

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 306/2019

Vishal Jain

Applicant(s)

Versus

Govt. of NCT of Delhi

Respondent(s)

NDOH 29.08.2019

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(Delhi Pollution Control Committee)

Respondent

New Delhi:

Dated: 27.08.2019

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 306/2019

Sh. Vishal Jain

Applicant

Versus

Govt. of NCT of Delhi

Respondent

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN TERMS OF ORDER DATED 06.05.2019**

MOST RESPECTFULLY SHOWETH

1. That in pursuance and compliance of the order passed by this Hon'ble Tribunal dated 06.05.2019, a team of officials from DPCC inspected the site 'Easy Day' on 19.08.2019.
2. That During inspection it was found that the said 'Easy day Shopping Mall' is not a Mall, but a normal retail shop/ grocery shop/outlet and the Owner/ Partner is Sh. Dhananjay Sen Gupta. Copy of the inspection report and photographs taken during the visit is annexed herewith as **Annexure-1**.
3. That during the inspection one Generator (D.G set) of the capacity 25 kVA was found installed at the location, however, the said Generator is in non-operational condition. Since it had no electricity connection for supply of power to the main electricity supply line of the outlet.



4. That during the inspection it was further observed that the stack height of the Generator was less than the prescribed height as per the Gazette Notification of MOEF dated 09.07.2002. DPCC officials visited the site on 20.08.2019, to conduct the noise monitoring of the DG Set. As the battery cables and power connection of the DG Set found disconnected, so noise monitoring could not be conducted.
5. That as a abundant precaution, direction was issued to the owner to remove the DG Set within 15 days and submit the compliance report to DPCC under the provisions of the Air Act, 1981. Copy of the said directions dated 26.08.2019 is annexed as **Annexure-2**.
6. That no Industrial activity or any pollution being caused otherwise was found in the said area.
7. In view of the above, the present petition may please be disposed off.


(SATENDER KUMAR)
ENV.ENGINEER

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 1st Floor, E Block, Vikas Bhawan-II, Upper Bela Road, Civil Line, Delhi-54 visit us at : http://dpcc.delhigovt.nic.in
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Inspection Report

Unique Computer Generated Id.....

<p>1. Name & Address of the Unit GSTIN/VIN 07AADCB1093NLZ1 Land Lord Sh Anup Kumar (9811619330)</p>	<p>: M/s "Easy Day" A division of Future Retail Ltd 65/2, (Ground Floor) New Rohit Road, Delhi-110005</p>
<p>2. Owner/ Partner's Name & Contact Details(Phone & E-mail)</p>	<p>: Sh. Dhananjay Sen Gupta CEO.....</p>
<p>3. Date of Inspection</p>	<p>: 19/08/2019.....</p>
<p>4. Time of inspection Start of Inspection</p>	<p>: 3:30 PM onwards.....</p>
<p>End of Inspection</p>	<p>:</p>
<p>5. Name & Designation of the Persons contacted at the industry</p>	<p>: Sh. Santosh Kumar Store Manager 9650 596690</p>
<p>6. Kind of Industry</p>	<p>: Retail Shop Grocery Shop.....</p>
<p>7. Product & Capacity</p>	<p>: Shop.....</p>
<p>8. Main Raw Materials</p>	<p>:</p>
<p>9. Water Polluting</p>	<p>: Yes/No <input checked="" type="checkbox"/> ETP Installed : Yes/No</p>
<p>10. Air Pollution</p>	<p>: Yes/No <input checked="" type="checkbox"/> ECS Installed : Yes/No NA</p>
<p>11. Details of Stack Height (Furnace/Boilers/Others)</p>	<p>: (Above G.L.)..... (Above R.L.).....</p>
<p>12. Type of Fuel Used</p>	<p>: Electricity.....</p>
<p>13. A. Source of Water Supply</p>	<p>: DJB/NDMC/DSIIDC/Borewell/Tankers/Others</p>
<p>B. Effluent Discharge</p>	<p>(a) Domestic/ Trade Effluent <input checked="" type="checkbox"/></p> <p>(b) Unit connected to Conveyance System: Yes/No NA</p> <p>(c) Discharging into..... Sewer.....</p>
<p>14. Status of Consent {If Any}</p>	<p>: - N/A -.....</p>
<p>15. D.G. Set(s) {if Any}</p>	<p>: No./Capacity... 25... KVA. Acoustic: Yes/No <input checked="" type="checkbox"/></p> <p>Stack Height..... (Above G.L.)..... (Above RL)</p>
<p>16. Plot Area</p>	<p>: 2400 sq feet.....</p>
<p>17. Labour</p>	<p>: Staff 10 persons.....</p>
<p>18. Machinery</p>	<p>: Self's for carrying grocery goods refrigerators for cold drinks, milk, Juice etc.....</p>

