

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 682/2025**

In the matter of:

Anand Prakash

...Applicant

Versus

Divisional Commissioner, Delhi & Ors.

...Respondents

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Filed by

Place: Delhi
Dated: 10 June, 2026

Delhi Pollution Control Committee

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No.682/2025**

In the matter of:

Anand Prakash

...Applicant

Versus

Divisional Commissioner, Delhi & Ors.

...Respondents

**ACTION TAKEN REPORT ON BEHALF OF DELHI
POLLUTON CONTROL COMMITTEE IN COMPLAINE WITH
THIS HON'BLE TRIBUNAL'S ORDER DATED 07.01.2026.**

I, Satender Kumar, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3rd Floor, Block-I, 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.

2. That, the above-captioned OA was taken up by this Hon'ble Tribunal on 07.01.2026 and pleased to dispose of the matter interalia directing to DPCC to take necessary action in terms of the order passed by this Hon'ble Tribunal in OA No. 1378/2024 dated 23.12.2024. Further, as the applicant had filed this OA on similar issue therefore this OA be treated as execution application.



NOTARY
★ A.C. TIWARI ★
Delhi
Regn. No. 1162
★ GOVT. OF INDIA ★

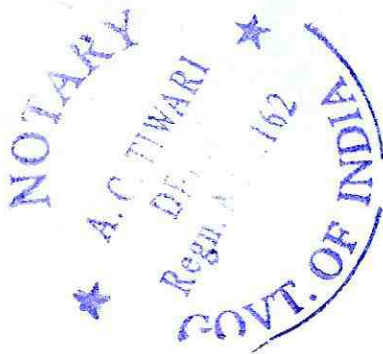
3. That the applicant had earlier filed OA No. 1378/2024, which was disposed of vide order dated 23.12.2024 by this Hon'ble Tribunal thereby permitting the applicant to file a detailed complaint to DPCC and directing DPCC to inspect the site & take appropriate action.

COMPLAINCE OF ORDER DATED 23.12.2024 PASSED IN OA 1378/2024

4. That in compliance with Hon'ble Tribunal's order dated 23.12.2024 passed in OA 1378/2024, Sh. Anand submitted complaint to DPCC in January 2025. It was alleged that illegal air polluting activities/work was being carried out in the premises like cutting heavy iron sheets by misusing domestic gas cylinders and further raising unauthorized illegal construction on the land bearing Khasra No. 123/10 and 110/22 situated at Village Mundka, Delhi – 110041.
5. That the DPCC officials on 02.04.2025 & 03.04.2025 conducted the inspection of the two premises as mentioned in the complaint. Following are the observations during the inspection:

(a) With regards to Khasra No. 123/10 situated at Village Mundka, Delhi – 110041 on 02.04.2025: -

- ✓ The unit namely M/s Chander Bhan Jain & Sons was found operational during inspection.
- ✓ Electric wire (Cables) cutting work is being carried out in the premises.
- ✓ Waste material generated (Cable wires) is sold to a local scrap dealer.
- ✓ Unit has white category consent in Light



Engineering work (Dated 29.09.2021).

✓ Unit has a submersible pump at the premises as informed by unit representative.

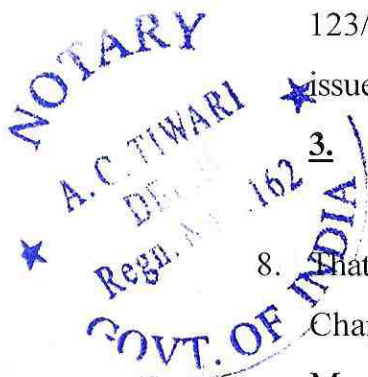
(b) With regards to Khasra No. 110/22 situated at Village Mundka, Delhi – 110041 on 02.04.2025 and 03.04.2025, premises having a board with name M/s World Mark Index was found locked.

Copy of inspection reports dated 02.04.2025 & 03.04.2025 along with photographs taken during visit are collectively annexed herewith and marked as **ANNEXURE -1 (Colly)**.

6. That DPCC on 01.05.2025 issued a letter to the Commissioner (MCD) thereby forwarding the observation made during inspection to take necessary action. Copy of letter issued to MCD dated 01.05.2025 is annexed herewith as **ANNEXURE-2**.

7. That, DPCC on 01.05.2025 also issued a letter to the Delhi Jal Board (DJB) thereby requesting to provide status of borewell/ submersible pump observed during inspection on 02.04.2025 at Khasra No. 123/10 situated at Village Mundka, Delhi – 110041. Copy of letter issued to DJB dated 01.05.2025 is annexed herewith as **ANNEXURE-**

8. That DPCC issued a Show Cause Notice (SCN) on 02.06.2025 to M/s Chander Bhan Jain & Sons at Khasra No. 123/10 situated at Village Mundka, Delhi – 110041 for revocation/withdrawal of



acknowledgment dated 29.09.2021 under white category as the unit was found operational on agricultural land/non-conforming area. As no reply was filed by the unit, therefore vide letter dated 23.06.2025, DPCC revoked the acknowledgment dated 29.09.2021 taken by unit under white category on the basis of misrepresentation. Copies of the SCN dated 02.06.2025 and revocation order dated 23.06.2025 are annexed herewith as **ANNEXURE-4 (Colly)**.

9. That reminder letter was issued to DJB and MCD on 03.06.2025 for necessary action. No reply has been received so far. Copy of letter issued to DJB & MCD dated 03.06.2025 are annexed herewith as **ANNEXURE -5 (Colly)**.

10. That again applicant herein on 16.04.2026 submitted a complaint thereby raising similar issue as stated in complaint submitted in January 2025.



11. That DPCC issued a letter dated 30.04.2026 to MCD to take necessary action and provide ATR to DPCC, as the premises falls in non-conforming area. Copy of letter issued to MCD dated 30.04.2026 is annexed herewith as **ANNEXURE-6**.

INDUSTRIES IN NON-CONFORMING AREAS IN DELHI

12. That, with regard to closure of the illegal units from the residential / non-conforming areas, the Hon'ble Supreme Court has passed an order on 07.05.2004 in WP(C) No. 4677 of 1985 titled as "M.C.



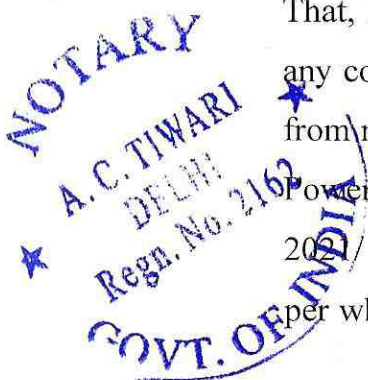
Mehta Vs. Union of India & Others" {AIR 2004 SUPREME COURT 4618}. As per the order, all industrial units that have come up in residential / non-conforming areas in Delhi on or after 1st August, 1990 shall close down. Hon'ble Supreme Court has also constituted a Monitoring Committee comprising of:

- (i) Chief Secretary of Delhi
- (ii) Commissioner of Police, Delhi
- (iii) Commissioner, Municipal Corporation of Delhi and
- (iv) Vice-Chairman of Delhi Development Authority.

It would, however, be open to the aforesaid members of the Monitoring Committee to appoint responsible officers subordinate to them to oversee and ensure compliance of the directions contained in the judgment. Commissioner of Industries-GNCTD is working as a Nodal Officer on behalf of the Hon'ble Supreme Court Monitoring Committee as constituted by the Hon'ble Supreme Court of India in the order dated 07.05.2004.

Further, the Hon'ble Supreme Court vide its order dated 13.12.1995 (ANNEXURE-7) in the above-mentioned matter-imposed restriction on the authorities to not to grant any license/ permission in non-conforming/ residential areas.

That, DPCC has maintained its consistent practice by not granting any consent to any industrial unit which is to be setup or is operating from non-conforming areas of Delhi without the permission of High-Power Committee. Since there is a legal prohibition under MDP-2001/ MPD-2001 in addition to Hon'ble Apex Court directives, as per which industrial activity cannot be carried on or started in a non-



[Handwritten signature]

conforming area, granting any consent by DPCC to any such industrial unit would amount to granting permission to such unit to run or operate which is illegal and prohibited under Master Plan of Delhi. Such consent would be inherently erroneous and at the same time would not enable or give any legal right to such consent holder to claim or assert any right to carry on industrial activity in a non-conforming area on the basis of such Consent, since no consent is being granted by DPCC in non-conforming areas where the industrial activity is prohibited.

It is most respectfully submitted that in non-conforming areas, stoppage and further illegal industrial operations can be ensured by refusing industrial electricity connection or industrial water connection by the electricity companies or DJB because such industrial activity is prohibited in the said non-conforming area in terms of MDP-2021 and Zonal Development Plan.

That the Chief Secretary, Delhi has taken a meeting on 08.12.2010, wherein it was decided that action on industries operating in non-conforming areas and violating Master Plan will be taken under the Delhi Development Act by DDA in development area and MCD in other areas. This decision was reiterated again in the meeting held on 04.08.2015. Minutes of the meeting dated 04.08.2015 is enclosed herewith as **ANNEXURE - 8**.

13. That moreover, 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-conforming 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."

Copy of the order dated 05.08.2019 is enclosed herewith as ANNEXURE -9.

14. That, the Hon`ble Supreme Court vide its order dated 04.11.2019 (ANNEXURE-10) in the aforementioned matter specifically casted the responsibility on Zonal Deputy Commissioner regarding operation of illegal industry in non-conforming area in following manner:

"...Let a clear affidavit be filed with respect to the closing of the industrial units which are objectionable and we saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioners of the Municipal Corporations. They shall be personally liable, in case any industrial unit is found to be running, not only in the law of torts but also for violating the order passed by this Court and they shall be liable to be proceeded with under the Contempt of Court Act. In case any unit is found to be running in violation of the Court's order in future."



