

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

Execution Application No. 3 /2025

WITH

M.A. No. 2/2025

In

Execution Application No. 50/2023

In

Original Application No. 60/2014

IN THE MATTER OF:

Society for Protection of Culture Heritage Environment
Tradition and Protection of National Awareness

...Applicant

Versus

Union of India & Ors.

...Respondent(s)

NDOH:25.07.2025

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Filed by:

New Delhi:

Dated: __.07.2025

Delhi Pollution Control Committee

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

①

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WITH

M.A. No. 2/2025
In
Execution Application No. 50/2023

In
Original Application No. 60/2014

IN THE MATTER OF:

Society for Protection of Culture Heritage Environment
Tradition and Protection of National Awareness ...Applicant

Versus

Union of India & Ors. ...Respondent(s)

**COMPLIANCE AFFIDAVIT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLIANCE OF ORDER DATED
22.05.2025**

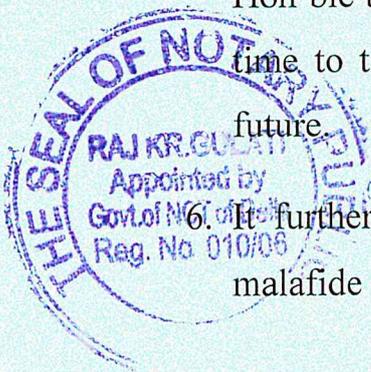
I, Sandeep Mishra, Member Secretary, Delhi Pollution Control Committee (hereinafter referred to as 'DPCC'), 3rd Floor, Metro Tower. Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That I am currently working as the Member Secretary, DPCC and am conversant with the facts of the present case on the basis of records maintained by DPCC in its ordinary course.

That at the very outset, the deponent sincerely regrets and tenders unconditional apology.



3. At the very outset, the deponent, most respectfully tenders an unconditional and unqualified apology before this Hon'ble Tribunal for being unable to appear in-person on 22.05.2025, in the captioned matter. The deponent humbly submits that he holds the highest regard for the majesty of law and the dignity of this Hon'ble Tribunal, and considers it his solemn duty to comply, in letter and spirit, with every direction and order passed by this Hon'ble Court.
4. At this juncture, it is most respectfully mentioned that the present Member Secretary DPCC has taken the charge on 06.06.2025. At the relevant date namely on 22.05.2025, Dr. Shri. K.S. Jaichandran (the then Member Secretary, DPCC) was holding the post who is subsequently transferred to Union Territory of Jammu & Kashmir, and demitted office on 06.06.2025 after which the present incumbent has taken charge. The justification given for non-appearance of then member secretary was gathered after seeking information from the office staff as well as from the then Member Secretary and as accordingly has been mentioned herein in the subsequent paragraphs as all this is a part of office record.
5. It is respectfully submitted that there was no deliberate or intentional violation of the orders dated 24.05.2024 and 10.01.2025 or any other orders passed by this Hon'ble Tribunal. The deponent, submits that if at any stage this Hon'ble Tribunal has perceived or received an impression of wilful disobedience or non-compliance, the same is deeply regretted, and the deponent hereby tenders his unconditional apology, assuring this Hon'ble tribunal that all directions passed by this Hon'ble Tribunal, from time to time, shall be faithfully, promptly, and fully complied with in future.
6. It further submitted that there was no deliberate act of negligence or malafide intent to cause delay on behalf of the deponent in levying the

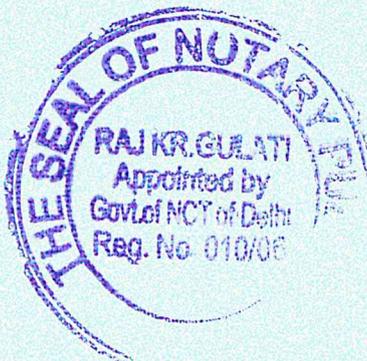


Environmental Damages Compensation (hereinafter referred to as 'EC'). 3

Additionally, the deponent submits there was no intention whatsoever to disregard the directions of this Hon'ble Tribunal or to interfere or obstruct the due course of judicial proceedings.

