

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

EA 19 of 2024

IN

Original Application No. 706/2023

In the matter of:

Chetna Residents Welfare Association

Mangol Puri

...Applicant

Versus

Govt. of NCT of Delhi & Ors.


...Respondents

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NDOH: 05.11.2024

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Filed by


(Satender Kumar)
Sr. Environmental Engineer

Dated: ___ November, 2024

Place:

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

EA 19 of 2024

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...Applicant

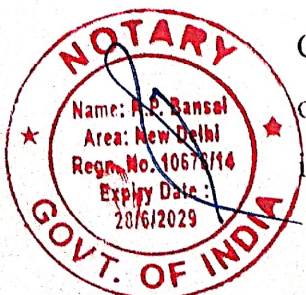
Versus

Govt. of NCT of Delhi & Ors.
...Respondents

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE WITH RESPECT TO THE ORDER
DATED 29.07.2024.**

I, Satender Kumar, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3th Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.



Satender Kumar

(2)

2. That, this matter was taken up by this Hon'ble Tribunal on various occasions. DPCC has filed status report in this matter on 25.07.2024, interalia mentioning the action taken by DPCC.
3. That This Hon'ble Tribunal took up this matter lastly on 29.07.2024 and pleased to direct DPCC and GNCTD to file the respective action taken report.
4. That, in reference to the letter dated 25.07.2024 issued by DPCC to MCD, MCD has submitted response dated 26.07.2024, wherein nothing has been mentioned about the effective closure of the said illegal units and further requested to DPCC to the pursue the matter with concerned department i.e., office of SDM(Rohini), North West. Whereas, in pursuance of orders dated 07.05.2004 passed by Hon'ble Supreme Court in the matter regarding "Shifting of Industries from non-confirming/residential areas", the direction of Government of NCT of Delhi is very clear that all industrial units operating in non-conforming/ residential areas of the Delhi in violation of Master Plan of Delhi have to be closed down/ shifted by local municipal authorities. Copy of the reply submitted by MCD dated 26.07.2024 is enclosed herewith as ANNEXURE-1.
5. That, reply from SDM (Rohini) shows that, an inspection of the premises was carried out by them on 28.07.2024 & they gave a notice of hearing to the Respondent No. 10 to appear in office of SDM (Rohini) on 29.07.2024. Copy of the reply received from SDM (Rohini) is attached herewith as ANNEXURE-2.



A handwritten signature in black ink, appearing to be "R.P. Bansal", written over the notary seal.

- 6. That letters dated 08.08.2024 and reminder dated 02.09.2024 and 27.09.2024 were issued to MCD and District Magistrate (North West) respectively to take necessary action and inform the complete details of action taken on illegal unit. Copies of the letters dated 08.08.2024 and reminder dated 02.09.2024 are enclosed herewith as ANNEXURE-3 (Colly). Reply from District Magistrate (North West) and MCD is still awaited.
- 7. In view of the above, the present status report by way of affidavit may kindly be taken on record.

[Signature]
 DEPONENT

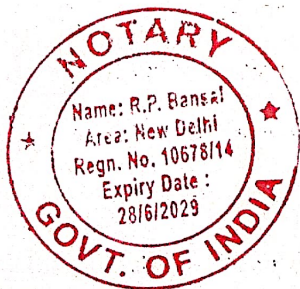
IDENTIFIED BY

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this 4 day of November, 2024.

[Signature]
 DEPONENT



ATTESTED
[Signature]
 Notary Public, Delhi
 (As Presented)
 4 NOV 2024



MUNICIPAL CORPORATION OF DELHI

OFFICE OF THE ASSISTANT COMMISSIONER

Sector-5, Rohini, New Delhi - 110085

e-Mail : acrohinizone@gmail.com



No.AC/RZ/2024-25/D-275,

481/CMC-III
31-7-24

Delhi Pollution Control Committee Dairy No. 149366
30 JUL 2024
CMC-3

Dated: 26/07/2024

Refer your letter No.DPCC/CMC-III/OA No.706/2023/2325-27 dated 25-07-2024 (copy enclosed) vide which it has been requested to direct the official concerned to ensure that all polluting units including units operating at premises No.T-1/3, DDA Market, Mangol Puri, New Delhi-110083, be closed down with immediate effect and send ATR to DPCC.

