}^3$ while maximum PM 2.5 was recorded as 271 $\mu\text{g}/\text{m}^3$. As a result, air quality is significantly impacted, with the Air Quality Index (AQI) frequently reaching the "Very Poor" to "Severe" category and sometimes Severe + category, posing severe public health.

And whereas, grievances with respect to open biomass and waste burning received on the Green Delhi App increased massively by 73.03% during October 2024 to January 2025 (winter period) in comparison to 26.95% in summer period.

And whereas, in view of the deteriorating air quality levels and high levels of particulate matter (PM10 and PM2.5) in the ambient air in Delhi, there is an urgent need to take preventive and control measures to mitigate air pollution.

And whereas, the use of electric heater in winter has been recognized as an effective alternative to open burning for keeping warm by staff on duty during winter season.

Now, therefore, in view of the above, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 read with notification No.SO 667 (E) issued by Ministry of Home Affairs, Government of India dated 10.09.1992, following directions are hereby issued:

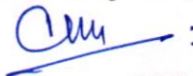
Open burning of biomass, leaves, municipal solid waste, plastic, rubber, or any other combustible material, whether for heating or for any other purpose, is strictly prohibited; and

every Resident Welfare Association (RWA), housing society, institution, government or private establishment, contractor, agency, or any other entity engaging or deploying staff for security, sanitation, horticulture, or other miscellaneous services shall be responsible for ensuring effective supervision, monitoring, and provision of preventive control such as adequate heating arrangements (via electric/approved fuels) to ensure that no person so engaged, employed, or deployed under their authority or control indulges in any such prohibited open burning, failing which liability shall be attracted in accordance with applicable provisions of law.

Department of Revenue GNCTD to widely circulate and ensure the implementation of the direction.

These directions shall come into force with immediate effect and shall remain applicable throughout the winter season and for such period as adverse air quality conditions persist or until further orders. Any violation of these directions shall be punishable under Section 15 of the Environment (Protection) Act, 1986, without prejudice to any other action permissible under law.

By order and in the name of the
Lieutenant Governor of National Capital Territory of Delhi


(Vijay Kumar Bidhuri)
Secretary (Environment)

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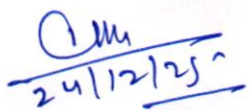
Dated:

Copy for compliance to:

1. Divisional Commissioner, Department of Revenue, GNCTD.

Copy To:

1. Pr. Secretary to Hon'ble Lt. Governor, GNCTD.
2. Additional Chief Secretary, Urban Department, GNCTD
3. Principal Secretary (Home), GNCTD
4. Pr. Secretary (Environment and Forest), GNCTD.
5. Commissioner, Municipal Corporation of Delhi.
6. Chairman Delhi Pollution Control Committee
7. Chairman, New Delhi Municipal Council.
8. Commissioner, Delhi Police.
9. Addl. Secretary, GAD: **with request to circulate to all GNCTD depts.**
10. Addl. Secretary to Hon'ble Chief Minister, GNCTD.
11. Member Secretary, Commission for Air Quality Management in National Capital Region and Adjoining Areas, STC Building, New Delhi.
12. Staff Officer to Chief Secretary, Delhi.
13. Secretary to Hon'ble Minister (Environment), GNCTD.
14. Chief Executive Officer, Delhi Cantonment Board.


24/12/25
(Vijay Kumar Bidhuri)
Secretary (Environment)