7. That the Execution Application No. 03/2025 in Original Application No. 60/2014 has been filed by the Applicant herein seeking implementation/compliance of the judgment dated 24.05.2024 passed in Execution Application No. 50/2023 in Original Application No. 60/2014.
8. That vide the judgment dated 24.05.2024, DPCC was directed to impose Environmental Damages Compensation on "Jhankar Banquets & Restaurant" (Respondent No. 3) for the unauthorized use of Green Area without operating the Tower Restaurant after following due process of law and compliance with principles of natural justice while imposing EC (Environment Compensation)
9. That the brief facts of the case are reproduced herein below:
 - A. SPCHETNA had filed O.A. No. 60 of 2014 before this Hon'ble Tribunal stating therein that M/s Jhankar Banquet is not following the environmental norms, hence action be taken against it.
 - B. The above said O.A. was decided by this Hon'ble Tribunal on 10.07.2015, wherein the following directions were issued:

"1. The third respondent shall be entitled to use the green area to the extent of 18500 sqmtrs around the Tower restaurant for marriages, parties, etc., not more than 10 days in a month and subject to the condition that it shall also run the Tower Restaurant and pay all necessary lease and license



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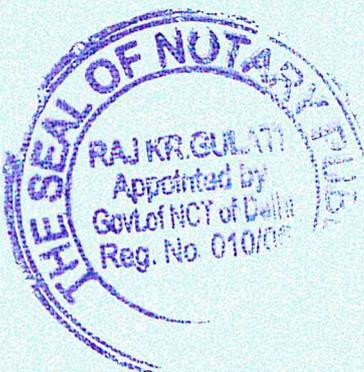
charges in accordance with the terms and conditions of lease and license to be executed.

2. It will be open to the second respondent to execute the necessary license deed in favour of the third respondent regarding the use of 18500 sqmtrs of green area around Tower restaurant subject to the above conditions and other conditions as may be stipulated by it.

3. The second respondent shall ensure that the third respondent complies with all the conditions of lease/license and take appropriate action on violation of the same.

4. The third respondent shall be responsible for the conduct of anyone permitted by it to use the green area for any recreational activities regarding the adherence of standards of noise level as prescribed by DPCC both during day and night hours. In the event of the limit being exceeded either by loud speakers or by use of crackers, the SDMC, DPCC and local police shall take immediate action including criminal prosecution. This direction is needed to protect the interest of senior citizens, children and unhealthy persons undergoing medical treatments, as right to life includes decent living with peaceful conditions guaranteed under the constitution of India and repeatedly insisted by the Hon'ble Supreme Court of India.

5. The third respondent shall not be permitted to put any permanent structures in the green area and even the temporary structures erected for recreation shall be removed immediately and while doing so ensure that no damages are caused to trees, green area or land in the surrounding area.



6. *The second respondent shall permit the public including the members of applicant association in the remaining 20/21 days to be used as lung space however with usual conditions as may be imposed by it as the policy.*

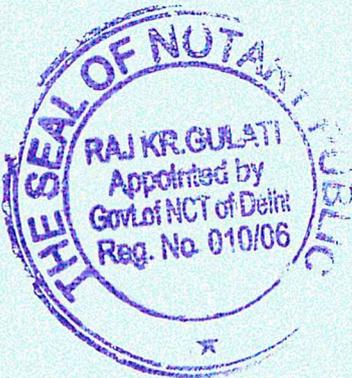
7. *The third respondent shall ensure that vehicular parking is regulated properly on the roads adjoining the green area and in the surrounding areas during the times of marriages and parties.*

8. *In the event of failure of the third respondent in ensuring any of the above conditions the second respondent shall take all appropriate legal actions in accordance with the terms of lease and license and in accordance with the law.*

With the above directions the application stands disposed of. There shall be no order as to cost."

C. M/s Jhankar Banquet filed Review Application No. 23 of 2015 for review of the direction of restriction of use of land for 10 days which was decided vide order dated 31.07.2017 wherein restriction of 10 days has been uplifted. The relevant para of the judgment of Hon'ble is as follows:

"24. As a result, while confirming the findings of this Tribunal on various points recorded, we are of the opinion that the ban imposed by this Tribunal by the Judgment under review restricts the use of the land measuring 18500 Sq. mtrs by the Respondent No. 3 for a limit of 10 days in a month needs to be modified and we permit him to utilize the land in terms of the licence granted by DDA un-interrupted."



