

mat 10.25 AM
dt 13/12/2022

**IN THE COURT OF NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW
DELHI.**

In the matter of E.A. No. 24/2022 and O.A No. 60/2022, PS Anand Parbat, Central,
Delhi.

IN THE MATTER OF :-

Alka Jain

..... Petitioner

VERSUS

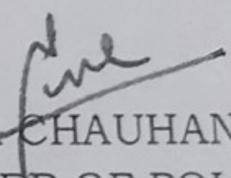
NDMC and Ors.

..... Respondent

ACTION TAKEN REPORT AS PER THE DIRECTION PASSED BY HON'BLE
NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH OF NEW DELHI VIDE ORDER
DATED 12.10.2022.

RESPECTFULLY SHOWETH:-

1. With reference to the above mentioned order, it is submitted that enquiry into the matter has been conducted by SI Satyam Gupta and it is revealed that the Complaints which had been sent to NGT by complainant Mrs. Alka Jain which is pending consideration before the NGT had also been received is PS Anand Parbat, Delhi vide GD No. 82A dated 23.09.2019.
2. Keeping in view the complaints of the complainant Alka Jain action for encroachment of public property was taken against Mohan Singh vide FIR No. 223/2019, U/s 283 IPC, dated 26.09.2019. An FIR was also registered against Mr. Ramesh S/o Deepchand vide FIR 244/2019, U/s 283/290 IPC for encroachment on Cemented Road, Anand Parbat, Delhi.
3. While considering the said complaint the NGT had directed Police as well as other authorities to take remedial action in this regard in order dated 16.02.2022 in OA No. 60/2022.
4. As Action had already been taken by the police on the same complaint vide FIR No. 223/2019, U/s 283 IPC, dated 26.09.2019, No further action was taken after 16.02.2022.
5. It is further submitted that action had been taken on each and every complaint of the present complainant.
6. It is further submitted that at present no such activity is reported. If any kind of such activity is reported, action will be taken in accordance with the legal provision.


(SHWETA CHAUHAN) IPS
COMMISSIONER OF POLICE;
CENTRAL DISTRICT, DELHI

DY No. 5288 /ACP/PN
Dated 06-12-22

Disp No 5704/SHD/AP
6/12/22

Urgent (22)

Subject : Action Taken Report cum Status Report in c/w Ref. No. 20946-47/Legal Cell dated 26.10.2022

Alka Jain Vs Mohan Singh

Sir

It is submitted that enquiry into the matter has been conducted by SI Satyam Gupta and it revealed that the Complaint which had been sent to NGT by complainant Mrs. Alka Jain which is pending consideration before the NGT had also been received in PS Anand Parbat, Delhi vide GD No. 82A dated 23.09.2019.

Keeping in view the complaints of the complainant Alka Jain action for encroachment of public property was taken against Mohan Singh vide FIR No. 223/2019, U/s 283 IPC, dated 26.09.2019. An FIR was also registered against Mr. Ramesh S/o Deepchand vide FIR 244/19 U/s 283/290 IPC for encroachment on Cemented Road, Anand Parbat, Delhi.

While considering the said complaint the NGT had directed Police as well as other authorities to take remedial action in this regard in order dated 16.02.2022 in OA No. 60/2022.

As action had already been taken by the police on the same complaint vide FIR No. 223/2019, U/s 283 IPC, dated 26.09.2019, No further action was taken after 16.02.2022.

It is further submitted that action has been taken on each and every complaint of the present complainant.

It is further submitted that at present no such activity is reported. If any kind of such activity is reported, action will be taken in accordance with the legal provision.

~~ACP/PTA~~ [Signature] 6/12/22

24/6

[Signature] 05-12-22
Station House Officer,
PS Anand Parbat, Delhi

The 5110
Police Station Anand Park
New Delhi 110005

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23/09/19

Complaint regarding the pollution due to building material and Threading by Mohan Singh also Teacher Lane Upper Anand Park New Delhi - 110005.

Sir,

① This is for your kind information that there is a shop in the name, Purchase, Storage, Supply etc. of building materials that is located near, Delhi, corner, Darya Ghat etc. at the road side of from a prominent corner of Teacher Lane to Ramjas Day Boarding School, Anand Park New Delhi 110005 that is causing heavy air pollution, which is affecting mainly several small school going children. The building materials are also spreading even over of the main public road and here and there construction work is going on without any legal norms that is affecting the pedestrians life and health.

