

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 1008/2018

In the matter of:

Deepak Datta

...Applicant

Versus

Govt. of the NCT of Delhi.

...Respondents

NDOH :19.09.2019

NDEX

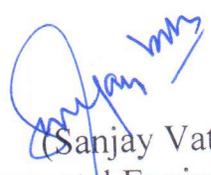
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Filed by:


(Sanjay Vatts)
Environmental Engineer
(Delhi Pollution Control Committee)
Respondent

New Delhi:

Dated: 17.09.2019

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

O.A. NO. 1008/2018

In the matter of:

Deepak Datta ...Applicant

Versus

Govt. of the NCT of Delhi. ...Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER
DATED 09.08.2019**

1. That the present matter was listed before this Hon'ble Tribunal on 09.08.2019 whereby this Tribunal directed the answering respondent to file a compliance report and further listed the matter for hearing on 19.09.2019.
2. That in pursuance of the orders of this tribunal, the answering respondent herein had earlier filed its action taken report on 17.05.2019 and 06.08.2019 respectively, which are available on the records of this Hon'ble Tribunal.
3. That as directed by this Hon'ble Tribunal, a joint inspecting team of CPCB and DPCC carried out inspection of 23 banquet halls. Thereafter, CPCB submitted its joint inspection report before this Hon'ble Tribunal on 26.07.2019 which is available on the records.
4. That pursuant to the said inspection "Environmental Damage Compensation" was imposed on all 23 banquet halls for extraction of ground water and inadequate parking. That Environmental Damage Compensation amounting to a total of Rs. 84,75,082/- (Rupees Eighty Four Lakhs Seventy Five Thousands Eighty Two Only) was imposed on these banquet halls.(List is enclosed as **Annexure-I**)

- 2
5. It is pertinent to mention herein that Rs. 80,86,362 (Rupees Eight Lac Eighty Six Thousand and Three Hundred Sixty Two Only) has been recovered from 21 out of 23 Banquet Halls.
 6. Further, directions have been issued to seal the 02 banquet halls who have not deposited the Environmental Damage Compensation. However, these 02 Banquet Halls were found non operational during the joint inspection of CPCB and DPCC.
 7. That it is further pertinent to mention herein that bore wells were found in 22 banquet halls out of the 23, which have been disconnected/ sealed and illegal extraction of ground water has been stopped and during inspection it was found that in the remaining one banquet hall no bore well was existing.
 8. That, out of these 23 banquet halls, 20 are having valid Consent to Operate and 03 are non-operational due to renovation/construction work being carried out at their site. These 03 Banquet halls were inspected and it was found that they are not carrying out any commercial activity and were under construction/renovation.
 9. That, as per the joint inspection report dated 26.07.2019 prepared by the CPCB and DPCC in respect of 23 Banquet Halls, 10 Banquet Halls had Consent to Operate by the time of inspection. 02 Banquet Halls had applied for consent to establish. Rest of the 11 Banquet Halls were found to have been carrying out operation without obtaining valid Consent to Operate for period varying from 28 days to 1280 days. Accordingly, it has been decided to levy Environmental Damages Compensation for causing damage to the environment on these 11 banquet halls due to carrying out operations in violation of the laws, (a list of 11 banquet halls with Environmental Damage Compensation levied is enclosed as **Annexure-2**). That the Environmental Damages Compensation so levied is in addition to the Environmental Damage Compensation imposed regarding illegal extraction of ground water and inadequate parking. That it has been further decided to launch prosecution in respect of these 11 banquet halls who were operating in violation of laws.

10. That apart from taking action towards closure, prosecution, and assessment and recovery of compensation, DPCC has taken up the issues of inadequate parking, traffic congestion, fire safety, evaluation of building plans and adequacy of other infrastructural facilities with North Delhi Municipal Corporation vide letters dated 30.07.2019 and 13.09.2019 requesting the Corporation to review the adequacy of infrastructure for the existing Banquet Halls and to assess the situation before granting fresh license to the Banquet Halls. Copy of the letters dated 30.07.2019 and 13.09.2019 are enclosed herewith as Annexure-3 (colly).

11. That letters were written to the Dy. Commissioner of Police (West District) alongwith copy of joint inspection report of CPCB & DPCC, requesting for necessary action with respect to parking issues. Further Dy. Commissioner of Police (West District) was requested to take steps for smooth traffic flow in the area and also to ensure compliance of restrictions on the use of Loud-speakers/ Public address system and sound producing instruments. Copy of the letters dated 30.07.2019 and 13.09.2019 are enclosed herewith as Annexure-4 (colly).