8

- D. SPCHETNA filed Execution Application No. 23 of 2019 for execution of judgment and order dated 10.07.2015. This EA was disposed of by this Hon`ble Tribunal with a direction to DDA to verify the factual position and ensure for use of green area i.e. running of tower restaurant are duly observed vide order dated 12.04.2023.
- E. SPCHETNA again filed Execution Application No. 50 of 2023 seeking execution of order dated 12.04.2023. This Hon`ble Tribunal issued notice on this EA vide order dated 05.01.2024. However, it is submitted that the DPCC was not a party in this Execution Application.
- F. The SPCHETNA has filed EA No. 50/2023 in OA No. 60/2014 and this Hon`ble Tribunal pronounced its judgment on 24.05.2024 (DPCC is not amongst the respondents), in the judgment following directions were passed:

"....16. It is undisputed before the Tribunal that the respondent no. 3 is using the green area of 18500 sqm at the Siri Fort Sports Complex for marriage parties etc. without running the Tower Restaurant and he has acted contravention of order of the Tribunal in dated 10.07.2015 passed in original application no. 60/2014 as modified by the order dated 31.07.2017 in Review application no. 23/2015. Therefore, the respondents are required to take immediate action to ensure that the respondent no. 3 uses the green area of 18500 sqm strictly in terms of the order of the Tribunal. The respondent no. 3 has violated the order of the Tribunal and has use the green area of 18500 sqm



unauthorizedly, therefore, for past violation Environmental Compensation (EC) is also required to be imposed. 7

17. We direct the Member Secretary, Delhi Pollution Control Committee (DPCC) to ensure that the EC is imposed upon the respondent no. 3 for the past violation by duly complying with the principles of natural justice within a period of three months and submitting an action taken report before this Tribunal.

18. EA is accordingly disposed of.”

G. That, DPCC issued a show cause notice for imposition of environmental compensation to Jhankar Banquets on 11.07.2024 in compliance with the order dated 24.05.2024 passed by this Hon`ble Tribunal.

That the aforesaid notice dated 24.05.2024 was challenged before the Hon`ble High Court of Delhi in WP© 11160/2024 by the project proponent. The Hon`ble High Court was please to issue notice on the said petition on 12.08.2024. This matter is now listed for further hearing 06.08.2025 before the Hon`ble High Court of Delhi. The DPCC is arrayed as Respondent No. 4 in the said matter. In the said writ petition, following prayer were being sought:

“That in view of the submissions made hereinabove and in the interest of justice, it is most humbly prayed that this Hon'ble Court may graciously be pleased to issue a Writ, Order or Direction in

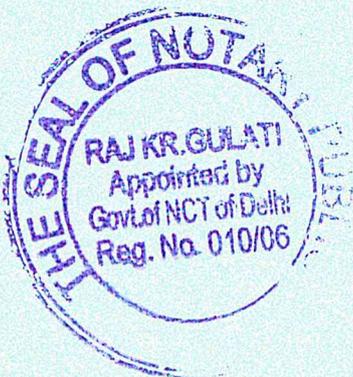
the nature of:



- (i) *CERTIORARI* thereby quashing and setting aside the impugned order/judgment dated 24.05.2024 passed by Ld. National Green Tribunal (NGT) in Execution Application No. 50/2023 in Original Application No. 60/2014 titled as *Society for Protection of Culture Heritage Environment Tradition and Protection of National Awareness* (also known as *SPCHETNA*) Vs. *Union of India & Ors.*;
- (ii) *CERTIORARI* thereby quashing I setting aside the impugned show cause notice dated 11.07.2024 bearing no. *DPCC/(10)(10)(40)/Leg23/554-555* issued by *Delhi Pollution Control Committee*;
- (iii) *PROHIBITION* thereby restraining the Respondents from taking any action in respect of *Jhankar Banquets, Khel Gaon, New Delhi*;
- (iv) *Pass any other appropriate order or direction in favor of the Petitioner as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present petition*”