② Today I called police helpline no 100 from my mobile phone regarding the matter as per said above in the subject in the police interest and for betterment of the society then a person came to me named as mentioned above in the subject and threatened me to face some consequences if we do not stop the construction, sale, purchase etc. of building material at that place.

23/09/2019

...

After few moment one person called me. + says
The Telephone No 011-28762468 and said me
construction work will stop and it will remain
as it is and you can not stop this practice, etc.
I asked him about his identity than he
disconnected the call.

④ No Police official reached at the spot despite
repeated calls on the number. I reached at the
Police Station Anand Parkat and informed the
matter to the PCR officials who already stand
inside the premises of the PS Anand Parkat.

⑤ The said PCR officials explained the matter / my
complaint to the concerned Police officer who
appointed one Police official named Surinder as
told by him. Again I explained every thing to
the said official. There I came to know that
the Telephone No 011 28762468 belongs to
Police Station Anand Parkat. When I asked
the name and post of the Police official /
or any other person who called me, the
concern person / Police official utterly failed to
disclose the identity of that person.

⑥ on our request the said Police officer named
Surinder came at spot and noted / watched every
thing as per my complaint. Suddenly, I found
that one person taking / making photos / video
of me and my family members. I immediately

3/11
23/09/2019

continuation page No 6

inform this fact to said police officers. Case has
 accepted do not worry.

Prayer

- ① If The said building material work/business on the public road is legal then the owner/said business may be instructed to follow the norms of the concerned govt. authorities, forthwith.
- ② If The work/business of said material/business is illegal then take necessary action as per law of the land to avoid heavy air pollution.
- ③ Save the life and property of me and my family members as per the threatening. I enclosed.
- ④ Take necessary action against the owner/owner of the said building material work immediately.

Yours faithfully

[Signature]
 ALKA JAIN

w/o Sh. R. K. Jain
 R/o 13 Teacher Lane, Upper
 Anand Park, New Delhi
 Mobile: 9315107407

Copy To

- ① CCA (Central)
- ② Dy Commissioner North
 MCD (Kashirah Zone)
- ③ Delhi Pollution Control
 Committee
- ④ National Green Tribunal
 (NGT Delhi)
- ⑤ CJI Honorable Supreme
 Court of India
- ⑥ Times of India newspaper.

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): CENTRAL (DELHI) P.S.(थाना): ANAND PARBAT Year(वर्ष): 2019 FIR No(प्र.सू.रि.सं.):0223 Date : 26/09/2019

2. Act(s)(अधिनियम): Section(s)(धारा(एँ)):
- IPC 1860 283

3. Occurrence of Offence (अपराध की घटना):

(a) Day(दिन): THURSDAY Date From(दिनांक से): 26/09/2019 Date To(दिनांक तक): 26/09/2019
Time Period (समय अवधि): Time From (समय से): 19:25 hrs Time To (समय तक): 19:25 hrs

(b) Information received at P.S.(थाना जहां सूचना प्राप्त हुई): Date(दिनांक): 26/09/2019 Time (समय): 20:10 hrs

(c) General Diary Reference (रोजानामचा संदर्भ): Entry No.(प्रविष्टि सं.): 098A Date/Time(दिनांक/समय): 26/09/2019 20:31

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

(a) Direction and Distance from P.S (थाना से दूरी और दिशा): SOUTH, 01 Km(s)

(b) Address(पता): ,CEMENTED ROAD OPP. PROPERTY ,NO. 437A IND. AREA ON ROAD, ANADN PARBAT DELHI. Beat No(बीट सं.): 01

(c) In case, Outside the limit of the Police Station (यदि थाना सीमा के बाहर हैं):

Name of P.S(थाना का नाम):

District(ज़िला):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name(नाम): Asst. SI (Assistant Sub-Inspector) PHAD RAJESH NAMDEV ,PIS No.28940481 ,Belt No.13/C

(b) Date/Year of Birth (जन्म तिथि /वर्ष): 03/05/1975

Nationality (राष्ट्रीयता): INDIA

(c) Passport No.(पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(d) Occupation (व्यवसाय):

(e) Address(पता): DELHI, ANAND PARBAT, CENTRAL, DELHI, INDIA, 9013341499,

7. Details of Known/Suspect/Unknown accused with full particulars(attach separate sheet if necessary)(जात/ संदिग्ध /अज्ञात अभियुक्त का पुरे विवरण सहित वर्णन):

- MOHAN SINGH (S/O) SH. RAM PARSAD SINGH

(R/O) H NO. 420/6, TEACHER LANE UPPER, UPPER ANAND PARBAT, ANAND PARBAT, CENTRAL, DELHI, INDIA

8. Reason for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

NO DELAY

9. Particulars of the properties stolen/involved (attach separate sheet if necessary):

Sl.No. (क्र.सं.) Property Type(Description)