[Handwritten signature]

15. In view of the position of law and facts as explained above, closure of the industry in non-conforming areas lies with Zonal Deputy Commissioners of the Municipal Corporation.
16. It is therefore requested to this Hon'ble Tribunal that the present action taken report may kindly be taken on record.

**DEPONENT****VERIFICATION**

I, the above-named deponent, declare the contents of the present action taken report 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 10 JUN 2026 day of June, 2026.

**DEPONENT**

ATTESTED

NOTARY PUBLIC
(DELHI INDIA)

10 JUN 2026



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI)
4th & 5th FLOOR ISBT BUILDING KASHMERE GATE DELHI-6
visit us at : <http://dpcc.delhigovt.nic.in>

Inspection Report

1. Name & Address of the Unit : M/s Chanderan Shan Jain & Sons
Khasra no -123/10, Funi Road
Mundka Udyog Nagar - 110041
2. Owner/ Partner's Name & Contact Details(Phone & E-mail) : Mukul Jain - 9910055585
3. Date of Inspection : 02/04/2025
4. Name & Designation of the Persons contacted at the industry : Ram Mural Yadav - 7703945957
5. Kind of Industry : Godown/Light Engineering Work
6. Product & Capacity :
7. Main Raw Materials : Electric Cables (10)
8. Water Polluting : Yes/No ETP Installed : Yes/No ^{NA}
9. Air Pollution : Yes/No ECS Installed : Yes/No ^{NA}
10. Details of Stack Height (Furnace/Boilers/Others) : (Above G.L.)..... (Above R.L.).....
11. Type of Fuel Used : NA
12. A. Source of Water Supply : DJB/NDMC/DSIIDC/Borewell/Tankers/Others
B. Effluent Discharge : (a) Domestic/ Trade Effluent
(b) Unit connected to Conveyance System: Yes/No
(c) Discharging into NA
13. Status of Consent {If Any} : Light Engineering Work (White Category)
14. D.G. Set(s) {if Any} : No.Capacity.....KVA. Acoustic: Yes/No
Stack Height.....(Above G.L.).....(Above RL)
15. Plot Area :
16. Labour : 25 (approx)
17. Machinery : Grinder, Cutting Machine

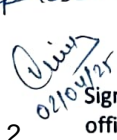
18. Detail of Power Connection : *Not provided by unit*
19. Whether Unit found in Operation : Yes/No
20. Status of Registration under Plastic Waste Management Rules, 2016 : *N/A*
21. Whether Generating Hazardous Waste : Yes/No
22. Details about Hazardous Waste :
- (a) Status of Authorization {if any} :
- (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) :

Remarks (if Any)

- 1) Unit found operational during the time of inspection.
- 2) Electric wire (cables) cutting work is being carried out in the premises.
- 3) Waste material generated (cable wires) is sold to a local scrap dealer.
- 4) Unit has a white category in Light Engineering work.
(Date of application - 29/09/2021)
- 5) Unit has a submersible pump at the premises as informed by unit representative.

21/04/25

02/04/2025

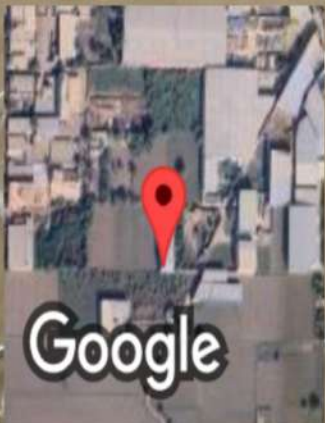

Divak Kumar/anday
AEE


Signatures, Name & Designation of inspecting officials.

2



 GPS Map Camera



Delhi, Delhi, India

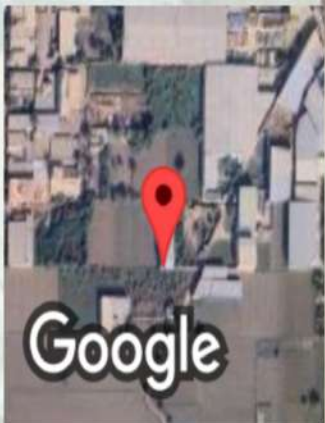
House No. 901 Poll No. 115 Mundka Near Mundka Metro Station, Mundka Village, Mundka, Delhi, Delhi 110041, India

Lat 28.672596° Long 77.029569°

02/04/2025 India Standard Time



 **GPS Map Camera**




Delhi, Delhi, India

**House No. 901 Poll No. 115 Mundka Near Mundka
Metro Station, Mundka Village, Mundka, Delhi,
Delhi 110041, India**

**Lat 28.672566° Long 77.029564°
02/04/2025 India Standard Time**



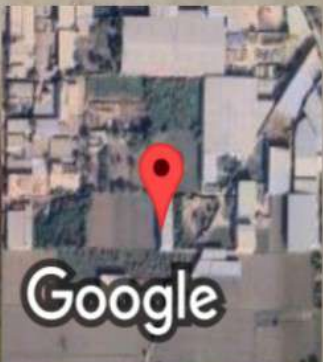
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New Delhi, Delhi, India

122/3/2, Mundka Village, Mundka, New Delhi,
Delhi 110041, India

Lat 28.672756° Long 77.029551°

02/04/2025 India Standard Time





GPS Map Camera

New Delhi, Delhi, India

122/3/2, Mundka Village, Mundka, New Delhi, Delhi 110041, India

Lat 28.672756° Long 77.029558°

02/04/2025 India Standard Time





GPS Map Camera

New Delhi, Delhi, India

122/3/2, Mundka Village, Mundka, New Delhi, Delhi 110041, India

Lat 28.672751° Long 77.029564°

02/04/2025 India Standard Time





 **GPS Map Camera**



New Delhi, Delhi, India

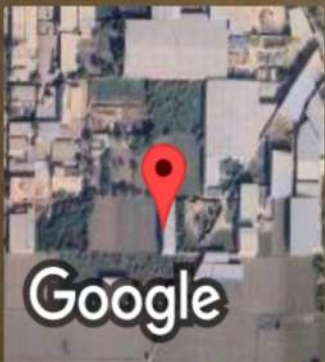
122/3/2, Mundka Village, Mundka, New Delhi,
Delhi 110041, India

Lat 28.672802° Long 77.029544°

02/04/2025 India Standard Time



 **GPS Map Camera**



New Delhi, Delhi, India

122/3/2, Mundka Village, Mundka, New Delhi,
Delhi 110041, India

Lat 28.672791° Long 77.029542°

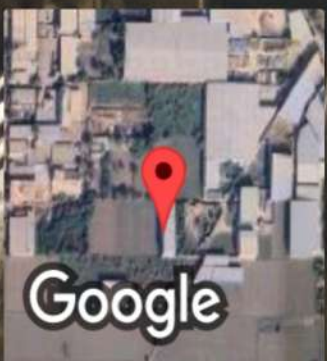
02/04/2025 India Standard Time

GSTIN : 07AAIPJ2937M1ZD
CHANDER BHAN JAIN & SONS
 Rajesh Jain M. 9810055585
 Office - D-24, 1st Floor, Mayapuri,
 Phase-II, New Delhi-110064
 Godown - Khairi No-123/10,
 From Road, Mundka Ghatyog Nagar, New Delhi-110041



 **GPS Map Camera**

New Delhi, Delhi, India
 122/3/2, Mundka Village, Mundka, New Delhi,
 Delhi 110041, India
 Lat 28.67279° Long 77.029544°
 02/04/2025 India Standard Time

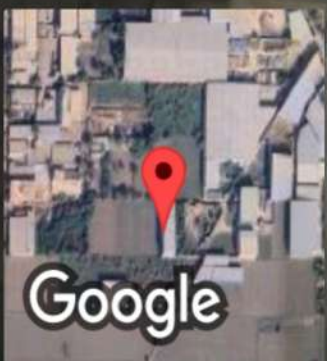




GSTIN : 07AAIPJ2937M1ZD
CHANDER BHAN JAIN & SONS
 Rajesh Jain M. 9810055585
 Office : D -3/24, 1st Floor, Mayapuri,
 Phase-II, New Delhi-110064
 Godown : Khasra No -123/10, [REDACTED]
 Firni Road, Mundka Udhog Nagar, New Delhi-110041



 GPS Map Camera



New Delhi, Delhi, India
 122/3/2, Mundka Village, Mundka, New Delhi,
 Delhi 110041, India
 Lat 28.672794° Long 77.029548°
 02/04/2025 India Standard Time



 GPS Map Camera

New Delhi, Delhi, India

**122/3/2, Mundka Village, Mundka, New Delhi,
Delhi 110041, India**

Lat 28.672687° Long 77.029547°

02/04/2025 India Standard Time





 **GPS Map Camera**



New Delhi, Delhi, India

**122/3/2, Mundka Village, Mundka, New Delhi,
Delhi 110041, India**

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02/04/2025 India Standard Time

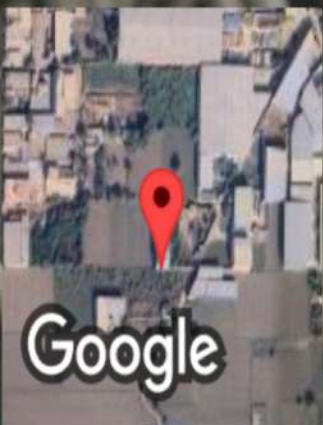


 **GPS Map Camera**

Delhi, Delhi, India

**House No. 901 Poll No. 115 Mundka Near Mundka
Metro Station, Mundka Village, Mundka, Delhi,
Delhi 110041, India**

**Lat 28.672565° Long 77.029596°
02/04/2025 India Standard Time**



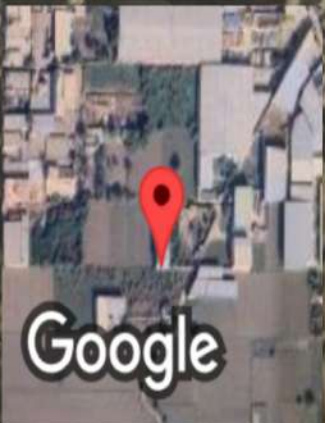


 **GPS Map Camera**

Delhi, Delhi, India

House No. 901 Poll No. 115 Mundka Near Mundka Metro Station, Mundka Village, Mundka, Delhi, Delhi 110041, India