H. Pursuant to the judgment dated 24.05.2024, DPCC filed an ATR dated 10.12.2024 inter alia mentioning following:

“...7. That, in addition to the reply submitted to DPCC, banquet hall also filed a Writ Petition bearing *W.P.(C) No. 11160/2024* for setting aside the Order/ Judgment dated 24.05.2024 passed by this Ld. Hon'ble National Green Tribunal in Execution Application No. 50/2023 in Original Application 60/2014, which is pending and now listed for 04.02.2025. DPCC has filed its detailed reply to affidavit in



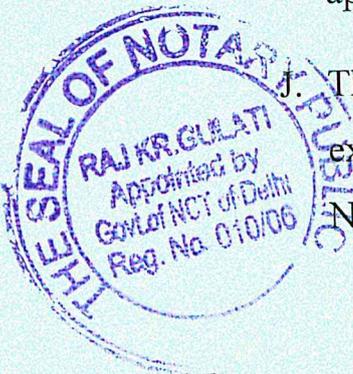
the matter. Copy of the order dated 12.08.2024 is enclosed herewith as Annexure-3. 9

8. That, presently issue in hand is with respect to imposition Environmental Compensation on M/s Jhankar Banquets with respect to the Judgment dated 24.05.2024 passed by this Hon'ble Tribunal most particularly alleged misuse of the area allocated by DDA to M/s Jhankar Banquet.

9. That the Environmental Compensation is for restoration of environment and prime facie cannot be imposed for alleged misuse of the area allocated by DDA to M/s Jhankar Banquet. Environmental Compensation operates on the Polluter Pays Principle wherein the polluter is held responsible for covering the costs associated with environmental degradation. Further, there are no specific allegations with regard to the operation of the firm without a pollution control device /mandatory consent. Since there are no damages to be ascertained, determined or evaluated, DPCC doesn't intend to levy Environmental Compensation in the present case."

- I. The status report dated 10.12.2024 was converted into M.A. No. 2/2025 and considered by the Hon'ble NGT in its order dated 10.01.2025, which recorded dissatisfaction with the DPCC's approach.

J. The SPCHETNA filed EA No. 03/2025 in OA No. 60/2014 for execution of the order dated 24.05.2024. MA No. 2/2025 and EA Number 3/2025 were considered on 10.01.2025.



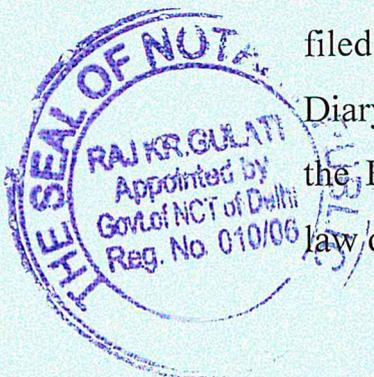
K. That in Execution Application No.03/2025 DPCC was made Respondent No.3 and DPCC was directed to file a response within 3 weeks. Additionally, it was also ordered that activities at the site in question in violation of the Hon'ble Tribunal's order are continuing and Delhi Pollution Control Committee has also not imposed any environmental compensation taking a view which is directly in conflict with the specific order passed by this Tribunal. Relist on 19.02.2025.

L. That in MA No. 02/2025, it was directed that the Member Secretary, DPCC appear in person before the Tribunal to show cause as to why action may not be taken for his violation of Tribunal's order by initiating proceedings under Section 26 of National Green Tribunal Act, 2010.

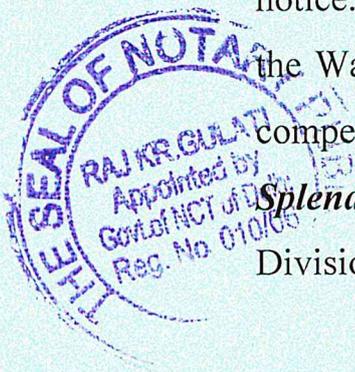
M. That DPCC has challenged this Hon'ble Tribunal order dated 10.01.2025 in MA No. 02/2025, before the Hon'ble Supreme Court, which was registered as Civil Appeal Diary No. 7674 of 2025.

N. Thereafter, in terms of the order dated 10.01.2025, matter was listed for 19.02.2025 before this Hon'ble Tribunal. To wait for the outcome of the Hon'ble Supreme court order, this Hon'ble Tribunal adjourned the matter for 22.05.2025.