12. That during joint inspection carried out by CPCB and DPCC, it has been observed that out of the 23 Banquet Halls in the area, organic waste converter has been installed in 06 Banquet Halls and 03 Banquet Halls were under construction stage; in the remaining 14 Banquet Halls the organic waste converters were not found installed. Accordingly, directions have been issued to these 14 Banquet Halls to install organic waste converters and to close down operations till the organic waste converter is installed.

13. It is submitted that detailed action has been taken for specific violations committed by each of the Banquet Halls including levy of Environmental Damage Compensation, closure of operations and prosecution. Environmental compensation of Rs. 80,86,362 (Rupees Eight Lac Eighty Six Thousand and Three Hundred Sixty

Two Only) has also been recovered. That it has been decided to carry out periodic inspection of these 23 Banquet Halls to ensure that they carry out their operations in compliance with the environmental laws. In case of those violating the environmental laws and causing damage to the environment, the illegal activities will be stopped forthwith and further action including levy of Environmental Damage Compensation and launching prosecution will be taken.

The status report may kindly be taken on record in compliance of the order of the Hon'ble Tribunal dated 09.08.2019.



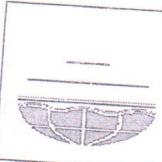
(Sanjay Vatts)
Environmental Engineer
(Delhi Pollution Control Committee)

**Environmental Damage Compensation(EDC) imposed on 23 Banquet Halls for
Inadequate Parking and Ground Water Extraction**

S. No.	Name of banquet hall	Address	EDC levied for inadequate parking(in Rs.)	EDC levied for Groud Water Extraction (in Rs.)
1	Lavanya Orchid	15, Shivaji Marg, Najafgarh Road Industrial Area, Delhi - 110015	1,00,000	1,58,151
2	The Ritz (a Unit Of Tristar Hospitalities)	Plot No-27-a, And 27-b, Gf,ff And Sf, Industrial Area Najafgarh Road Shivaji Marg , New Delhi - 110015	1,00,000	70,992
3	The Grand Dream(S & S Hospitality Services Inc)	Plot No 16,shivaji Marg Najafgarh Road Industrial Area, Delhi - 110015	1,00,000	4,58,541
4	La Steela A Unit Of Mercure Hospitality Pvt.	20, Shivaji Marg, Najafgarh Road Industrial Area, New Delhi - 110015	1,00,000	5,18,738
5	TIFFANY BANQUET (A UNIT OF PPR	PLOT NO.14, NAJAFGARH ROAD INDUSTRIAL AREA, NEW DELHI-110015	1,00,000	50,000
6	CORAL BELLSS (A UNIT OF SHRI KRISHNA	26/1, SHIVAJI MARG, MAIN NAJAFGARH ROAD, NEW DELHI-110015	1,00,000	50,000
7	The Imperial Banquet (A Unit Of Silk Hospitality)	36, Rama Road, New Delhi - 110015	1,00,000	55,440
8	RADHA PALACE (A Unit of Ritz Blue Hospitality)	36 RAMA ROAD NAJAFGARH ROAD INDUSTRIAL AREA, DELHI - 110015	1,00,000	2,37,415
9	Majestic Crown A Unit Of Vricksh Hospitality	24, Shivaji Marg, New Delhi - 110015	1,00,000	1,93,950
10	Sawan Banquets (a Unit Of G S Hospitality Services)	54-a/1, Rama Road, Najafgarh Road Industrial Area , New Delhi - 110015	1,00,000	8,73,636
11	KAINOOSH (A UNIT OF RIGHT HOSPITALITY	16 SHIVAJI MARG, NAJAFGARH ROAD INDL AREA, NEW DELHI - 110015	1,00,000	5,47,628
12	Golden Royale Hospitality Pvt. Ltd.	Plot No. 27-c 2/3, Najafgarh Road Industrial Area, New Delhi-110015, New Delhi - 110015	1,00,000	8,32,590
13	Grand Imperia (a Brand Name Of M/s S.s. Foods)	33/33a, Rama Road Najafgarh Road Indl Area, Delhi - 110015	1,00,000	4,87,611
14	Chandelier (A Unit of Vedic Hospitality Pvt Ltd)	33 and 33 A, Shivaji Marg, Najafgarh Road Industrial Area, Delhi	1,00,000	50,000
15	VALENTINE BANQUBLEX	4-A, NAJAFGARH ROAD INDUSTRIAL AREA , DELHI - 110015	1,00,000	4,67,670
16	Cp 65 Banquet	69/6a, Najafgarh Road Industrial Area, Moti Nagar, New Delhi - 110015	1,00,000	6,84,000
17	The Grand Horizon (A Unit of KRK Hospitality)	11-a, Shivaji Marg Najafgarh Road Industrial Area, New Delhi - 110015	1,00,000	50,000
18	M/s La Amour (A unit of Kingston Ventures)	54 B/1 Najafgarh Road, Rama Road Industrial Area, New Delhi- 110015	1,00,000	50,000
19	The Falcon (A Unit Of Srm Banquets Private Limited)	Plot No-17, chhatrapati Shivaji Marg Najafgarh Road Industrial Area, New Delhi - 110015	1,00,000	50,000
20	PLATINUM (CARE FOOD AND HOSPITALITY)	71/4, SHIVAJI MARG, NAJAFGARH ROAD, (OPP. HALDIRAM)	1,00,000	50,000
21	The Pearl Banquets	Plot No 21, Shivaji Marg, Najafgarh Road Industrial Area, New Delhi - 110015	1,00,000	1,38,720
22	ANDAAZ (A UNIT OF MH BANQUETS LLP)	PLOT NO.63, RAMA ROAD, NAJAFGARH ROAD INDUSTRIAL AREA, NEW DELHI-110015	1,00,000	50,000
23	Dream Hospitality	23, NAJAFGARH ROAD, INDUSTRIAL AREA, NEW DELHI-110015	1,00,000	50,000
	Total		Rs 23,00,000	Rs 61,75,082
	Total EDC levied			Rs 84,75,082