Lat 28.67257° Long 77.029594°
02/04/2025 India Standard Time



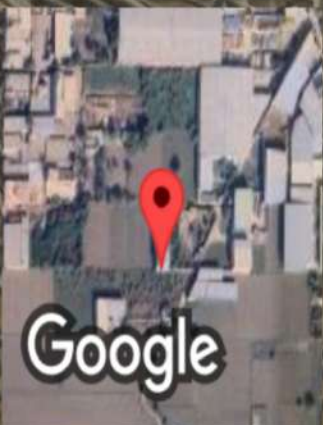


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Delhi, Delhi, India

**House No. 901 Poll No. 115 Mundka Near Mundka
Metro Station, Mundka Village, Mundka, Delhi,
Delhi 110041, India**

**Lat 28.672575° Long 77.029591°
02/04/2025 India Standard Time**



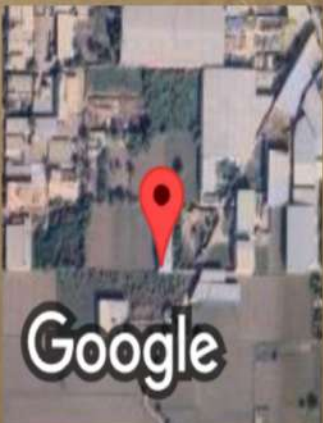


 **GPS Map Camera**

Delhi, Delhi, India

**House No. 901 Poll No. 115 Mundka Near Mundka
Metro Station, Mundka Village, Mundka, Delhi,
Delhi 110041, India**

**Lat 28.672591° Long 77.029566°
02/04/2025 India Standard Time**




DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI)
4th & 5th FLOOR ISBT BUILDING KASHMERE GATE DELHI-6
 visit us at : <http://dpcc.delhigovt.nic.in>

Inspection Report

<p>1. Name & Address of the Unit</p> <p>2. Owner/ Partner's Name & Contact Details(Phone & E-mail)</p> <p>3. Date of Inspection</p> <p>4. Time of Inspection Start of Inspection End of Inspection</p> <p>5. Name & Designation of the Persons contacted at the industry</p> <p>6. Kind of Industry</p> <p>7. Product & Capacity</p> <p>8. Main Raw Materials</p> <p>9. Water Polluting</p> <p>10. Air Pollution</p> <p>11. Details of Stack Height (Furnace/Boilers/Others)</p> <p>12. Type of Fuel Used</p> <p>13. A. Source of Water Supply B. Effluent Discharge</p> <p>14. Status of Consent (if Any)</p> <p>15. D.G. Set(s) (if Any)</p> <p>16. Plot Area</p> <p>17. Labour</p> <p>18. Machinery</p>	<p>M/s <u>World Mark Impex</u> <u>Kh no 110/22, Firri Road</u> <u>Village Mundka, Udyog Nagar</u> <u>New Delhi - 110041</u> <u>Mukul Jain - 9910055585</u></p> <p><u>02/04/2025 & 03/04/2025</u></p> <p style="text-align: center; font-size: 2em; transform: rotate(-45deg); opacity: 0.5;"> <i>found closed on 02/04/25 & 03/04/25</i> </p> <p>Yes/No ETP Installed : Yes/No Yes/No ECS Installed : Yes/No (Above G.L.)..... (Above R.L.).....</p> <p>DJB/NDMC/DSIDC/Borewell/Tankers/Others (a) Domestic/ Trade Effluent (b) Unit connected to Conveyance System: Yes/No (c) Discharging into.....</p> <p>No.....Capacity.....KVA. Acoustic: Yes/No Stack Height.....(Above G.L.).....(Above RL)</p>
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19. Detail of Power Connection :
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/Annam) :

Remarks (if Any)

* Unit was found locked at the time of inspection. (on dt. 02/04/25 & 03/04/25)

Dinesh
02/04/25

Dinesh Kumar Taneja
AEE

Signatures, Name & Designation of inspecting officials

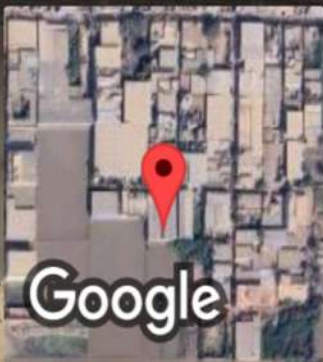
Beewan D
02/04/2025

Dinesh
03/04/25

Beewan D
T E
03/04/25



 GPS Map Camera



New Delhi, Delhi, India

**111, Mundka Village, Mundka, New Delhi, Delhi
110041, India**

Lat 28.673803° Long 77.026814°

02/04/2025 India Standard Time



110-22

03.04.2025 16:56

28 67386 77 02692



WORLD MARK IMPEX
 GSTIN: 07BEJPJ7765M1ZR
 KHADRA NO. 111, FIRKI ROAD, VILLAGE MUNDKA,
 UTTAM KHERA, NEW DELHI-110041

 GPS Map Camera

New Delhi, Delhi, India

111, Mundka Village, Mundka, New Delhi, Delhi
 110041, India

Lat 28.673834° Long 77.026802°

02/04/2025 India Standard Time



Google



 GPS Map Camera

New Delhi, Delhi, India

111, Mundka Village, Mundka, New Delhi, Delhi
110041, India

Lat 28.673818° Long 77.026794°

02/04/2025 India Standard Time



सेल एण्ड सर्विस
 हमारे यहाँ सभी प्रकार के
 इलेक्ट्रॉनिक कॉटे
 रिपेयरिंग किये जाते हैं।

M. 8756662121, 7226011360
MICO SONYTEX
SAM TRADING & SERVICE
सेल एण्ड सर्विस
 हमारे यहाँ सभी प्रकार
 के इलेक्ट्रॉनिक कॉटे
 रिपेयरिंग किये जाते हैं।



 **GPS Map Camera**

New Delhi, Delhi, India
 111, Mundka Village, Mundka, New Delhi, Delhi
 110041, India
 Lat 28.673806° Long 77.026832°
 02/04/2025 India Standard Time





 GPS Map Camera



New Delhi, Delhi, India

**111, Mundka Village, Mundka, New Delhi, Delhi
110041, India**

Lat 28.673864° Long 77.026812°

02/04/2025 India Standard Time



110-22

03.04.2025 16:56

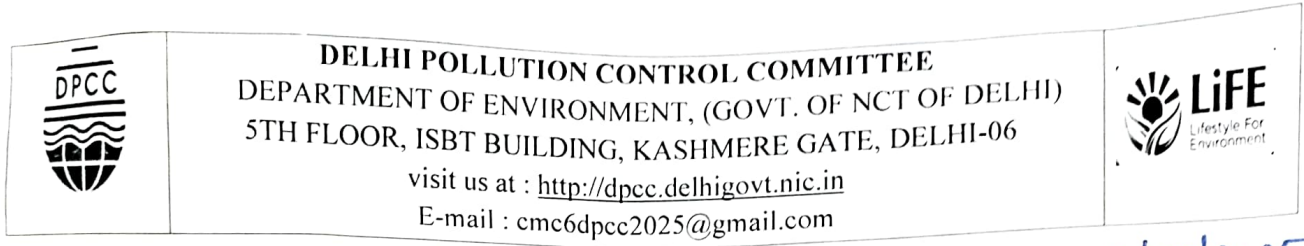
28.67386 77.02692



110-22

03.04.2025 16:56

28.6739, 77.0269



F. No. DPCC/(10)(10)(02)/Leg-25/61-63

Dated: 01/05/2025

To,

The Commissioner, MCD
Dr. S.P.M. Civic Centre, Minto Road,
New Delhi – 110002

Subject: Reg. Request for providing status and details of industries/units operating at the below-mentioned addresses.

Sir/Madam,

This is in reference to the complaint received in DPCC dated 13.01.2025 enclosing the Honble NGT order dated 23.12.2024 regarding the same. The complaint is regarding illegal air polluting activities/work carried out, like cutting heavy iron sheets by misusing domestic gas cylinder, and illegal hazardous activities on the agricultural land with the following addresses:-

Unit 1. Khasra no.123/10, Mundka Village, New Delhi-110041.

Unit 2. Khasra no.110/22, Mundka Village, New Delhi-110041.

In this regard, an inspection was carried out by DPCC officials on **02.04.2025 & 03.04.2025** at the said unit/industry **Khasra no.123/10, Firni Road, Mundka Village, New Delhi-110041 and Khasra no.110/22, Mundka Village, New Delhi-110041.**


During the inspection, the **Unit 1** was found operational & engaged in light engineering work. The other **Unit 2** was found locked. However, both the units/industry were located on agricultural land /non-conforming area.

It may be noted that in the order dated 07.05.2004 Hon'ble Supreme Court has directed in the matter of MC Mehta vs UOI that all industrial units operating in non-conforming residential areas of Delhi in violation of the Master Plan of Delhi must be closed down/ shifted.

In pursuance of the above order in the meetings held on 08.12.2010, 14.07.2011 and 09.12.2011 in the office of Chief Secretary Delhi for implementation of the above order, it has been decided that action on industries operating in non-conforming areas and violating the Master Plan of Delhi will be taken under the Delhi Development Act by DDA in development areas, MCD in other areas and DPCC in approved Industrial Areas. Subsequently, an order dated 05.01.2023 has been issued by the office of Chief Secretary, GNCTD wherein the responsibility of closure of industrial units in Delhi has been entrusted to MCD.

As the case pertains to your department, you may like to direct concerned officers to take necessary action as per by-laws and extant rules and send a grievance redressal report directly to the complainant and a copy to DPCC.