O. The Hon'ble Supreme Court dismissed the aforesaid Civil Appeal filed by the Delhi Pollution Control Committee {Civil Appeal Diary No. 7674 of 2025} vide order dated **24.02.2025**, holding that the Hon'ble National Green Tribunal had committed no error in law or fact vide order dated 10.01.2025.



- P. That further as per the procedure, the DPCC issued a Show Cause Notice to M/s Jhankar Banquet & Restaurant on 02.05.2025. In the show cause notice 15 days' time was granted to the unit to file response, as to why EC of Rs **3.75 Lakhs** should not be imposed for operating the party lawn in violation of the lease agreement with DDA. The copy of the SCN dated 02.05.2025 is attached herewith and marked as **ANNEXURE-1**.
- Q. That as per the stipulated provisions of the EC policy of DPCC dated 30.03.2022, the activity carried out by the unit falls under the '**Orange**' category. In accordance with the penalty provisions in the said policy, the Environmental Compensation (EC) for violations by such industries is 3.75 lakhs if operating with Consent.
- R. That DPCC filed an ATR dated 20.05.2025 before this Hon'ble Tribunal, communicating that SCN for EDC was issued on 02.05.2025 as per policy dated 30.03.2022 to the tune of Rs 3.75 Lakhs, the unit had a valid Consent to Operate (CTO) up to 08.07.2019. The CTO was subsequently auto renewed on 28.06.2023 and remains valid till 27.06.2033.
- S. That in response to the SCN issued by DPCC, Jhankar Banquets has submitted a detailed reply on 19.05.2025. In the reply, unit primarily challenged the jurisdiction, legality, and validity of the notice. The reply stated that DPCC has no statutory power under the Water Act- 1974 or the Air Act- 1981 to levy environmental compensation, citing judgment of the Hon'ble Delhi High Court in *Splendor Landbase Ltd. v. DPCC* [(2010) 173 DLT 52] and the Division Bench decision in *DPCC v. Splendor Landbase Ltd.*



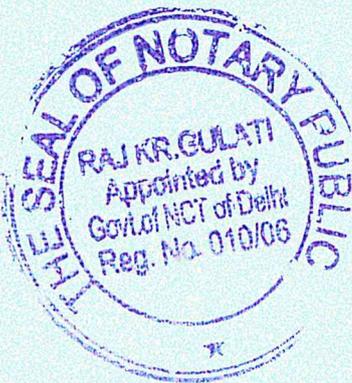
[2012 SCC Online Del 400]. It was submitted that no environmental damage has occurred. Further, the banquet is operating in accordance with a valid license granted by DDA and as permitted by the Hon'ble NGT in its order dated 31.07.2017. Additionally, a writ petition (W.P. No. 11160/2024) challenging the relevant NGT order is pending before the Hon'ble Delhi High Court.

T. That subsequent to the hearing of the parties, DPCC in compliance with the judgment of this Hon'ble Tribunal, have already issued an order imposing environmental compensation of **Rs. 3,75,000/-** (Rupees Three Lakh Seventy Five Thousand Only) on the project proponent and directed the unit to deposit the same within 15 days from the date of issuance of directions. The copy of the order dated 22.05.2025 imposing EC is attached herewith and marked as **ANNEXURE-2.**

U. The order dated 22.05.2025 was challenged before the Hon'ble High Court of Delhi in WP© 8268/2025 by the unit. The Hon'ble High Court was please to issue notice on 30.05.2025. This matter is now listed for further hearing on 06.08.2025 before the Hon'ble High Court of Delhi. In the said writ petition, following prayer has been made:

"In view of the aforesaid facts and circumstances, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to issue a Writ, Order or Direction in the nature of:

i. CERTIORARI thereby quashing/ setting aside the impugned Show Cause Notice dated 02.05.2025 bearing No.



15

DPCC/ (10) (01)/ (02)/ LEG-25/ 805 issued by Respondent No.1, DPCC.

11. CERTIORARI thereby quashing/ setting aside the impugned Order dated 22.05.2025 bearing No. DPCC/ (10) (01)1 (02) /LEG-25/ 968-969 in respect of Show Cause Notice dated 02.05.2025 passed by Respondent No.1, DPCC.