Est. Value(Rs.)(मूल्य (रु में))

10. Total value of property stolen (चोरी हुई सम्पत्ति का कुल मूल्य):

11. Inquest Report / U.D. Case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण न., यदि कोई हो):

12.F.I.R. Contents (attach separate sheet, if required)(प्रथम सूचना रिपोर्ट तथ्य):

श्रीमान Duty officer थाना आनंद पर्वत, दिल्ली बकार सरकार निवेदन है कि इमरोज मन ASI व मय हमराही Ct. Ramvir Singh No. 2778/C बा सिलसिला गश्त व इन्सदाद जुराईम व इलाका गश्त अपनी बीट न० 1 मे मौजूद था जब समय करीब 7/25 बजे शाम गश्त करता हुआ Cemented Road opposite property No 437A Ind Area Anand Parbat पहुँचा तो वहाँ पर सडक सरेआम पर ईट व बदरपुर डाल रखा था जिससे Public के आने जाने मे बाधा पड रही था। वहाँ पर एक शख्स जिसने बाद- दरियाफ्त पर अपना नाम व पता मोहन S/o श्री रामप्रसाद सिंह R/o 420/6 टिचर लेन अपर आनंदपर्वत, दिल्ली बा उम्र 44 साल मालूम चला उस शख्स ने मन ASI को कहाँ कि वह ईट व बदरपुर उसने डाल रखा है। तो मोहन सिंह उपरोक्त को मन ASI ने सडक सरेआम से ईट व बदरपुर हटाने को कहा लेकिन उस शख्स ने उसे हटाने मे अस्मर्थता जताई जो मन ASI ने मौका के Photographs अपने निजी मोबाईल फोन कैमरे से लिए व माल मुकदमा को बरुवे फर्द कब्जा पुलिस मे लिया गया। जो मुसम्मी मोहन सिंह S/o श्री रामप्रसाद सिंह उपरोक्त ने सडक सरेआम पर ईट व बदरपुर डालकर ईतकाब जूर्म U/S 283 IPC का किया है। लिहाजा तहरीर हजा बगर्ज कायमी मुकदमा बदस्त का० रामबीर सिंह न० 2778/C अरसाल थाना है मुकदमा दर्ज रजिस्टर करके नम्बर मुकदमा से इतला दी जावे। मन ASI मौका पर मशरुफ बा तफ्तीश हूँ। तारीख वक्त बकुआ- दिनांक 26/09/19 at 7/25 PM जाय मौका - Cemented Road opp. Property No 437A Ind Area Anand Parbat सडक सरेआम तारीख व वक्त रवानगी तहरीर- दिनांक 26/9/19 at 8:10 PM Sd English Rajesh ASI Rajesh No. 13/C P.S Anand Parbat dt 26/9/19 कार्यवाही पुलिस अज थाना एक तहरीर हिन्दी मर्तबा मरासला ASI Rajesh, No. 13/C साहब ने बदस्त Ct. Ramvir Singh, No. 2778/C मन HC/DO को मौसूल हुई। जो तहरीर की मौसूलगी पर मनHC/DO ने मुकदमा न० 223/19, U/S 283 IPC दर्ज रजिस्टर किया व CCTNS में Computer Operator के द्वारा दर्ज कराकर असल तहरीर व computerized copy of FIR बदस्त आरिन्दा का० नज्द ASI Rajesh, No. 13/C साहब भिजवाई गई। जो मुनासिब कार्यवाही अमल में लाएंगे। दीगर नकुलात बजरिये डाक अफसरान बाला की खिदमत में अरसाल होंगे। बकलम HC/DO.

13.Action Taken Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2:

(की गयी कार्यवाही: चूंकि उपरोक्त जानकारी से पता चलता है कि किया गया अपराध मद सं.2.में उल्लेख धारा के तहत है):

OR (या)

(i) Registered the case and took up the investigation:

(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(ii) Directed (Name of the I.O.)(जांच अधिकारी का नाम): PHAD RAJESH NAMDEV

Rank (पद):

ASST. SI (ASSISTANT SUB-INSPECTOR)

No(सं.): 28940481

to take up the investigation (को जांच आपने पास में लेने के लिए निर्देश दिया गया) OR(या)

OR (के कारण इंकार किया या)

(iii) Refused investigation due to(जांच के लिए):

District(ज़िला):