Encl:As Above


Ajeeta Agrawal
(Additional Director, CMC-VI)

Copy to:

1. Sub Divisional Magistrate (Punjabi Bagh), Main Rohtak Road, Nangloi, Delhi-110041.
2. Master File, CMC-VI.


S.K. Goyal
(SEE, CMC-VI)

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DELHI POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
 visit us at : <http://dpcc.delhigovt.nic.in>
 E-mail : cmc6dpcc2025@gmail.com



F. No. DPCC/(10)(10)(02)/Leg-25/58-60

Dated: 01/05/2025

To,
 The Member (Water),
 Delhi Jal Board,
 Varunalaya Ph-II,
 Jhandewalan, Karol Bagh
 New Delhi-110005

Subject: Reg. Request for providing status and details of groundwater extraction/submersible pump (borewell) present at M/s Chander Bhan Jain & Sons, Khasra no.123/10, Firni Road, Mundka Village, New Delhi-110041.

Sir/Madam,

This is in reference to the complaint received in the office of DPCC regarding illegal air polluting activities/work carried out in the above mentioned premises like cutting heavy iron sheets by misusing domestic gas cylinders.

In this regard, an inspection was carried out by DPCC officials on 02.04.2025 at the said unit/industry **M/s Chander Bhan Jain & Sons, Khasra no.123/10, Firni Road, Mundka Village, New Delhi-110041.**

During the inspection, unit was found operational with valid DPCC consent wherein one borewell/submersible pump was found installed in the premises and no documents were presented by the unit for the said borewell.

In view of the above, DJB is requested to provide the present status of the said borewell/submersible pump present at the aforementioned unit as to whether it is legal or not. If it is found illegal, please take necessary action in compliance with the SOPs issued by Deptt. Of Environment & Forest vide F. No.:Env.(DPCC)/(10)(10)(12)Legal/2020/44 dated 10.07.2020 and forward the details of the borewell (as per the methodology devised by CPCB in its report dated 26.06.2019) to the Revenue department for further necessary action with a copy to DPCC.

The reply/response of DJB may be communicated to DPCC within 10 days of the issuance of this letter.



Ajeeta Agrawal

(Additional Director, CMC-VI)

Copy to:

1. District Magistrate (West), Nehru Nagar, Shivaji Place, Vishal Enclave, Raja Garden, New Delhi-110018.
2. Master File.

S.K. Goyal
(SEE, CMC-VI)

	<p style="text-align: center;">84</p> <p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 3rd FLOOR, BLOCK-B, DELHI IT PARK, SHASTRI PARK, DELHI -110053 Visit us at : http://dpcc.delhigovt.nic.in Email us at: cmc6dpcc2025@gmail.com</p>	 <p>LIFE Lifestyle for Environment</p>
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F. No. DPCC/(10)(10)(02)/Leg-25 /318 - 20

Date: 02/06/2025

To,

Chander Bhan Jain And Sons
Khasra no. 123/10, Firni Road, Udyog Nagar,
Mundka, New Delhi-110041

Subject: SCN for Revocation/withdrawal of Acknowledgement under White Category under section 25 of Water (Prevention and Control of Pollution) Act, 1974, as amended to date and under section 21 of Air (Prevention and Control of Pollution) Act, 1981 as amended to date.

Sir/Madam,

This is in reference to the OA No. 1378/2024 before Hon'ble NGT regarding illegal air polluting activities/work carried out like cutting heavy iron sheets by misusing domestic gas cylinders and unauthorised illegal construction on the agricultural land at the mentioned address i.e. **Khasra no. 123/10, Mundka Village, New Delhi-110041.**

In this regard, an inspection was carried out by DPCC officials on **02.04.2025** at the said unit/industry **Khasra no. 123/10, Firni Road, Mundka Village, New Delhi-110041.**

During the inspection, the unit was found operational and the unit was located on agricultural land/non-conforming area.

Further as per DPCC record the unit M/s **Chander Bhan Jain And Sons, Khasra no. 123/10, Firni Road, Udyog Nagar, Mundka, New Delhi-110041** has generated acknowledgement under White category for activity of Light Engineering work. However, the area of the unit is located in Non-Conforming/Agricultural land, wherein no consent is issued by DPCC without the NOC from the High Power Committee in MCD.

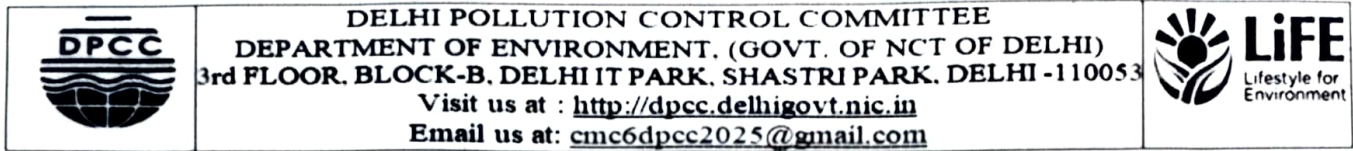
By way of this notice you are hereby given an opportunity to clarify as to why your consent/acknowledgement may not be refused u/s 25 and 21 of water and air act respectively. You are required to submit your reply within 10 days of the issue of this letter failing which it shall be construed that you have nothing to say in this regard, and the acknowledgement issued shall be revoked without any further notice to you.


Ajeeta Agrawal

(Additional Director, CMC-VI)

Copy to:

1. IT, DPCC- to upload on DPCC website under the head- non-conforming area
2. Master File, CMC-VI



E File No. DPCC/(10)(10)(02)/Leg-25/458-62

Date: 23/06/2025

To,

Chander Bhan Jain And Sons

Khasra no. 123/10, Firni Road, Udyog Nagar,

Mundka, New Delhi-110041

Subject: Revocation/withdrawal of Acknowledgement under White Category under section 25 of Water (Prevention and Control of Pollution) Act, 1974, as amended to date and under section 21 of Air (Prevention and Control of Pollution) Act, 1981 as amended to date.

Sir/Madam,

This has reference to the OA No. 1378/2024 before Hon'ble NGT regarding illegal air polluting activities/work carried out like cutting heavy iron sheets by misusing domestic gas cylinders and unauthorised illegal construction on the agricultural land at the mentioned address i.e. **Khasra no. 123/10, Mundka Village, New Delhi-110041.**

In this regard, an inspection was carried out by DPCC officials on **02.04.2025** at the said unit/industry **Khasra no. 123/10, Firni Road, Mundka Village, New Delhi-110041.** During the inspection, the unit was found operational and the unit was located on agricultural land/non-conforming area.

The unit M/s **Chander Bhan Jain And Sons, Khasra no. 123/10, Firni Road, Udyog Nagar, Mundka, New Delhi-110041** (hereinafter referred as "Addressee") has generated acknowledgement under White category for activity of Light Engineering work. However, the area of the unit is located in Non-Conforming/Agricultural land, wherein no consent is issued by DPCC without the NOC from the High Power Committee in MCD.

And whereas, Show Cause Notice (SCN) for Revocation/withdrawal of Acknowledgement under White Category u/s 25 of Water (Prevention and Control of Pollution) Act, 1974, as amended to date and u/s 21 of Air (Prevention and Control of Pollution) Act, 1981, as amended to date, was issued to addressee vide letter no. DPCC/(10)(10)(02)/Leg-25/318-20 dated 02.06.2025.

And whereas, you, the addressee, have not submitted any reply to the above-mentioned Show Cause Notice. Now therefore, in view of the above, the competent authority, DPCC has decided that the Undertaking No. DPCC/CMC/WHITE/2018/6603965 dated 29.09.2021 issued by DPCC under Air & Water Acts is hereby revoked with immediate effect. The addressee may kindly note that the operation of the unit is prohibited as per the Hon'ble Supreme Court order dated 07.05.2004 in the matter of MC Mehta vs UOI.

This is being issued with the approval of the Competent Authority, DPCC.




Ajeeta Agrawal

(Additional Director, CMC-VI)

Copy to:

1. **IT, DPCC-** to please make the status of above application revoked/rejected on OCMMS portland to upload direction on DPCC website under the head- non-conforming area.
2. **The Commissioner, MCD, Dr. S.P.M. Civic Centre, Minto Road, New Delhi – 110002-** to take action as per as per the Hon'ble Supreme Court order dated 07.05.2004 in the matter of MC Mehta vs UOI case.
3. **Anand Singh, House No. 468, Village Mundka, Near Saini Choupal, Delhi-110041**
4. **Master File, CMC-VI**

By Speed Post

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 3rd FLOOR, BLOCK-B, DELHI IT PARK, SHASTRI PARK, DELHI -110053 Visit us at : http://dpcc.delhigovt.nic.in Email us at: cmc6dpcc2025@gmail.com</p>	 <p>LiFE Lifestyle for Environment</p>
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F. No. DPCC/(10)(10)(02)/Leg-25 / 345-47

Dated: 03/06/2025

To,

The Member (Water),
Delhi Jal Board, Varunalaya Ph-II,
Jhandewalan, Karol Bagh, New Delhi-110005

Subject: Reg. Request for providing status and details of groundwater extraction/submersible pump (borewell) present at M/s Chander Bhan Jain & Sons, Khasra no.123/10, Firni Road, Mundka Village, New Delhi-110041.

Reference No.- F. No. DPCC/(10)(10)(02)/Leg-25/58-60

Sir/Madam,

This is with reference to the letter dated 01.05.2025 (copy enclosed) regarding request for providing status and details of groundwater extraction/submersible pump (borewell) present at M/s Chander Bhan Jain & Sons, Khasra no.123/10, Firni Road, Mundka Village, New Delhi-110041

Till date no reply has been received to this office. Therefore, you are requested to take necessary action in this regard and reply/response may be communicated to DPCC within 10 days of the issuance of this letter.