In this regard, it is informed that the matter relates to illegal extracting of ground water for running car/bike washing centre at Shop No.T-1/3, DDA Market, Mangol Puri, New Delhi-110083. The same was earlier sealed by Sh. Shyam Singh Dangwal, Tehsildar / Executive Magistrate (Rohini), North-West District, Delhi for illegal car / bike washing centre / bore well on 11-03-2022. However, the seal was broken / tempered by Sh. Rajesh @Kanaster @Rinku on 15-03-2022, in pursuance of minutes of meeting No.DPCC/CMC-III/NGT/OA No.706/2023/2310-15 dated 19-07-2024 (copy enclosed), an inspection was scheduled vide Notice No.AC/RZ/2024-25/262 dated 18-07-2024 (copy enclosed) for 12-07-2024 at 12:00 Noon. Inspection was carried out as scheduled along-with representative of DPCC, Revenue Department (North-West Delhi), MCD, Delhi Police. During inspection, premises was found locked (from outside). Inspection report was shared with your Department for further necessary action / submission of the same before Hon'ble NGT through letter No.AC/RZ/2024-25/264 dated 23-07-2024 (copy enclosed).

It would also be relevant to inform here that Hon'ble NGT in order dated 28-11-2023 directed DPCC "to examine the grievance of applicant and remedial action be taken in accordance with the Law. Further, DPCC was also directed to submit ATR before Hon'ble NGT." Vide letter No.AC/RZ/2024-25/D-880 dated 25-01-2024 (copy enclosed), it was requested from your office to take appropriate action in the matter. It was assured in said communication that this office shall assist your office in all possible manners to comply the orders of Hon'ble NGT.

It is also a matter of fact that the premises in question was earlier sealed by Tehsildar / Executive Magistrate on 11-03-2022 and the seal was broken / tempered on 15-03-2022. Legal course of action against illegal tempering of seal could only be explained by the concerned department.

[Signature]
26/7/24
GAURAV CHATURVEDI
Administrative Officer
Rohini Zone
Municipal Corporation of Delhi

P.1/2

[Signature]
31/7
R. Mahesh

Therefore, it is once again requested to pursue the matter with concerned department, i.e., office of SDM (Rohini), North-West Delhi (who had earlier sealed the premises) and thereafter submit appropriate Action Taken Report, in compliance of orders of Hon'ble NGT.

This issues with the prior approval of Competent Authority.

Encl.: As above.

To

Executive Engineer (CMC)-III
Department of Environment, (Govt. of NCT of Delhi)
5th Floor, ISBT Building, Kashmere Gate, Delhi-110006

Copy to:

1. Deputy Commissioner, Rohini Zone -
2. Assistant Commissioner, Rohini Zone -
3. In-charge-CMC-III, DPCC,
3rd floor, ISBT Building, Kashmere Gate, Delhi

for information pls.
for information pls.

[Handwritten Signature]
26/07/24
(Administrative Officer)
Rohini Zone
GAURAV CHATURVEDI
Administrative Officer
Rohini Zone
Municipal Corporation of Delhi



**OFFICE OF THE SUB DIVISIONAL MAGISTRATE (ROHINI)
DISTRICT NORTH WEST,
KANJHAWALA, DELHI-110081**

F. No.

Dated:

Subject: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangolpuri Vs Govt. of NCT of Delhi."

Please refer to your letter No. DPCC/CMC-III/OA No. 706/2023/2322-24 dated 25.07.2024 regarding subject cited above. It is to inform that the above letter yet to be received officially in the office daak however, it was received through WhatsApp by Tehsildar Rohini. Accordingly, he visited the premises number T-1/3, T-Block, DDA Market Mangolpuri, Delhi-110083 on dated 28.07.2024 to close illegal borewells but the said premises was found locked. It was also found locked when the joint visit was done earlier along with MCD and DPCC.