Environmental Damage Compensation(EDC) imposed on 11 Banquet Halls for operating without Consent to Operate

S. No	Industry Name	Industry Address	EDC imposed (in Rs.)
1	The Ritz (a Unit Of Tristar Hospitalities)	Plot No-27-a, And 27-b, Gf,ff And Sf, Industrial Area Najafgarh Road Shivaji Marg, New Delhi - 110015	25,60,000
2	TIFFANY BANQUET (A UNIT OF PPR HOSPITALITY)	PLOT NO.14, NAJAFGARH ROAD INDUSTRIAL AREA, NEW DELHI-110015	10,32,000
3	CORAL BELLSS (A UNIT OF SHRI KRISHNA HOSPITALITY)	26/1, SHIVAJI MARG, MAIN NAJAFGARH ROAD, NEW DELHI-110015	5,40,000
4	The Imperial Banquet (A Unit Of Silk Hospitality)	36, Rama Road, New Delhi - 110015	13,88,000
5	Majestic Crown A Unit Of Vricksh Hospitality	24, Shivaji Marg, New Delhi - 110015	15,38,000
6	The Grand Horizon (A Unit Of Krk Hospitality)	11-a,shivaji Marg Najafgarh Road Industrial Area, New Delhi - 110015	5,02,000
7	The Falcon (A Unit Of Srm Banquets Private Limited)	Plot No-17, chhatrapati Shivaji Marg Najafgarh Road Industrial Area, New Delhi - 110015	7,00,000
8	ANDAAZ (A UNIT OF MH BANQUETS LLP)	PLOT NO.63, RAMA ROAD, NAJAFGARH ROAD INDUSTRIAL AREA, NEW DELHI-110015	56,000
9	PLATINUM (CARE FOOD AND HOSPITALITY)	71/4, SHIVAJI MARG, NAJAFGARH ROAD, (OPP. HALDIRAM)	21,10,000
10	RADHA PALACE (A Unit of Ritz Blue Hospitality)	36 RAMA ROAD NAJAFGARH ROAD INDUSTRIAL AREA, DELHI - 110015	90,000
11	VALENTINE BANQUBLEX	4-A, NAJAFGARH ROAD INDUSTRIAL AREA , DELHI - 110015	56,000



DELHI POLLUTION CONTROL COMMITTEE
GOVERNMENT OF NCT OF DELHI
5th Floor, ISBT Building, Kashmere Gate, Delhi-110006
visit us at : <http://dpcc.delhigovt.nic.in>

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F. No. DPCC/OA-1008/NGT/2018/ 6007-6008

Dated: 30/7/2019

To,
Commissioner,
North Delhi Municipal Corporation,
Dr. Shyama Prasad Mukherjee Civic Centre,
Jawahar Lal Nehru Marg,
New Delhi-110002

Subject: Compliance of order of Hon'ble NGT in O.A. No. 1008/2018 in the matter of
Deepak Datta Vs. Govt. of NCT of Delhi - reg.