Ajeeta Agrawal

(Additional Director, CMC-VI)

Copy to:

1. Sub Divisional Magistrate (Punjabi Bagh), Main Rohtak Road, Nangloi, Delhi-110041.
2. Master File, CMC-VI

By Speed Post

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT. (GOVT. OF NCT OF DELHI) 3rd FLOOR. BLOCK-B. DELHI IT PARK. SHASTRI PARK. DELHI -110053 Visit us at : http://dpcc.delhigovt.nic.in Email us at: cmc6dpcc2025@gmail.com</p>	 <p>LIFE Lifestyle for Environment</p>
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F. No. DPCC/(10)(10)(02)/Leg-25/341-44

Dated: 03/06/2025

To,

The Commissioner, MCD
Dr. S.P.M. Civic Centre, Minto Road,
New Delhi – 110002

Subject : Reminder letter reg. Request for providing status and details of industries/units operating at the below-mentioned addresses

Reference No.- F. No. DPCC/(10)(10)(02)/Leg-25/61-63


Sir/Madam,

This is with reference to the letter dated 01.05.2025 (copy enclosed) regarding request for providing status and details of industries/units operating at following addresses:

Unit 1. Khasra no.123/10, Mundka Village, New Delhi-110041.

Unit 2. Khasra no.110/22, Mundka Village, New Delhi-110041.

Till date no reply has been received to this office. Therefore, you are requested to take necessary action in this regard and reply directly to the complainant with a copy to DPCC.


Ajeeta Agrawal
(Additional Director, CMC-VI)

Copy to:

1. Sub Divisional Magistrate (Punjabi Bagh), Main Rohtak Road, Nangloi, Delhi-110041.
2. Anand Singh, House No. 468, Village Mundka, Near Saini Choupal, Delhi-110041
3. Master File, CMC-VI

By Speed Post

	<p>DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 3rd FLOOR, DMRC BUILDING, SHASTRI PARK, DELHI-53 visit us at : http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC IX-B/2026/Complaints/ 364-366

Dated: 30.4.26

To,

The Deputy Commissioner, MCD
Zonal Office Building,
13, R-178, MDR 138, Rajeev Colony,
Swatantra Nagar, Narela, Delhi, 110040

Sub: - Complaint regarding Polluting Industry operating at Kh no 123/10 & 110/22, Mundka (Village), Delhi - 110041

Sir,

And whereas, 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, has passed order on 04.11.2019 and 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.

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-conforming 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, 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-conforming areas of NCT of Delhi.

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-conforming 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."

And whereas, a complaint has been received against the units engaged in cutting heavy Iron sheets by using domestic gas cylinder, causing Air Pollution and also, undertaking unauthorized construction on Agricultural land at Kh no 123/10 & 110/22, Mundka (Village), Delhi - 110041.

As the area is non-conforming/residential areas, such activities need to be closed down immediately.

In view of the above, you are requested to direct the concerned officer to carry out a thorough inspection of the said areas/premises/activities and ensure compliance w.r.t. MPD 2021, since the units/ activities is situated in residential/non-conforming area. Also ensure that no such unit/ activities that violates environmental norms resurfaces.

It is further requested to direct the concerned officer to ensure that all such polluting units/ activities including units operating at said premises as mentioned in the complaint, be closed down with immediate effect and send ATR to DPCC immediately, so that the same may be informed to the complainant accordingly.

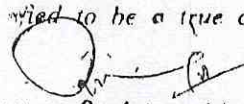

EE, CMC IX-B

Encl: As above.

Copy for information:

1. The Commissioner, Municipal Corporation of Delhi, Civil Centre, JLN Marg, New Delhi - 110002 - with request to direct the concerned Dy Commissioner to ensure effective closure of these polluting units operating in non-conforming area/residential area.
2. Master File

Item No.
1Court No.
2Section
PIL
After Notice

Filed to be a true copy

 Assistant Registrar (Judl.)
 21/12/1995
 Supreme Court of India

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

45563

I.A. NO. 22 IN W.P.(C) NO. 4677/1985

M C Mehta

...Petitioner

vs.

Union of India & Ors.
(for directions)

...Respondents

Date: 13.12.95 This matter was called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE KULDIP SINGH
HON'BLE MR. JUSTICE S SAGHIR AHMADFor the Petitioner: Mr. MC Mehta,
Petitioner in person.
Ms. Seema Midha, adv.

: Mr. Ranjit Kumar, adv.

For Respondents:

For CPCB

: Mr. Vijay Panjwani, adv.

For DPCC

: Mr. Swaraj Kaushal, Sr. Adv.
Mr. Sanjeev K Pabbi, adv.
Ms. H Wahi, adv.: Mr. Altaf Ahmad, ASG
Ms. Sushma Suri, adv.
Mr. Y P Mahajan, adv.

For

M/s. Birla Textiles: Mr. F S Nariman, Sr. Adv.
Mr. H N Salve, Sr. Adv.
Mr. J B Dadachanji, adv.
Mr. R N Karanjawala, adv.
Mr. S Sukumaran, adv.
Mr. P K Mullick, adv.
Mrs. Manik Karanjawala, adv.

For M/s. SIEL

: Mr. Anil B Diwan, Sr. Adv.
Mr. Ravinder Nara in, adv.
Mr. Sumeet Kachawaha, adv.
Mr. S Sukumaran, adv.
Ms. Punita Singh, adv.

Inden M.
21-12-95

2.

- For M/s. SBM & DCM Salk Mills : Mr. Gopal Subramaniam, Sr. Adv.
Mr. Ramji Srinivasan, adv.
Mr. Jayant Bhushan, adv.
Mr. JB Dadachanji, adv.
Mr. S Sukumaran, adv. Mr. B.R. Jad, adv.
for M/s. JBD
- For Delhi Factory Owners Fedn. : Dr. A M Singhvi, Sr. Adv.
Mr. S Sukumaran, adv.
Mr. Ramesh Babu, adv.
- For Workmen : Mr. Rajinder Sachar, Sr. Adv.
Mr. Sanjay Parikh, adv.
- For M/s. British Motor Co. : Mr. AB Rohtagi, Sr. Adv.
Mr. Ranbir Yadav, adv.
- For Detergent Manu. Assn. : Mr. V Krishnamurthy, adv.
- : Mr. DD Thakur, Sr. Adv.
Mr. KV Venkataramesh, adv.
- : Mr. D Goburdhan, adv.
Mr. Sidharth Luthra, adv.
- : Mr. CS Ashri, adv.
- : Ms. Minakshi Vij, adv.
- : Ms. Maenakshi Arora, adv.
- : Mr. IS Goyal, adv.
Ms. Indu Malhotra, adv.
- : Ms. Rachna Gupta, adv.
Mr. Ashok K Srivastava, adv.
Mr. K S Bindra, Sr. Adv.
Mr. R S Sodhi, adv.
- : Mr. R Saridharan, adv.
- : Mr. Shanti Bhushan, Sr. Adv.
Mr. Prashant Bhushan, adv.
- : Mr. V B Saharya, adv.
- : Mr. D N Goburdhan, adv.
- : Mr. R B Misra, adv.
- : Mr. R K Maheshwari, adv.
- : Mr. Vineet Maheshwari, adv.
- : Mr. R S Suri, adv.
- : Mr. Kailash Vasdev, adv.
- : Mrs. Shiel Sethi, adv.

UPON hearing counsel the Court made
the following O R D E R

OFFICE REPORT DT. 12-12-95

Item 'A'

Pursuant to this Court's order dated September 14, 1995 and November 21, 1995, we have heard Mr. Panjwani, learned counsel for the Central Pollution Control Board and other learned counsel representing the industries.

The learned counsel have raised various objections ~~like~~ such as the industries have been wrongly shown in the non-conforming areas, the categories of the industries is not correct and they are not even located in the urban areas. All the objections may be filed before the Central Pollution Control Board within one week from today.

The Board shall decide these objections and file a report to this Court before January 10, 1996. List the matter on 10.1.96.

Item 'B'

Pursuant to this Court's order dated September 8, 1995, September 29, 1995 and November 21, 1995, Mr. Virender Singh, Secretary, Department of Industries is present in Court. We are satisfied with the explanation offered by him. Mr. Virender Singh further states that under the instructions issued by the Central Government the Industries Department of NCT, Delhi registers the industries without insisting on the no-objection certificate from the

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-4-

Pollution Control Committee. We direct the Industries Department, NCT, Delhi Administration not to register any industry unless the consent (no-objection certificate) under law has been furnished by the Delhi Pollution Control Committee even in respect of the industries in the conforming areas. Mr. Virender Singh further states that no further registration is being granted to any industry in non-conforming areas in Delhi/ New Delhi in terms of the orders of this Court dated November 30, 1995.

Item 'C'

Pursuant to this Court's order dated November 13, 1995, Mr. K J Alphons has placed on record the proposed scheme regarding utilisation of land which would be available in the event of re-location of the hazardous/noxious/large scale industries from Delhi. The scheme has been discussed with learned counsel appearing for various industries. We are of the view that it would be useful for the representatives of the industries to have discussion with the Committee which is to finally examine the proposed scheme. Mr. P C Jain, Additional Commissioner DDA who is present in the Court has explained to us various aspects of the scheme. He is agreeable to the proposal that 5/10 representatives of the industries may place the suggestions/objections of the industries to the proposed scheme before the Committee. The representatives of the industries

96-7
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-5-

may file their written suggestions before Mr. Jain within one week from today. Thereafter, Mr. Jain will inform them about the date when the Committee is likely to meet. It would be desirable that the Committee meets before the end of this year. In any case, the meeting must take place before 10th January, 1996 because all these matters have been listed for final hearing on that date. In any case, Mr. Jain will inform the representatives about the date of the meeting before 25th December, 1995.

We request Mr. B. C. Jain, who is present in Court to assist the Central Pollution Control Board in deciding the objections.