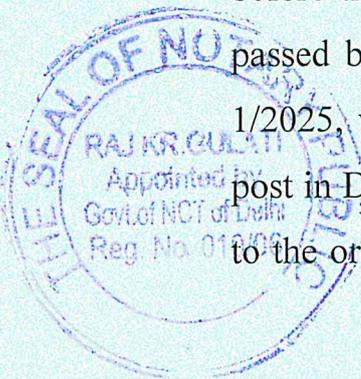
111. PROHIBITION thereby restraining the Respondents from taking any action in respect of the Tower Restaurant and its adjoining area situated at Khel Gaon, New Delhi.

iv. Any other further Writ, Order and/or Direction, which this Hon'ble Court may deem just, fit and proper, in the facts and circumstances of the present case, in favor of the Petitioner”.

V. That the unit had a valid Consent to Operate (CTO) up to 27.06.2033. Copy of the consent order is enclosed herewith as **ANNEXURE-3**.

JUSTIFICATION FOR NON-APPEARANCE IN-PERSON AND COMPLIANCE OF THE ORDERS OF THIS HON'BLE TRIBUNAL

10.The Member Secretary DPCC appeared through Virtual mode on 22.05.2025. The Member Secretary would have appeared personally before the Hon'ble Tribunal, instead of VC, however, there is an order passed by Hon'ble Supreme Court in Suo-Moto Contempt Petition No. 1/2025, whereby, there were specific directions to fill up all the vacant post in DPCC by 30.09.2025 and directed for reporting compliance. Prior to the order of this Hon'ble Tribunal dated 19.05.2025, the said order of

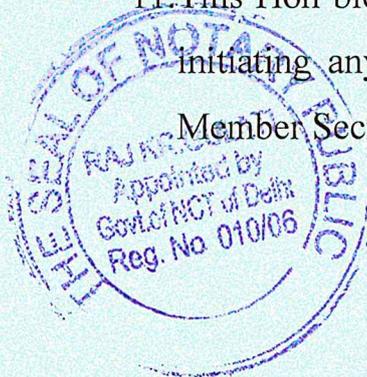


the Hon'ble Supreme Court was passed on 08.05.2025 in WP© 13029/1985 titled as "M.C. Metha vs Union of India and others". And pursuant to the same, Interviews were already fixed on 22.05.2025, 23.05.2025 and 24.05.2025 by the Committee consisting of:

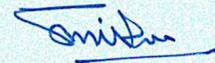
- (i) Sh. Sanjiv Kumar, Chairman, DPCC - Chairman
- (ii) Prof. C.R. Babu - Member
(Professor Emeritus of Delhi University)
- (iii) Prof. M K Khare - Member
Indian Institute of Technology, Delhi.
- (iv) Member Secretary, CPCB - Member
or his nominee
- (v) Sh. K S Jayachandran - Member
Member Secretary, DPCC
- (vi) Sh. K C Surender, Spl. Director (AR), - Member
GNCTD (Representative of SC/ST of GNCTD)

Therefore on 22.05.2025 since the interviews were fixed for the post of Assistant Environment Engineer, and there were other officials part of the Interview Committee who had come over for taking interview and being the member of the interview committee, the then Member Secretary have to remain present and complete the interview as postponing of the same would have apart from delaying of filling up of post, would have resulted in the violation of the orders of the Hon'ble Supreme Court.

11. This Hon'ble Tribunal was pleased to direct to file detailed reply before initiating any action and directed to relist on 25.07.2025, wherein, the Member Secretary would be physically present.



12. It is respectfully submitted that Member Secretary has no issues in appearing before this Hon'ble Tribunal, whenever directed to remain present. The DPCC and Member Secretary have highest regard and respect for this Hon'ble Tribunal and tender an unconditional apology for not being physically present on 22.05.2025. As regard to the action initiated, it has already been stated in other paragraphs of the reply mentioned in detail. Further subsequent to the hearing of the parties, DPCC in compliance with the judgment of this Hon'ble Tribunal, have already issued an order imposing environmental compensation of **Rs. 3,75,000/-** (Rupees Three Lakh Seventy Five Thousand Only) on the project proponent.
13. That in consideration of the averments herein above and facts of the case, it is most humbly prayed before this Hon'ble Tribunal that the instant compliance affidavit may kindly be taken on record.
14. That the present Compliance Affidavit is being filed in bonafide based on the records maintained with the DPCC.