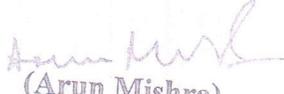
Sir,

In compliance to the orders of Hon'ble National Green Tribunal dated 07.01.2019 and 21.05.2019, in O.A. No. 1008/2018 in the matter of Deepak Datta Vs. Govt. of NCT of Delhi, a team of officials of CPCB and DPCC have inspected the banquet halls operating at Shivaji Marg, Najargarh Industrial Area, Delhi on 14, 21 and 24 June, 2019. Copy of the report of joint inspection team is enclosed herewith for perusal and necessary action on the issues related to you on priority as the next date of hearing before Hon'ble NGT is 9.8.2019. Issues pertaining to you are listed out below:-

- (i) to verify and evaluate building plans and parking issues.
- (ii) to review the adequacy of infrastructure for existing banquet halls for which approval has already been granted and to ensure adequacy of infrastructure facilities like traffic, parking, fire safety etc. before granting any fresh approval of banquet halls in the area. Adequate infrastructure arrangements may be made for them in the area by municipal corporations.
- (iii) to ensure that all banquet halls installing organic waste convertor (a) to reduce waste generation at site (b) to utilize organic waste for reuse in gardening etc
- (iv) to ensure that these banquet halls are operating in compliance with approved building plans and without any parking and traffic issues. In case, it is not possible to provide basic infrastructure required-traffic, parking etc. such banquet halls may be shifted out of the area.

In view of above, you are requested to kindly look into the issues and direct the concerned to take immediate action and submit the compliance report by 02.8.2019 so that the action taken report can be submitted to Hon'ble NGT within a time.

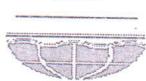
Yours faithfully,


(Arun Mishra)
Member Secretary

Encl: As Above.

Copy to :-

1. The Dy. Commissioner (Karol Bagh Zone), North Delhi Municipal Corporation, Desh Bandhu Gupta Road, Christian Colony, Block-17B, Dev Nagar, Anand Parbat, New Delhi-110005

	<p>DELHI POLLUTION CONTROL COMMITTEE GOVERNMENT OF NCT OF DELHI 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006 visit us at : http://dpcc.delhigovt.nic.in</p>
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F. No. DPCC/OA-1008/NGT/2018/ 6012-6013

Dated: 30/7/2019

To,
The Deputy Commissioner of Police,
West District,
Rajouri Garden Police Station,
Rajouri Garden,
New Delhi-110027

Subject: Compliance of order of Hon'ble NGT in O.A. No. 1008/2018 in the matter of Deepak Datta Vs. Govt. of NCT of Delhi - reg.

Sir,

In compliance to the order of Hon'ble National Green Tribunal dated 07.01.2019 and 21.05.2019, in O.A. No. 1008/2018 in the matter of Deepak Datta Vs. Govt. of NCT of Delhi, a team of officials of CPCB and DPCC have inspected the banquet halls operating at Shivaji Marg, Najargarh Industrial Area, Delhi on 14, 21 and 24 June, 2019. Copy of the report of joint inspection team is enclosed herewith for perusal and necessary action w.r.t. the parking issues and to take steps for smooth traffic flow in the area. Apart from this, Delhi Police should ensure compliance of restrictions on the use of loud speakers/public address system and sound producing instruments.

In view of above, you are requested to kindly look into the issues and take immediate action and submit the compliance report by 02.8.2019 so that the action taken report can be submitted to Hon'ble NGT within a time.

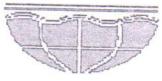
Yours faithfully,


(Dr. B.M.S. Reddy)
Incharge, CMC-IV & VI

Encl: As Above.