Kanchan
(Kanchan Jain) 21/12
Court Master

DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF N.C.T OF DELHI
6TH LEVEL, C-WING, DELHI SECRETARIAT, NEW DELHI

No. DPCC/2015/5937-55

Dated: 4/8/2015

MINUTES OF THE MEETING CHAIRED BY CHIEF SECRETARY, DELHI REGARDING EFFECTIVE
IMPLEMENTATION OF HON'BLE SUPREME COURT AND HON'BLE GREEN TRIBUNAL ORDERS
WITH REGARD TO CLOSURE OF POLLUTING UNITS IN RESIDENTIAL /NON-CONFORMING
AREAS OF DELHI HELD ON 05.06.2015 AT 11.00 A.M.

The meeting was held on 05.06.2015 under the chairmanship of Chief Secretary, Govt. of N.C.T. of Delhi. List of participants is enclosed herewith as Annexure-I.

Following are the record of discussions:

1. Secretary (Environment) briefed the Chief Secretary on the following points:-
 - a) DPCC is taking action against the units for violation of the provision of Water Act, Air Act and Environment (Protection) Act and Rules made there under in conforming industrial areas as per Master Plan of Delhi.
 - b) In the meeting of Chief Secretary, Govt. of N.C.T of Delhi held on 08.12.2010 for implementation of orders of Hon'ble Supreme Court dated 07.05.2004, it has already been decided that action on industries operating in Non-Conforming areas and violating Master Plan of Delhi will be taken under the Delhi Development Act by Delhi Development Authority (DDA) in Development areas and Municipal Corporation of Delhi (MCD) in all other areas. Commissioner of Industries is working as a nodal officer on behalf of the Supreme Court Monitoring Committee, as constituted by the Hon'ble Supreme Court of India in the Order dated 07.05.2004.
 - c) Hon'ble NGT vide its order dated 27.3.2015 in the case of Manoj Mishra (C.A No. 300 of 2013) has directed that the concerned authority in whose jurisdiction such area falls shall forthwith issue notice for complete prohibition of carrying on of industrial activity which discharge effluent in the residential areas.
 - d) In pursuance of order of NGT dated 27.3.2015, the action for closure of unauthorized industries in non-conforming /residential areas shall be taken by concerned authorities in whose jurisdiction such area falls such as MCD and the DDA as these have responsibility to implement the building bye-laws as applicable.
 - e) The concerned authority in whose jurisdiction such areas falls must set up a special cell headed by senior officers within their department to deal with and respond to complaints forwarded by the DPCC about industries operating unauthorizedly in non-conforming and residential areas in Delhi. Action Taken Report by these agencies shall be sent to COI, which is a nodal agency to compile the data.

(Signature)

23.8.15

PA-

f) While dealing with such complaints, land owning agencies may seek field reports whether similar units are operating unauthorizedly in adjoining areas or not. If so, a joint inspection may be carried, in which representatives of Industries Department, DPCC, MCD/ DDA be associated and joint inspection team shall recommend action to be taken. Such inspections shall be coordinated by land owning agencies i.e. MCD/ DDA.

g) On 04.06.2015 a Public Notice has been issued by DPCC in leading news papers, referring the said orders of the Hon'ble Supreme Court dated 07.05.2004.

h) Letters were issued to Industrial Associations of 22 Redevelopment Areas asking them to provide list of water polluting industries in their respective redevelopment area, however, the Associations have not provided the list of water polluting units. Letter has also been issued to MCD, DIB, Electricity Distribution Companies to provide list of user for their services on industrial activity in all redevelopment areas.

2. The representatives of three Municipal Corporations of Delhi were asked as to action taken against the industrial units operating unauthorizedly in non-conforming and residential areas of Delhi. The position explained by Municipal Corporations is as under:

a) South Delhi Municipal Corporation:

No. of industries found operating	1134
No. of industries sealed/ closed	28
No. of industries against whom Show Cause	412
Notice issued for disconnection of electricity and water supply.	

b) North Delhi Municipal Corporation:

No. of industries found operating	3493
No. of industries sealed/ closed	255
No. of industries against whom Show Cause	298
Notice issued for disconnection of electricity and water supply.	

c) East Delhi Municipal Corporation: (figure only Gandhi Nagar area):

No. of industries found operating	799
No. of Industries sealed/ closed	28
No. of industries against whom Show Cause	117
Notice issued for disconnection of electricity and water supply.	

3. The Chief Secretary directed Industries Department to upload the list of 52,000 applicants for alternative plots under relocation scheme, out of which about 22,000 allottees have been given alternative plots, on its website/ public domain. It was decided that Industries Department and concerned authority in whose jurisdiction such



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areas falls, shall initiate action against industrial units operating in non-conforming and residential areas who have already been allotted alternative plots by DSIDC on first instance and thereafter remaining units will also be checked and action shall be taken by land owning agencies.

4. It was informed by DPCC that lists of Green and Orange category of the activities prepared by DPCC are available on the website of DPCC which may be referred to identify the polluting activities by MCD/DDA. Regarding conformity/ permissibility of the various activities Master Plan of Delhi is to be referred. Factory Licensing Department of 03 Municipal Corporations to prepare the list of industrial units permitted by them in non-conforming / residential areas on their website.
5. The decisions taken on 08.11.2010 by the then Chief Secretary regarding closure/ shifting of impermissible industries from residential / non-conforming areas of Delhi were again reiterated.
6. Secretary (Environment) briefed the Chief Secretary about constraints of staff in Environment Department and DPCC. The Chief Secretary decided to hold a separate meeting at his level to take up the issues of pending RRs, creation of posts and filling up vacant posts. The officers of Environment/DPCC, Services Department, Finance Department to be invited in the proposed meeting.

Meeting ended with a vote of thanks to the Chair.


 (Kulanand Joshi)
 Spl. Secretary (Env),
 Member Secretary (DPCC)

To

1. Vice Chairman, DDA, Vikas Sadan, INA, New Delhi.
2. Divisional Commissioner, Revenue Department, Govt. of N.C.T of Delhi, 5-Sham Nath Marg, Delhi-110054.
3. The Secretary-cum-Commissioner, Industries Department, 419, FIE, Udyog Sadan, Patparganj, Delhi.
4. Secretary (Environment), Govt. of N.C.T of Delhi, 6th Level, Delhi Sectt., New Delhi.
5. Commissioner, South Delhi Municipal Corporation, Civic Centre, Minto Road New Delhi.
6. Commissioner, North Delhi Municipal Corporation, 11th Floor, Civic Centre, Minto Road, New Delhi.
7. Commissioner, East Delhi Municipal Corporation, 419, FIE, 419, Udyog Sadan, Patparganj, Delhi.
8. The Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-1, Karol Bagh, New Delhi.

9. The Commissioner, Delhi Police, Police Headquarter, MSO Building, New Delhi.
10. The Managing Director, Delhi State Industrial & Infrastructure Corporation Ltd. (DSIIC), H-Block, Bombay Life Building, Connaught Place, New Delhi.
11. The Member Secretary, Delhi Pollution Control Committee, ISBT, Delhi-110006.
12. The CEO, BSES Yamuna Power Ltd., Shakti Kiran Building, Karkardooma, Delhi.
13. The CEO, Tata Power Delhi Distribution Ltd., Hudson Lane, Kingsway Camp, Delhi.
14. The CEO, BSES, Rajdhani Power Ltd., BSES Bhawan, Behind Nehru Place Bus Terminal, Nehru Place, New Delhi.
15. The Dy. Commissioner (Industries), Complaint Cell, Industries Department, Udyog Sadan, 419, FIE, Patparganj, Delhi.
16. The Dy. Commissioner, CETP Branch, Industries Department, Udyog Sadan, 419, FIE, Patparganj, Delhi.

Copy for information to:-

1. OSD to Chief Secretary, Delhi, Delhi Secretariat, New Delhi.
2. P.S to Pr. Secretary (Industries), New Delhi.
3. P.S to Secretary (Environment), Delhi Sectt. New Delhi.

(Kulanand Joshi)
 Spl. Secretary (Env)
 Member Secretary (DPCI)

Attendance Sheet

ANNEXURE 1

Sub: Effective implementation of Hon'ble Supreme Court and NGT orders with regard to closure of polluting units in Delhi.

A meeting has been convened under the Chairmanship of the Chief Secretary Delhi on 05th June, 2015 at 11:00 am on the aforesaid subject at Office of the Chief Secretary Delhi, 5th Level, Delhi Secretariat, I.P. Estate, New Delhi.

Sl. No.	Name of the officer / Representative with Designation	Deptt./ Organization	Contact No.	e-mail ID	Signature
1.	J.K. Saini HOD-Regulatory	Tata Power D D C.	9818102317	jsaini@tatapower-dde.com	[Signature]
2.	O.P. SINGH A.C.M. Regulatory	TP D D C.	9818102317	o.p.singh@tatapower-dde.com	[Signature]
3.	C.A. DHANU Additional Commissioner	EDMC	9717788000	Additional Commissioner	[Signature]
4.	M.K. Aggarwal	BRPL	9350261573	m.k.aggarwal@brpl.com	[Signature]
5.	T.R. BHATIA	BRPL	9350261573	M.K.Bhatia@relianceco.com	[Signature]
6.	Sanjeev Saini	BRPL	810929827	sanjeev.saini@relianceco.com	[Signature]
7.	Cumans Khanna Dy. Director (Mgt)	DDA	2337 8854		[Signature]

(15) 2/12/2015
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Sl. No.	Name of the officer / Representative with Designation	Deptt./ Organization	Contact No.	e-mail ID	Signature
8.	Shant Kumar SE, DWT	DSI DC	9818250728	kumandshil@jmail.co	[Signature]
9	Ajay Mittal CG, DSIDC	DSIDC	9910100984	ajay1965mittal@yamaha.com	[Signature]
10.	Victor James ADC (FL)	EDme	8150892289		[Signature]
11.	B.L. CHAWLA SEE	DPCC	9717593516		[Signature]
12.	Dinesh Jindal Law Officer	DPCC	9717593515		[Signature]
13.	Sanjiv Kumar	ENV/ FOREST			[Signature]
14.	Shakuntala D. Gaudin	P. Secy (D) of Govt. Ind	8130355556	gandk070@gmail.com	[Signature]
15.	Dr. Anil Kumar Director	Environment	9317193505		[Signature]
16.	K. Joshi	Member of DPCC	97175935-1		[Signature]
17	Ashwani Kumar Div Com				[Signature]

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Sl. No.	Name of the officer / Representative with Designation	Deptt./ Organisation	Contact No.	e-mail ID	Signature
17	T. P. SINGH By C.F.	Industries deplh. d. m. c. d.	221570		
18	PARAMITIA	DCP		Continental D. m. c. d.	
19	TARUN YADAV	CENTRAL A24. OFFICE SOME FACTORY LICENS.	9818099044 Delhi Police 8588888724		
20	C S. Kaddar	Sy/A (PL) SOME	9818614904		
21	R. K. Bhargava	HC/FLD	250398 35460		
22	R. C. Gauriyal AEC/Ent (L)	DDA	9810300654		
23	Mohal. Ishar Sanyog/Ent (L)	DDA	9911107456		
24	A. V. M. S. D. W. W. By Commission	Industries	9868 877724		
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OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVT. OF NCT OF DELHI
419, FIE, PATPARGANJ, UDYOG SADAN, DELHI.