(iv) Transferred to P.S(name)(थाना):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित)

F.I.R read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost : (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी) :

R.O.A.C.(आर.ओ.ए.सी.):

14. Signature / Thumb Impression
of the Complainant / Informant:
(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature of Officer

Name(नाम): VINOD PASWAN
Rank (पद): HC (HEAD CONSTABLE)
No.(सं.): 28961324

15. Date and Time of despatch to the court:
(अदालत में प्रेषण की दिनांक और समय):

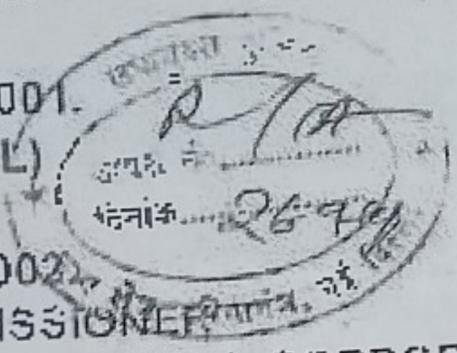
TO,

DATED 26/09/2019

DD 57683

26/09/2019
DEPARTMENT OF ENVIRONMENT
DELHI POLLUTION CONTROL COMMITTEE
KASHMERE GATE, DELHI-110006

- 1. DELHI POLLUTION CONTROL COMMITTEE
ISBT BUILDING,
G.T. KARNAL ROAD,
KASHMERE GATE,
NEW DELHI-110006.
- 2. NATIONAL GREEN TRIBUNAL
FARIDKOT HOUSE,
COPERNICUS MARG, NEAR INDIA GATE,
NEW DELHI-110001.
- 3. TIMES OF INDIA
BHADUR SHAH ZAFAR MARG,
I.T.O., NEW DELHI-110002.
- 4. HON'BLE C.J.I. OF INDIA
SUPREME COURT OF INDIA,
TILAK MARG,
NEW DELHI-110001.
- 5. D.C.P. (CENTRAL)
DARYAGANJ,
OLD DELHI-110002.
- 6. DEPUTY COMMISSIONER
NORTH DELHI MUNICIPAL CORPORATION,
KAROL BAGH ZONE,
NEW DELHI-110005.



52624

Deputy Commissioner
North D.M.C.
26 SEP 2019
Diary No. 4365
Karol Bagh Zone, North Delhi, D.C.

SUBJECT: COMPLAINT REGARDING AIR POLLUTION DUE TO BUILDING MATERIAL LYING UPON OPEN PUBLIC ROAD AT - "START FROM (appx.) CORNER OF TEACHERS LANE TO RAMJAS DAY BOARDING SCHOOL, UPPER ANAND PARBAT, NEW DELHI-110005".

SIR, for your kind information:-

- 1. There is sale/purchase/storage/supply etc. of building material i.e. BADARPUR, RODI, CEMENT, BRICKS etc. at above mentioned area openly on PUBLIC LAND and the same may be:-
 - a. Encroachment on PUBLIC LAND.
 - b. Misuse of said PUBLIC LAND.
 - c. Public Nuisance.

26/09/2019

2. The same is causing heavy AIR POLLUTION which affecting mainly several small school going children/kids, senior citizens, women & general public, using the said public road daily
3. The said building material are also spreading even mid of the said public road and here & there construction work is going on without following legal norms and that is affecting badly the life and health of the pedestrians & by-passers.
4. It is important for your knowledge that, I the undersigned submitted my written complaint (DD no. 82A) regarding said subject matter to the police station - ANAND PARBAT, New Delhi- 110005, after dialling police helpline no. 100 on dated 24.09/2019.

(COPY OF WRITTEN POLICE COMPLAINT DATED 24/09/2019 SUBMITTED IN P.S. ANAND PARBAT IS ANNEXED HEREWITH).

PRAYER:-

- A. If the said building material work/business on the said public road is legal, then the owners of said business may be instructed/directed to follow the norms prescribed in this regard by the concerned government authorities.
- B. If the same is illegal/unlawful then take necessary steps/action and remove the entire said building material from said public land as per the law of land with immediate effect to avoid air pollution.
- C. Save the life and health of the common people as well as save the environment.


26/09/2019

ALKA JAIN

DELHI

DATED 26/09/2019 (13-TEACHERS LANF. UPPER ANAND PARBAT.

copy to:-

A - DEPUTY COMMISSIONER
C-SP2 (MCD)

NEW DELHI-110005)

MOBILE 9315107407

S.P CITY ZONE (Kashmiri Gate) DELHI

13331
19/10/19