Hence, a notice has been pasted on the shutter of the shop with the direction to the owner of the allegedly illegal factory to appear in the SDM office on 29 July 2024 and submit his written explanation in this regard. Action Taken Report regarding this shall be updated to the DPCC in due course.

This issues with the approval of District Magistrate, Northwest.

Enclosed as above. (03 pages)

(MANISH CHANDRA VERMA)
Sub Divisional Magistrate (Rohini)
District North West

To,

1. The Incharge, CMC-III, DPCC, Department of Environment, GNCTD, 3rd Floor, DMRC, Building, Block-1, IT Park, Shastri Park, Delhi-53.

Copy for information:

1. PS to DM (NW).
2. PA to ADM (NW).



**OFFICE OF THE SUB DIVISIONAL MAGISTRATE (ROHINI),
DISTRICT NORTH-WEST, ROOM NO. 37,
KANJHAWALA, DELHI-110081**

NO.F.SDM(ROHINI)/2024-25/918

DATE:- 28/07/2024

NOTICE

A Complaint has been received in the office regarding running of illegal use of borewell in your property/plot/shop. As per Hon'ble NGT order, the use of water from borewell without any permission/license of Competent Authority is illegal.

In compliance of directions of Hon'ble NGT in OA No. 496/2016, you are hereby directed to appear in Room No. 30, in chamber of Executive Magistrate (Rohini), District North-West on 28/07/24 at 02:00 P.M. to submit your reply in this regard.

This issue with the prior approval of SDM (Rohini).

28/07/24
EXECUTIVE MAGISTRATE (ROHINI)



To,

- T-1/3, T-Block
DDA, Market, Mangal Puri
Rohini-110083

Today dated 28/07/2024, the undersigned has visited the location T-1/S, T-Block, DDA market Mangolpuri Delhi-110083 for sealing of the said premises in response of the letter No. DPCC/CME-III/ON No. 706/2022/2322-24 dated 25.07.2024 of the charge, CME-III, DPCC Department of Environment, (Govt. of NCT of Delhi) received on 26/07/2024 on WhatsApp the premises has been found locked and local inquiries revealed that the said premises is locked from the last 30-40 days but no one agrees to give any written statement.

Further, it is also reported that a joint inspection of officers/officials from DPCC, MCD and revenue department was done on 22/07/2024 and on that date also the premises was found locked. The same premises was identified on 22/7/24 also by the inspecting team.

There is no board available at the premises on 22/07/2024 and today (28/07/2024).

The GPS photos and video of local enquiry are also attached with this report.

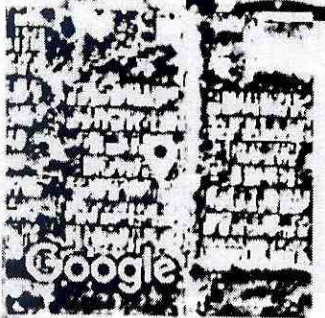
J. J. J. J.
28/07/24





GPS Map Camera

दिल्ली, दिल्ली, भारत
1151/52, ब्लॉक I, मंगोलपुरी अ ब्लॉक, दिल्ली, 110083, भारत
Lat 28.689689
Long 77.081815
28/07/24 05:30 PM GMT+05:30





DELHI POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
 3rd Floor, DMRC Building, Block-I, H Park, Shastri Park, Delhi-53
 Visit us at : <http://dpcc.delhigovt.nic.in>