Minutes of the meeting regarding closure/shifting of impermissible industries from residential/non-conforming areas of Delhi, held on 8th December, 2010 in the office of the Chief Secretary, Delhi.

A presentation was made by Industries Department highlighting the brief background of the issue and the statutory provisions with regard to closure of non-conforming/impermissible industries.

2. It was informed that on the orders of the Hon'ble Supreme Court a monitoring committee for stoppage of illegal industrial activities was constituted comprising of following officers:

- 1) Chief Secretary, Government of NCT of Delhi,
- 2) Vice Chairman - Delhi Development Authority
- 3) Commissioner of Police - Delhi,
- 4) Commissioner - Municipal Corporation of Delhi,

3. Keeping in view of urgency of the matter and to ensure timely compliance of orders of Hon'ble Supreme Court, the Industries Department being a Nodal Department for industries in Delhi coordinated implementation of directions including closure operation with concerned departments.

4. 27 Task Groups comprising of area SDMs, representatives from MCD (Factory Licensing Department), area electricity DISCOMs and Delhi Jal Board were constituted for identification of industrial units and to ensure closure orders.

5. Though majority of industries had closed down their manufacturing activities at that time, some industrial units have unauthorizedly started functioning at the same or some other location in the non-conforming areas.

6. Because of legacy of the Task Force comprised earlier, the complaints received of such unauthorized functioning of the industries are being forwarded to District Deputy Commissioner for taking action after verification by the Cell comprising officers of Industries Department who have been deputed to report to the Divisional Commissioner,

7. Divisional Commissioner categorically informed that SDMs have no statutory powers for closure of industries and they can take action only if the Department/Agency having statutory powers give their clear directions for sealing/de-sealing of industries.

(Signature)

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8. The statutory provisions with regard to the closure of industries were discussed as under:

a) Functioning of impermissible industries in residential areas:

The power of closure of industries in non-conforming /residential area is derived from the Delhi Development Act, 1957 which empowers DDA for the same in development area and MCD in any other area. Therefore, the prime responsibility for enforcement of the Master Plan rests with the MCD and DDA.

Further, the Factory Licensing Department of MCD issues Trade Licences under Delhi Municipal Corporation Act, 1957 and takes action against industries functioning without this license. It is imperative that MCD issues such licences in consonance with Master Plan.

b) Closure of Polluting Industries

In order to provide protection and improvement of environment and the prevention of hazards to human beings, various Environmental Laws namely The Environment (Protection) Act, 1986, The Air (Prevention and Control of Pollution) Act, 1981, The Water (Prevention and Control of Pollution) Act, 1974, Bio-Medical Waste (Management and Handling) Rules, 1998 etc. exist.

As per The Air (Prevention and Control of Pollution) Act, 1981, no person can establish or operate any industrial unit in National Capital Territory of Delhi without obtaining prior consent of Delhi Pollution Control Committee (DPCC). The industrial units operating in the NCT of Delhi are required to comply with the conditions of consent to establish/ operate, issued by the DPCC. Under Section 31(A), the DPCC has the powers to give directions to any person or officer or authority in writing and such person or officer or authority is bound to comply with such directions which include (i) the closure, prohibition or regulation of any industry, operation or process or (ii) stoppage or regulations of electricity, water or any other services. Similar provision exists Under Section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974.

Thus, the power to close and stop industrial activities violating the provisions and Environment Laws vests in the DPCC.

9. Secretary (Environment) explained the position that though the jurisdiction of the various environmental Acts in the whole of Delhi but DPCC take actions only in the authorized industrial areas. He informed that the mandate of DPCC is not to close industries in the non-conforming areas but to ensure that the industries are not polluting. Thus, theoretically, if an industry in non-conforming area ensures by installing ETPs, that the discharge is not polluting, DPCC cannot take action. Moreover since all the industries in non-conforming areas are required to be closed by the statutory authority implementing the Master Plan, the prime responsibility of closure lies with the Master Plan implementing authority.

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10. The issue of those industrial clusters which have been notified as the area for redevelopment as per MPD-2021 was also discussed and it was decided that this should be examined separately so that a finality in this regard can be achieved.

11. It was also emphasized that the MPD-2001 provided for different categories of industries which were not permissible (H category and F category - 27/33). However, MPD-2021 provides for just one list of prohibited/negative list of industries which are impermissible in Delhi. Since the MP-2021 has replaced MPD-2001, all statutory authorities should follow the MPD-2021 in this regard.

In view of the above discussion it was concluded that henceforth :

- a) Action on industries operating in non-conforming areas and violating Master Plan will be taken under the Delhi Development Act by DDA in development areas and MCD in other areas.
- b) MCD will also take action as per the DMC Act.
- c) DPCC will take action against the polluting industries as per the provisions of environmental laws.
- d) To identify the non-conforming industries/areas the provisions of MP-2021 will be followed.
- e) Commissioner of Industries will submit a report in the Hon'ble Supreme Court detailing the decisions taken in this meeting and seeking directions, if any, from the Hon'ble Apex Court on future course of action after consulting the Law Department.

C. Arvind
(C. Arvind)
Joint Commissioner of Industries

No:PA/JDI(R)/01/1999-2000/CI/ Vol.IV/2453

Dated: 13th Dec., 2010

To

1. The Vice Chairman, DDA, INA, Vikas Sadan, New Delhi.
2. Divisional Commissioner, Govt. of Delhi, 5-Sham Nath Marg, Delhi
3. Commissioner, MCD, Town Hall, Delhi.
4. Commissioner (Industries), Govt. of Delhi, Udyog Sadan, Delhi
5. Chairman, DPCC, 4-5th Floor, ISBT Bldg., Kashmere Gate, Delhi

- Copy to 1. Pr. Secy to Chief Minister, Govt. of Delhi, Delhi Sectt., N.Delhi.
2. Secy to Min. of Industries, Govt. of Delhi, Delhi Sectt., N.Delhi.
3. OSD to C.S., Govt. of Delhi, Delhi Sectt., New Delhi.

C. Arvind
(C. Arvind)
Joint Commissioner of Industries



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 05th August, 2019

+ W.P.(C) 4349/2017

COURT ON ITS OWN MOTION Petitioner
Through Attendance slip not given

versus

GOVT OF NCT OF DELHI & ORS. Respondents

Through Ms. Nidhi Raman, Adv. for
respondent no. 1 with Mr. T.P.
Singh, Adv. DC of Industries,
GNCTD

Mr. Nikhil Goel, SPP with Ms.
Naveen Goel and Mr. Dushyant
Sarna, Advs. for CBI

Mr. Prashant Bhardwaj, Proxy
counsel for DERC

Mr. Sumer Sethi and Ms. Dolly
Sharma, Advs. for DLSLA

Mr. Sanjeev Sabharwal,
Standing Counsel with Mr.
Hem Kumar and Mr. Bushra
Waseem, Adv. for North and
South DMC

Mr. Sanjeev Ralli, Mr. Atul
Verma and Ms. Urvi Kohli,
Advs. for respondent no. 5

Mr. Sumeet Pushkarna,
Standing Counsel with Mr.
Devanshu Lahiry, Adv. for
Delhi Jal Board

Mrs. Biji Rajesh, Adv. for EDMC

Mr. Tarveen Singh Nanda, Standing Counsel and Mr. Ankur Mishra, Adv. for Delhi Cantonment Board

Mr. Sudhir Nandrajog, Sr. Advocate with Mr. Anupam Varma, Mr. Nikhil Sharma and Ms. Pallavi Mohan, Adv. for Tata Power Delhi Distribution Ltd.

Mr. Anupam Varma, Mr. Nikhil Sharma and Mr. Aditya Gupta, Advs. for BYPL

Mr. Dhanesh Relan, Standing Counsel with Ms. Gauri Chaturvedi and Ms. Komal Snout, Advs. for DDA

Mr. Jasmeet Singh, CGSC for respondent nos. 10 and 11

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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05.08.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. On the basis of a news articles dated 17th May, 2017, under the heading 'Is blue the colour of Death in Delhi's Cancer Colony' published in The Times of India, New Delhi, edition *suo moto* cognizance was taken by this Court, to the effect that whether blue dye, used for the manufacturing of jeans, is a cause of death.

2. Pursuant to the aforesaid news item an order was passed by this Court dated 18th May, 2017, notices were issued and direction was given to the CBI to conduct the investigation.