19. Detail of Power Connection *CA No 600/2003343 (40 kw) in name of Anup Kumar S/o Sri Prakash Suresh*
20. Whether Unit found in Operation : Yes/No
21. Status of Registration under Plastic Waste Management Rules, 2016 :
22. Whether Generating Hazardous Waste : Yes/No
23. Details about Hazardous Waste :
- (a) Status of Authorization {if any} :
 - (b) Display Board Provided : Yes/No
 - (c) Whether Hazardous Waste is stored in Leak proof container : Yes/No
 - (d) Whether container marked with specified label : Yes/No
 - (e) Whether container stored kept in an isolated area : Yes/No
 - (f) Whether Hazardous Waste is being stored on pucca floor & in covered area : Yes/No
 - (g) Whether date on which storage began indicated on each container : Yes/No
 - (h) Whether daily record of Hazardous Waste maintained in Form-3 : Yes/No
 - (i) Category of Hazardous Waste as per the Schedules I, II and III of these rules :
 - (j) Authorized mode of disposal or recycling or utilization or co-processing etc. :
 - (k) Quantity (Ton/Annum) :

N/A

Remarks (if Any)

- ① Ground floor premises is being used as detail shop for grocery items
- ② A D.G. Set of 25 KVA with acoustic enclosure exist & located at front side of shop with inadequate stack height. DG set is non-operational, electric wire/cables found disconnected.
- ③ Upper floors (F.F. 2nd, F. & 3rd floor) are being used as residence.

SANTOSH KUMAR
 9650596690
 19/8/19 (SM)

M.S. RAO
 19/8/19
 M.S. RAO
 EE, DPCC (Inspector)

5

AMUN
10% OFF
पैसे की दुकान

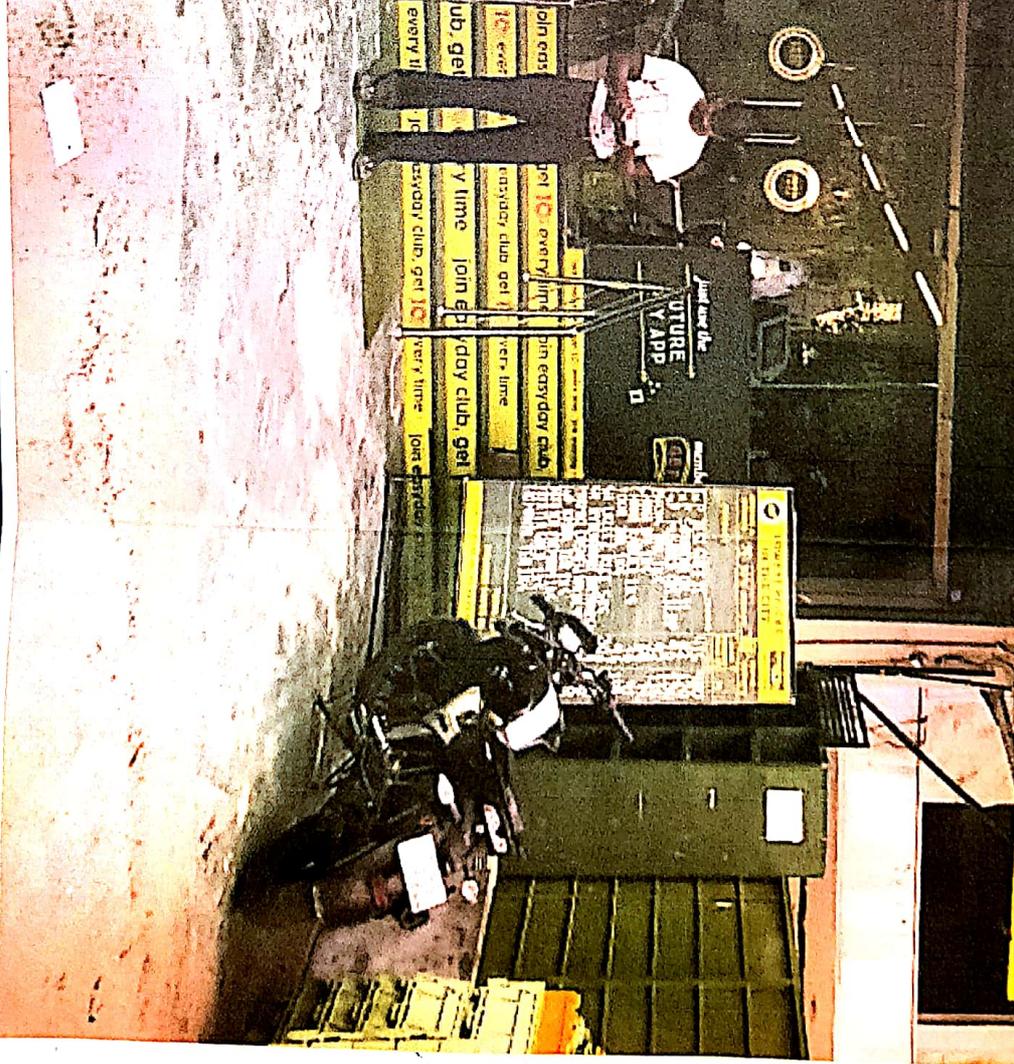
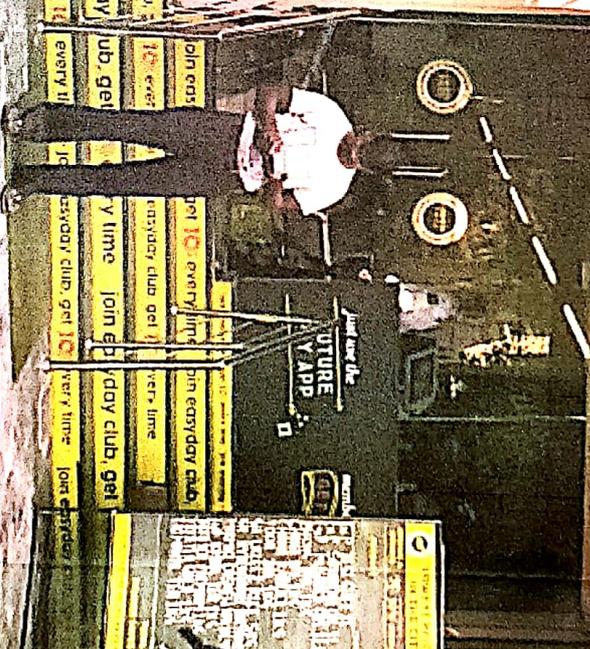
easycday
Club