By Speed Post/mail



10

DPCC/CMC-III/OA No.706/2023/2359-61

Dated: 08-8-24

To,

The Deputy Commissioner,
 MCD (Rohini Zone)
 Rohini Sector-5,
 Delhi- 110085

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

1. This has reference to your letter bearing no. AC/RZ/2024-25/D-275 dated 26.7.2024 issued by Administrative Officer, Rohini Zone, MCD (copy enclosed) wherein a request was made to pursue the matter with concerned department i.e. Office of SDM(Rohini), North West Delhi(who had earlier sealed the premises). In this regard, kindly refer to order of Hon'ble Supreme Court of India, while hearing Writ Petition(s) no. 4677/1985, in the matter of M.C. Mehta Vs. Union of India & Others, wherein it has been directed to close down the industrial units which are objectionable and saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioner of the Municipal Corporations.
2. And whereas, in pursuance of orders dated 07.05.2004 passed by Hon'ble Supreme Court in the matter regarding "Shifting of Industries from non-confirming/ residential areas". The order dated 07.05.2004 of Hon'ble Supreme Court is very clear to the effect that all industrial units operating in non-confirming/ residential areas of the Delhi in violation of Master Plan of Delhi have to be closed down/ shifted.
3. And whereas, in the meeting held on 08.12.2010, 14.07.2011 and 09.12.2011 in the office of Chief Secretary Delhi for implementation of above order, it has been decided that action on industries operating in non-confirming areas and violating Master Plan of Delhi will be taken under the Delhi Development Act by DDA in development areas and MCD in other areas. DPCC acts under the provisions of Environmental Laws only on legal units, duly explained and agreed in the meeting taken on 08.12.2010, 14.07.2011 and 09.12.2011 by the Chief Secretary of Delhi on the issue. And whereas, the Hon'ble High Court of Delhi in W.P.(C) 4349/2017 titled as "Court On Its Own Motion versus Government of NCT Of Delhi & Others" on 05.08.2019 while passing detailed order on the issue of continuation to use of premises for non-confirming activities specifically ordered:

"... We also direct the Delhi Pollution Control Committee to bring to the notice of Delhi Development Authority, North Delhi Municipal Corporation, East Delhi Municipal Corporation and South Delhi Municipal Corporations, if any industrial units are running their industry in nonconforming area and causing pollution beyond permissible norms, so that proper actions can be initiated by these authorities against these industries to stop such activities in accordance with law."

4. And whereas, Hon'ble NGT vide its order dated 19.04.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC to file the compliance report. Concerns are raised against a unit namely

- operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, which is situated in residential/non-conforming area.
5. And whereas, as per para 1, 2 & 3, as mentioned above action against this unit operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, shall be taken only by respective Zonal Deputy Commissioner of the Municipal Corporations.
 6. In view of the above, you are once again requested to direct the concerned officer to ensure the effective closure of the unit operating at premise no. T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, as per DMC ACT, since the said unit is situated in residential/non-conforming area and send the Action taken Report to Delhi Pollution Control Committee, so that compliance report may be filed before Hon'ble National Green Tribunal in time bound manner. Further also direct the concerned officer to ensure that no such unit that violates environmental norms resurfaces.

This is being issued as per the approval of Competent Authority.

Encl : as above

Copy to:

1. Master File
- ✓ 2. Office Copy

Yours sincerely



Incharge, CMC-III

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DELHI POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
 3rd Floor, DMRC Building, Block-1, II Park, Shastri Park, Delhi-53
 Visit us at : <http://dpcc.delhigovt.nic.in>

By Speed Post/mail



DPCC/CMC-III/OA No.706/2023 / 2425-27

Dated: 02.9.24

Reminder

To,

The Deputy Commissioner,
 MCD (Rohini Zone)
 Rohini Sector-5,
 Delhi- 110085

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

1. This has reference to your letter bearing no. AC/RZ/2024-25/D-275 dated 26.7.2024 issued by Administrative Officer, Rohini Zone, MCD (copy enclosed) wherein a request was made to pursue the matter with concerned department i.e. Office of SDM(Rohini), North West Delhi(who had earlier sealed the premises). In this regard, kindly refer to order of Hon'ble Supreme Court of India, while hearing Writ Petition(s) no. 4677/1985, in the matter of M.C. Mehta Vs. Union of India & Others, wherein it has been directed to close down the industrial units which are objectionable and saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioner of the Municipal Corporations.
2. And whereas, in pursuance of orders dated 07.05.2004 passed by Hon'ble Supreme Court in the matter regarding "Shifting of Industries from non-confirming/ residential areas". The order dated 07.05.2004 of Hon'ble Supreme Court is very clear to the effect that all industrial units operating in non-confirming/ residential areas of the Delhi in violation of Master Plan of Delhi have to be closed down/ shifted.
3. And whereas, in the meeting held on 08.12.2010, 14.07.2011 and 09.12.2011 in the office of Chief Secretary Delhi for implementation of above order, it has been decided that action on industries operating in non-confirming areas and violating Master Plan of Delhi will be taken under the Delhi Development Act by DDA in development areas and MCD in other areas. DPCC acts under the provisions of Environmental Laws only on legal units, duly explained and agreed in the meeting taken on 08.12.2010, 14.07.2011 and 09.12.2011 by the Chief Secretary of Delhi on the issue. And whereas, the Hon'ble High Court of Delhi in W.P.(C) 4349/2017 titled as "Court On Its Own Motion versus Government of NCT Of Delhi & Others" on 05.08.2019 while passing detailed order on the issue of continuation to use of premises for non-confirming activities specifically ordered:

"... We also direct the Delhi Pollution Control Committee to bring to the notice of Delhi Development Authority, North Delhi Municipal Corporation, East Delhi Municipal Corporation and South Delhi Municipal Corporations, if any industrial units are running their industry in nonconforming area and causing pollution beyond permissible norms, so that proper actions can be initiated by these authorities against these industries to stop such activities in accordance with law."

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4. And whereas, Hon'ble NGT vide its order dated 19.04.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC to file the compliance report. Concerns are raised against a unit namely operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083, which is situated in residential/non-conforming area.
5. And whereas, as per para 1, 2 & 3, as mentioned above action against this unit operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083, shall be taken only by respective Zonal Deputy Commissioner of the Municipal Corporations.
6. In view of the above, you are once again requested to direct the concerned officer to ensure the effective closure of the unit operating at premise no. T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083, as per DMC ACT, since the said unit is situated in residential/non-conforming area and send the Action taken Report to Delhi Pollution Control Committee, so that compliance report may be filed before Hon'ble National Green Tribunal in time bound manner. Further also direct the concerned officer to ensure that no such unit that violates environmental norms resurfaces.

This is being issued as per the approval of Competent Authority.

Encl : as above

Copy to:

1. Master File
2. Office Copy

Yours sincerely


Incharge, CMC-III

7c

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DPCC/CMC-III/OA No.706/2023/2554-56

Dated: 27.9.2024

To,

REMINDER-II

The Deputy Commissioner,
MCD (Rohini Zone)
Rohini Sector-5,
Delhi- 110085

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

1. This has reference to your letter bearing no. AC/RZ/2024-25/D-275 dated 26.7.2024 issued by Administrative Officer, Rohini Zone, MCD (copy enclosed) wherein a request was made to pursue the matter with concerned department i.e. Office of SDM(Rohini), North West Delhi (who had earlier sealed the premises). In this regard, kindly refer to order of Hon'ble Supreme Court of India, while hearing Writ Petition(s) no. 4677/1985, in the matter of M.C. Mehta Vs. Union of India & Others, wherein it has been directed to close down the industrial units which are objectionable and saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioner of the Municipal Corporations.
2. And whereas, in pursuance of orders dated 07.05.2004 passed by Hon'ble Supreme Court in the matter regarding "Shifting of Industries from non-confirming/ residential areas". The order dated 07.05.2004 of Hon'ble Supreme Court is very clear to the effect that all industrial units operating in non-confirming/ residential areas of the Delhi in violation of Master Plan of Delhi have to be closed down/ shifted.
3. And whereas, in the meeting held on 08.12.2010, 14.07.2011 and 09.12.2011 in the office of Chief Secretary Delhi for implementation of above order, it has been decided that action on industries operating in non-confirming areas and violating Master Plan of Delhi will be taken under the Delhi Development Act by DDA in development areas and MCD in other areas. DPCC acts under the provisions of Environmental Laws only on legal units, duly explained and agreed in the meeting taken on 08.12.2010, 14.07.2011 and 09.12.2011 by the Chief Secretary of Delhi on the issue. And whereas, the Hon'ble High Court of Delhi in W.P.(C) 4349/2017 titled as "Court On Its Own Motion versus Government of NCT Of Delhi & Others" on 05.08.2019 while passing detailed order on the issue of continuation to use of premises for non-confirming activities specifically ordered:

"... We also direct the Delhi Pollution Control Committee to bring to the notice of Delhi Development Authority, North Delhi Municipal Corporation, East Delhi Municipal

Corporation and South Delhi Municipal Corporations, if any industrial units are running their industry in nonconforming area and causing pollution beyond permissible norms, so that proper actions can be initiated by these authorities against these industries to stop such activities in accordance with law."