3. We have heard the counsel appearing for the CBI at length, who has submitted that a detailed investigation has been carried out. A report is also tendered to this Court by the counsel for CBI in June, 2019 and the same has also been submitted before the Rouse Avenue Court, New Delhi. The relevant extract of the said report is as under:

“During investigation, no evidence could emerged to establish that Factory Inspector of EDMC who are primarily responsible for action against illegal industrial units in non-confirming area of water due to alleged jeans dyeing/washing units also could not be proved. Evidence could not emerge to prove that due to illegal jeans dyeing/washing units under ground water contaminated which causes cancer. Further, investigation has revealed that Cancer is an outcome of a long term exposure to multiple possible risk factors like tobacco consumption (in any form), diet, lifestyle factors, environmental exposure to carcinogens, some genetic risk factors, as well as some other factors which may not be known till date. It is a

complex interplay of several of these factors which might lead to cancer in some individuals, while some of those even when exposed to the same factors may not develop the disease. Hence, in a given patient of cancer it is difficult to precisely pin point any single factor for causation of cancer, one can only correlate with the possible risk factors which might have led to causation of cancer.

Investigation revealed that Factory Inspector is assigned duties of inspection of the entire non-conforming area of Shahdara (North) Zone, for detection of illegal trades and action thereon. Factory Inspector used to issue challan against any specific illegal unit noticed and direct the user of property to appear before Ld. Municipal Magistrate on specific date. Thereafter, Fl reports the matter to Administrative Officer (Factory Licensing) and AO (FL) communicate the same to the Dy. Commissioner of the concerned Zone for sealing. Administrative Officer of the General Branch used to issue show cause notice

and thereafter they used to fix sealing program. These processes take even 3-4 months also due to which despite the issuance of challan, owner/operator continues to operate illegal unit.

Thus, even though the collusion between the Factory Inspectors and the private persons who were running illegal factories could not be established but the failure to stop these units by taking prompt legal action as per the DMC Act has shown the negligence on the part of the Factory Inspectors who have been identified namely; S/Shri Alok Kumar, Devinder Kumar, Brahm Prakash Madhur, Kamal Kishore Gaur, Lokesh Chaudhary, Man Mohan, Shri Umesh Kumar and Shri Sivakumar, Section Officer (Factory Licensing) for which departmental action has been recommended against them to the Competent Authority.

In view of the above facts and circumstances, it is most respectfully prayed that closure report may be accepted.”

4. In view of the aforesaid report filed by the CBI, we see no reason to continue with the investigation and we see no need to further monitor the investigation. We are satisfied with the detailed investigation carried out by the CBI. So far as other issues relating to non-conforming activities continuing in the area are concerned, which are referred to in this writ petition and looking into other activities, which are not in consonance with the permissible uses of the land in question, we hereby direct the respondents, Delhi Development Authority, North Delhi Municipal Corporation, East Delhi Municipal Corporation, South Delhi Municipal Corporation and Delhi Pollution Control Committee to the effect that if there is any activity going on in the area which is referred to in the memo of the writ petition, the same is a non-conforming activity, i.e., the activities, which are not in consonance with the permissible uses of the land. Such activities shall be brought to an end by the above named respondents in accordance with the law, rules, regulations and Government policy applicable to the facts of the present case, after giving an adequate opportunity of being heard to the concerned effected party. 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 non-conforming 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.



5. With these observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 05, 2019

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HIGH COURT OF DELHI



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ITEM NO.301

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 4677/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

((1) REPORT NO. 149 AND 161 SUBMITTED BY MONITORING COMMITTEE
(2) IA NOS. 51374, 54195 AND 54198/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND STAY ON BEHALF OF RAVINDER PARKASH PUNJ)
(3) IN RE: RELOCATION OF INDUSTRIES IN DELHIPROGRESS REPORT BY THE MONITORING COMMITTEE APPOINTED BY THIS HON'BLE COURT
(4) I.A. NOS. 60398 AND 60399/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O MOHAN LAL)
(5) IA NOS. 125628 AND 125635/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O AJAY GUPTA)
(6) IA NOS. 125699 AND 125701/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O HARKRISHAN AND ORS.)
(7) IA NOS. 158567 AND 158572/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O PARMANAND KUMAR AND ORS.)

Date : 04-11-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE DEEPAK GUPTA

Counsel for parties

Mr. Ranjit Kumar, Sr. Advocate (A.C.)
Ms. Anitha Shenoy, Sr. Advocate (A.C.)
Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Rishi Raj Sharma, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Sanjana Thomas, Adv.
Mr. Nitesh, Adv.

Mr. Tushar Mehta, SG
Mr. A.N.S. Nadkarni, ASG
Mr. D.L. Chidananda, Adv.
Ms. Suhashini Sen, Adv.
Mr. S.S. Rebello, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Rajat Nair, Adv.

Mr. Raj Bahadur, Adv.
Mr. G.S. Makker, Adv.

Mr. Rajesh k. Singh, Adv.
Ms. Anil Katiyar, Advocate

Signature Not Verified
Digitally signed by
NARENDRA PRASAD
Date: 2019.11.07
15:38:15
Reason: I am the signatory

Mr. Jitendra Mohan Sharma, Sr. Adv.
Dr. Sunil Kumar, Adv.
Mr. Pradeep Kumar Kaushik, Adv.
Mr. Pranshu kaushal, Adv.
Mr. S.K. Chaturvedi, Adv.
Mr. Rajiv Mangla, Advocate

Mr. Sanjiv Sen, Sr. Adv.
Mr. Praveen Swarup, Adv.
Mr. harsha Peechara, Adv.
Mr. Sayan Ray, Adv.
Mr. Soumo Palit, Adv.
Mr. Suvesh Kumar, Adv.

Mr. D.N. Goburdhun, Advocate
Mr. Alok Gupta, Adv.
Mr. Nipun Sharma, Adv.

Petitioner-In-Person

Mr. B.V. Balram Das, Advocate

Ms. Garima Prashad, Advocate
Mr. G.S. Oberoi, Adv.
Mr. Mohit Kumar Bansal, Adv.

Mr. Sanjay Jain, Advocate

Ms. Deeplaxmi S. Matwankar, Advocate

Mr. Shishir Pinaki, Advocate

Ms. Roohina Dua, Adv.
Mr. Chaitanya Madan, Adv.
Mr. Naveen Kumar, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Sumant De, Adv.
Ms. Prerna Mehta, Adv.

Mr. Nishant Kumar, Adv.
Ms. Maya Mukherjee, Adv.

Mr. Chirag M. Shroff, Adv.
Ms. Mahima C. Shroff, Adv.
Ms. Yashika Verma, Adv.
Ms. Riya Thomas, Adv.

*

For Ms. Smita Maan, Adv. (Appearance slip not given)

UPON hearing the counsel the Court made the following
O R D E R

(1) REPORT NO. 149 AND 161 SUBMITTED BY MONITORING COMMITTEE

As prayed for, three weeks' time is granted to the Monitoring Committee to file response.

Report No.161 is, accordingly, disposed of.

(2) IA NOS. 51374, 54195 AND 54198/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND STAY ON BEHALF OF RAVINDER PARKASH PUNJ)

We have considered the objections and the report. We find the report to be absolutely correct and it must be scrupulous followed by the owner.

In case of any violation, let it be reported to this Court to take stringent actions against the owner, whether he can use the building in violation of order. In case of any violation of the order of Monitoring Committee is committed the same to be viewed seriously.

Application for directions is dismissed and the other applications are disposed of.

(3) IN RE: RELOCATION OF INDUSTRIES IN DELHI PROGRESS REPORT BY THE MONITORING COMMITTEE APPOINTED BY THIS HON'BLE COURT

The compliance report filed on behalf of the Government of NCT of Delhi is considered. It has been pointed out that out of 92 industrial units of step 2 which were found to be running illegally, 30 units have been sealed and 11 units are operating in the industrial clusters. SDMC has also informed that remaining 49 premises are vacant/shops/under construction. And there is some contradiction with respect to the previous status report furnished by the SDMC on the status of 49 units. The Government of NCT of Delhi has directed the SDMC to recheck and verify and provide the actual state of affairs regarding these 49 units/premises. After closing down the units, the use of the premises is being ensured in

accordance with the provisions of the MPD-2021 by the respective municipal bodies. Direction has been issued to the Zonal Deputy Commissioners to keep strict vigil on such premises so that they should not be re-used for any illegal purpose.

The state of affairs projected in paragraph 5 and 6 cannot be said to be proper. Let a clear affidavit be filed with respect to the closing of the industrial units which are objectionable and we saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioners of the Municipal Corporations. They shall be personally liable, in case any any industrial unit is found to be running, not only in the law of torts but also for violating the order passed by this Court and they shall be liable to be proceeded with under the Contempt of Court Act. In case any unit is found to be running in violation of the Court's order in future.

Let respective Zonal Deputy Commissioners of the Municipal Corporations file the affidavits as to the state of affairs within the area which falls in their respective zones of the Municipal Corporation concerned. Let a better affidavit be filed by SDMC also. Let the Zonal Deputy Commissioners and SDMC also take the steps and furnish a report directly to this Court in addition to the Government of NCT of Delhi of doing the needful within fifteen days from today.

List for further hearing on 25.11.2019.

(4) I.A. NOS. 60398 AND 60399/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O MOHAN LAL)

(5) IA NOS. 125628 AND 125635/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O AJAY GUPTA)

(6) IA NOS. 125699 AND 125701/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O HARKRISHAN AND ORS.)

(7) IA NOS. 158567 AND 158572/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O PARMANAND KUMAR AND ORS.)

Issue notice.

Let reply be filed by the concerned departments within a period of three weeks from today.

List thereafter.

Let a copy of these applications be furnished to the Standing Counsel appearing for the respective departments.

IN RE: Kant Enclave (Disposed of)

It is pointed out by Mr. Ranjit Kumar, learned Amicus Curiae that there are certain complaints/letters have been received by him that the amount has not been paid in terms of the order passed by this Court.

Let the State of Haryana look into the matter and submit before this Court how many persons are left to be paid and the reasons for not making the payment.

Let an appropriate affidavit be filed within four weeks.

List thereafter.

The FDRs be renewed for a period of one year.

I.A. NOS.130216 & 130219 of 2019

These applications were mentioned for listing.

List after two weeks.

(NARENDRA PRASAD)
COURT MASTER

(PRADEEP KUMAR)
COURT MASTER