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8

FILLED FOODS
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DELHI POLLUTION CONTROL COMMITTEE

First Floor, E-Wing, Vikas Bhawan-II,
Upper Bela Road, Civil Lines, Delhi-110054
Visit us at : <http://dpcc.delhigovt.nic.in>

Annexure - 2

F. No. DPCC/CMC-V/NGT(OA No. 306/2019)/2019/7538

Dated: 16, 08, 19

Subject: Directions for Closure u/s 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981, as amended to date.

Whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee.

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

And whereas, it is mandatory provision under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 that no person without the previous consent of the DPCC shall establish or operate any industrial plant in air pollution control area.

And whereas, Hon'ble NGT in OA No. 306/2019 has given the following directions:

“Let the Delhi Pollution Control Committee (DPCC) look into the matter, take appropriate action in accordance with law and furnish a factual and action taken report in the matter within two months by email at ngt.filing@gmail.com”.

And whereas, inspection of M/s Easy Day (A Division of Future Retail Ltd.), 65/2, Ground Floor, New Rohtak Road, Karol Bagh, Delhi-110005 was conducted by DPCC officials on 19.08.2019 and it was observed that you are engaged in the activity of Grocery Shop and have installed a D.G. Set of capacity 25 KVA.

And whereas, during inspection, it was observed that the stack height of said D.G. set is found to be inadequate.

Now therefore, the Competent Authority in Delhi Pollution Control Committee, in exercise of powers conferred upon it, under the provisions of the u/s 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981 as amended to date, hereby issue the following directions:

1. That you (the addressee unit) shall remove the D.G. set from your premises within 10 days & submit the compliance report within 15 days.
2. That the concerned Sub Divisional Magistrate shall take necessary action for the removal of D.G set in case of non-compliance of (1) above.

You shall be liable for penal action under the provision of said Acts in case of violation of above said directions.

This is being issued as per the approval of the Competent Authority, Delhi Pollution Control Committee


 (Salender Kumar)
 Incharge, CMC-V

To,

**M/s Easy Day (A Division of Future Retail Ltd.),
65/2, Ground Floor, New Rohtak Road,
Karol Bagh, Delhi-110005**

Copy to:

1. Master File, CMC-V, DPCC.