4. And whereas, Hon'ble NGT vide its order dated 19.04.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC to file the compliance report. Concerns are raised against a unit namely operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, which is situated in residential/non-conforming area.
5. And whereas, as per para 1, 2 & 3, as mentioned above action against this unit operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, shall be taken only by respective Zonal Deputy Commissioner of the Municipal Corporations.
6. And whereas, vide this officer letter no. DPCC/CMC-III/OA.no.706/2023/2359-61 dated 08.08.2024 and subsequent reminder dated 02.09.2024 (copy enclosed), you were requested to direct the concerned officer to ensure the effective closure of the unit operating at premise no. T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, as per DMC ACT, since the said unit is situated in residential/non-conforming area and send the Action taken Report to Delhi Pollution Control Committee, so that compliance report may be filed before Hon'ble National Green Tribunal in time bound manner.
7. It is regretted to inform you that inspite of so many letters and subsequent reminders, no compliance report in the said matter has been received so far. It is therefore, once again requested to direct the concerned officer to take immediate action in respect of closure of the above mentioned unit and send the Action Taken Report so that the same may be filed in Hon'ble NGT without any further delay. It is further requested to direct the concerned officer to ensure that no such unit that violates environmental norms resurfaces.

This is being issued as per the approval of Competent Authority.

Yours sincerely


Incharge, CMC-III

Encl : as above

Copy to:

1. The Commissioner, Municipal Corporation of Delhi, 14th Floor, Dr. SPM, Civic Centre, Minto Road, New Delhi – 110002.... With the request to direct the concerned officer to take action and send the compliance report to DPCC immediately.
2. Office copy/Master File





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By Speed Post/ mail

DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
3rd Floor, DMRC Building, Block-I, IT Park, Shastri Park, Delhi-53
visit us at : <http://dpcc.delhigovt.nic.in>



DPCC/CMC-III/OA No.706/2023/2362-64

Dated: 08-8-24

To,

The District Magistrate,
Office of District Magistrate (North West),
DM Office Complex,
Khanjhwala, Delhi- 110081

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

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.

Whereas, it is mandatory provision under us 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 that no person without the previous consent of the DPCC shall Establish an industrial unit in an Air Pollution Control Area of Union Territory of Delhi.

Whereas, it is mandatory provisions under us 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, Hon'ble National Green Tribunal vide orders dated 05.08.2019 & 19.11.2019 in OA No. 601/2018 in the matter of "Mayank Manohar & Paras Singh, Reporter, the Times of India Vs. Govt. of Delhi & Ors." has also directed closure of impermissible industrial units in residential/ non-confirming areas of NCT of Delhi and levying Environmental Compensation (EC) for the damage caused by illegal operation keeping in view the 'Polluters Pay Principle'.

And whereas, as per Standard Operating Procedure, issued by Department of Environment, Govt. of NCT of Delhi, the District Magistrate, of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through SDMs. In case the illegal borewells/tubewell is already constructed/operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected and for the purpose of closure of illegal borewell/tubewell, joint action team under the supervision of concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, Discoms and Local police.

And whereas, Hon'ble NGT vide its order dated 19.04.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC to file the compliance report. Concerns are raised against a unit **operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083**, which is situated in residential/non-confirming area and is using illegal borewell.

And whereas, a letter was issued on 17.01.2024 and subsequent reminders were sent on 11.03.2024, 12.04.2024 and 03.05.2024 for submitting Action Taken Report (ATR) and take necessary action to ensure effective closure of illegal borewell (Copy enclosed).