Copy to :- The Commissioner, Delhi Police, Delhi Police head Quarters, ITO, New Delhi-110002

o/c

	<p>DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 4th & 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI- 110006</p>
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REMINDER

Annexure - 4 (copy)

Dated: 13-9-19

F. No. DPCC/OA-1008/NGT/2019/ 211-12

To,

The Commissioner, North Delhi Municipal Corporation,
Dr. Shyama Prasad Mukherjee Civic Centre,
Jawahar Lal Nehru Marg,
New Delhi - 110002

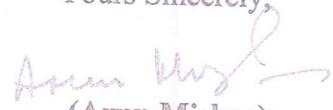
Subject: Compliance of Order of Hon'ble NGT in OA No. 1008/2018 in the
matter of Deepak Datta Vs Govt. of NCT of Delhi-reg.

Madam,

In compliance to the orders of Hon'ble NGT dated 07.01.2019 and 21.05.2019, in OA No. 1008 of 2018 in the matter of Deepak Datta Vs Govt. of NCT of Delhi, a team of officials of CPCB and DPCC had inspected banquet halls operating on Shivaji Marg, Najafgarh Road, Industrial Area on 14, 21 and 24th June 2019. A letter was written to you on 30.07.2019 requesting you to look into the issues related to North Delhi Municipal Corporation and direct the concerned to take immediate action and submit a compliance report by 02.08.2019 so that the action taken report can be submitted to Hon'ble National Green Tribunal. (copy of letter is enclosed). However no compliance report has been received so far.

The next date of hearing in this matter is 19.09.2019. By way of this letter, you are once again reminded to submit a compliance report within 02 days so that the action taken report can be submitted to Hon'ble National Green Tribunal within time.

Yours Sincerely,

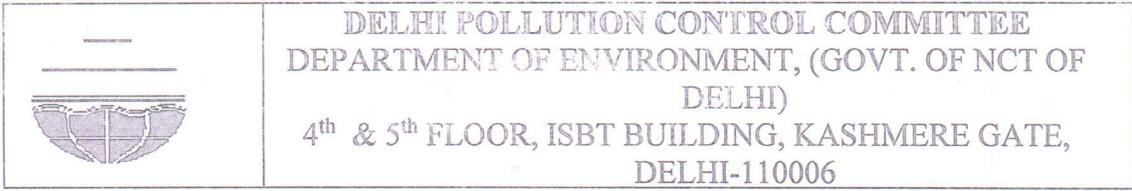

(Arun Mishra)

Member Secretary

Encl. As above

Copy to:-

1. The Dy. Commissioner(Karol Bagh Zone), North Delhi Municipal Corporation, Desh Bandhu Gupta Road, Christian Colony, Block-17 B, Dev Nagar, Anand Parbat, New Delhi-110005



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REMINDER

F. No. DPCC/OA-1008/NGT/2019/ 213-16

Dated: 13-9-19

To,

Joint Commissioner of Police: Licensing, Delhi Police, First Floor of Police
Station Defence Colony, Near Moolchand Hospital,
New Delhi -110049

Subject: Compliance of Order of Hon'ble NGT in OA No. 1008/2018 in the
matter of Deepak Datta Vs Govt. of NCT of Delhi-reg.

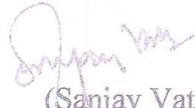
Sir,

In compliance to the orders of Hon'ble NGT dated 07.01.2019 and 21.05.2019, in OA No. 1008 of 2018 in the matter of Deepak Datta Vs Govt. of NCT of Delhi, a team of officials of CPCB and DPCC had inspected banquet halls operating on Shivaji Marg, Najafgarh Road, Industrial Area on 14, 21 and 24th June 2019. A letter was written to Dy. Commissioner of Police, West District on 30.07.2019 requesting him to look into the issues related to Delhi Police and to take immediate action and submit a compliance report by 02.08.2019 so that the action taken report can be submitted to Hon'ble National Green Tribunal.(copy of letter is enclosed). However no compliance report has been received so far.

The next date of hearing in this matter is 19.09.2019. By way of this letter, you are requested to submit a compliance report within 02 days so that the action taken report can be submitted to Hon'ble National Green Tribunal within time.

This issues with the approval of Member Secretary, DPCC

Yours Sincerely,


(Sanjay Vatts)

Incharge, CMC-VI

Encl. As above

Copy to:-

1. Dy. Commissioner of Police, West District, Rajouri Garden Police Station, Rajouri Garden, New Delhi – 110027 – with a request to submit a compliance report within 02 days so that the action taken report can be submitted to Hon'ble National Green Tribunal within time.