And whereas, a meeting was taken up by Additional Director, Delhi Pollution Control Committee and the said meeting was attended by the representative of MCD and DM. During meeting it was decided that a joint inspection shall be conducted on 22.07.2024 and accordingly inspection of the said site was conducted on 22.7.2024 and the unit was found locked during inspection.

And whereas, it has been informed vide your letter dated 28.07.2024 that Tehsildar, Rohini visited the said premises on 28.07.2024 to close illegal borewells but the said premises was found locked and accordingly, a notice of hearing was given to the said premises owner to appear in SDM Office on 29.07.2024.

And whereas, Hon'ble NGT vide its order dated 29.07.2024 (copy enclosed) in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC and DM, GNCTD to file the Action Taken Report within three weeks' time (copy enclosed).

In view of the above, you are once again requested to direct the concerned officer to ensure the effective closure of the unit as well as sealing of illegal bore well operating at premise no. T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083, since the said unit is situated in residential/non-conforming area and send the Action taken Report to Delhi Pollution Control Committee, so that compliance report may be filed before Hon'ble National Green Tribunal in time bound manner. Further also direct the concerned officer to ensure that no such unit that violates environmental norms resurfaces.

This is being issued as per the approval of Competent Authority.

Encl : as above

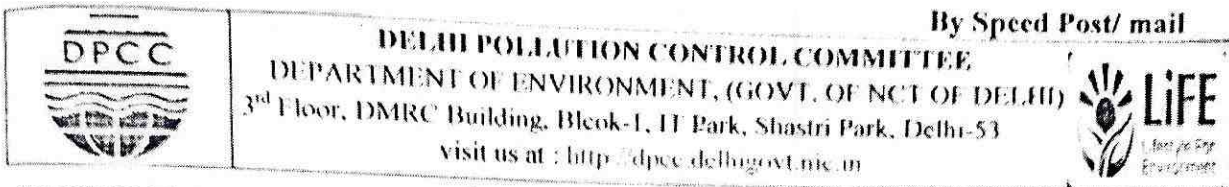
Copy to:

1. Master File
2. Office Copy

Yours sincerely



Incharge, CMC-III



DPCC/CMC-III/OA No.706/2023 / 2422-24

Dated: 02-9-24

Reminder

To,

The District Magistrate,
Office of District Magistrate (North West),
DM Office Complex,
Khanjhwala, Delhi- 110081

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

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.

Whereas, it is mandatory provision under us 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 that no person without the previous consent of the DPCC shall Establish an industrial unit in an Air Pollution Control Area of Union Territory of Delhi.

Whereas, it is mandatory provisions under us 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, Hon'ble National Green Tribunal vide orders dated 05.08.2019 & 19.11.2019 in OA No. 601/2018 in the matter of "Mayank Manohar & Paras Singh, Reporter, the Times of India Vs. Govt. of Delhi & Ors." has also directed closure of impermissible industrial units in residential/ non-confirming areas of NCT of Delhi and levying Environmental Compensation (EC) for the damage caused by illegal operation keeping in view the 'Polluters Pay Principle'.

And whereas, as per Standard Operating Procedure, issued by Department of Environment, Govt. of NCT of Delhi, the District Magistrate, of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through SDMs. In case the illegal borewells/tubewell is already constructed/operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected and for the purpose of closure of illegal borewell/tubewell, joint action team under the supervision of concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, Discoms and Local police.

And whereas, Hon'ble NGT vide its order dated 19.04.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC to file the compliance report. Concerns are raised against a unit namely **operating at T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083**, which is situated in residential/non-conforming area and is using illegal borewell.

And whereas, a letter was issued on 17.01.2024 and subsequent reminders were sent on 11.03.2024, 12.04.2024 and 03.05.2024 for submitting Action Taken Report (ATR) and take necessary action to ensure effective closure of illegal borewell (Copy enclosed).

And whereas, a meeting was taken up by Additional Director, Delhi Pollution Control Committee and the said meeting was attended by the representative of MCD and DM. During meeting it was decided that a joint inspection shall be conducted on 22.07.2024 and accordingly inspection of the said site was conducted on 22.7.2024 and the unit was found locked during inspection.

And whereas, it has been informed vide your letter dated 28.07.2024 that Tehsildar, Rohini visited the said premises on 28.07.2024 to close illegal borewells but the said premises was found locked and accordingly, a notice of hearing was given to the said premises owner to appear in SDM Office on 29.07.2024.

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In view of the above, you are once again requested to direct the concerned officer to ensure the effective closure of the unit as well as sealing of illegal bore well operating at premise no. T-1/3, T- Block, DDA Market, Mangol Puri, Delhi – 110083, since the said unit is situated in residential/non-conforming area and send the Action taken Report to Delhi Pollution Control Committee, so that compliance report may be filed before Hon'ble National Green Tribunal in time bound manner. Further also direct the concerned officer to ensure that no such unit that violates environmental norms resurfaces.

Yours sincerely





Incharge, CMC-III

Encl : as above

Copy to:

1. Master File
2. Office Copy

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	<p style="text-align: right;">By Speed Post/ mail</p> <p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 3rd Floor, DMRC Building, Block-I, IT Park, Shastri Park, Delhi-53 visit us at : http://dpee.delhigovt.nic.in</p>	
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DPCC/CMC-III/OA No.706/2023 / 2557-59
REMINDER-II

Dated: 27.09.2024

To,

The District Magistrate,
Office of District Magistrate (North West),
DM Office Complex,
Khanjhwala, Delhi- 110081

Sub: Regarding NGT matter in OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi".

Sir,

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.

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And whereas, as per Standard Operating Procedure, issued by Department of Environment, Govt. of NCT of Delhi, the District Magistrate, of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through SDMs. In case the illegal borewells/tubewell is already constructed/operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected and for the purpose of closure of illegal borewell/tubewell, joint action team under the supervision of concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, Discoms and Local police.

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And whereas, a letter was issued on 17.01.2024 and subsequent reminders were sent on 11.03.2024, 12.04.2024 and 03.05.2024 for submitting Action Taken Report (ATR) and take necessary action to ensure effective closure of illegal borewell (Copy enclosed).

And whereas, a meeting was taken up by Additional Director, Delhi Pollution Control Committee and the said meeting was attended by the representative of MCD and DM. During meeting it was decided that a joint inspection shall be conducted on 22.07.2024 and accordingly inspection of the said site was conducted on 22.7.2024 and the unit was found locked during inspection.

And whereas, it has been informed vide your letter dated 28.07.2024 that Tehsildar, Rohini visited the said premises on 28.07.2024 to close illegal borewells but the said premises was found locked and accordingly, a notice of hearing was given to the said premises owner to appear in SDM Office on 29.07.2024.

And whereas, Hon'ble NGT vide its order dated 29.07.2024 in the matter of OA No. 706/2023 of "Chetna Residents Welfare Association Mangol Puri Vs. Govt. of NCT of Delhi directed DPCC and DM, GNCTD to file the Action Taken Report within three weeks' time.

And whereas, vide this office letter dated 08.08.2024 and subsequent reminder dated 02.09.2024, you are requested to direct the concerned officials to carry out a thorough inspection of the premise no. **T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083**, and ensure compliance w.r.t. MPD 2021, since the unit is situated in residential/non-conforming area using illegal borewell. Also ensure that no such unit that violates environmental norms resurfaces.

And whereas, the above said letter and reminder were also sent to the concerned Sub-Divisional Magistrate, Rohini but it is regretted to inform you that the Action Taken Report in the said matter has not been received so far.

It is therefore once again requested to direct the concerned officer to ensure the closure of all such illegal borewell including this premise no. **T-1/3, T- Block, DDA Market, Mangol Puri, Delhi - 110083**, and send ATR to DPCC immediately without any further delay.

Encl : as above

Yours sincerely



Incharge, CMC-III

Copy to:

1. The Divisional Commissioner, 5, Sham Nath Marg, Civil Line, Delhi - 110 054... with the request to direct the concerned officer to send the ATR.
2. Office Copy/Master File