DEPONENT

VERIFICATION:

24 JUL 2025

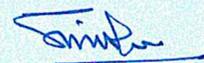
Verified at New Delhi on this day of ___ July, 2025 that the contents made in the above mentioned affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been suppressed or concealed therein.



ATTESTED

NOTARY PUBLIC
GOVT. OF NCT OF DELHI

24 JUL 2025



DEPONENT

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 3rd FLOOR, BLOCK-I, DMRC IT PARK BUILDING, SHASTRI PARK, DELHI-53 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)(01)/(02)/Leg-25/805

Date: 02/05/2025

To,

M/s Jhankar Banquet & Restaurant Asiad Tower,
 Asiad Tower, Khel Gaon,
 New Delhi-110049.

Annexure-1

Subject :- Show Cause Notice for imposition of Environmental Compensation (EC) - reg

Whereas, Central Pollution Control Board has delegated all its powers and functions under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, as amended to date , in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide Notification dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (1) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981, as amended to date, vide Notification of Ministry of Environment & Forest, Govt. of India, No. GSR 106 (E) Dated 20.02.1987.

And whereas, in EA No. 50/2023 in OA No. 60/2014 and the Hon'ble Tribunal pronounced judgment on 24.05.2024, in the judgment following directions were passed:

“....

16. It is undisputed before the Tribunal that the respondent no. 3 is using the green area of 18500 sqm. at the Siri Fort Sports Complex for marriage parties etc. without running the Tower Restaurant and he has acted contravention of order of the Tribunal in dated 10.07.2015 passed in original application no. 60/2014 as modified by the order dated 31.07.2017 in Review application no. 23/2015. Therefore, the respondents are required to take immediate action to ensure that the respondent no. 3 uses the green area of 18500 sqm strictly in terms of the order of the Tribunal. The respondent no. 3 has violated the order of the Tribunal and has use the green area of 18500 sqm unauthorizedly, therefore, for past violation Environmental Compensation (EC) is also required to be imposed.....”

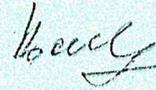
And whereas, The Hon'ble Green Tribunal's in Execution Application No. 03/2025 in Original Application No. 60/2014 Titled as “SPCHETNA vs Delhi Development Authority & Others passed an order dated 24.05.2024, activities at the site in question in violation of the Tribunal's order are continuing and Delhi Pollution Control Committee has also not imposed any environmental compensation taking a view which is directly in conflict with the specific order passed by this Tribunal.

Handwritten signature

Now therefore, in view of the above, it is proposed to levy Environmental Compensation of Rs 3,75,000/- (Rupees Three lakhs seventy Five Thousand Only) for operating the party lawn in violation of the lease agreement with DDA.

Hence, by way of this notice, the addressee unit is hereby given an opportunity to submit reply as to why the aforesaid proposed Environmental Compensation of Rs 3,75,000/- (Rupees Three lakhs Seventy Five Thousand Only) should not be confirmed. The reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues as per the approval of Member Secretary, DPCC.



Incharge, CMC-II
Email ID: bmsreddy.dpcc@delhi.gov.in

Dr.B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
3rd Floor Block-1 DMRC IT Park
Shastri Park Delhi-110053

By Speed Post and email

18

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 3rd FLOOR, BLOCK-I, DMRC IT PARK BUILDING, SHASTRI PARK, DELHI-53 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)(01)/(02)/Leg-25/968-969

Date: 22/05/2025

To,

M/s Jhankar Banquet & Restaurant Asiad Tower,
 Asiad Tower, Khel Gaon,
 New Delhi-110049

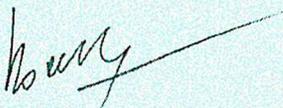
Annexure-2**Subject :- Order for imposition of Environmental Compensation (EC) - reg**

Whereas, Central Pollution Control Board has delegated all its powers and functions under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, as amended to date, in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide Notification dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (1) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981, as amended to date, vide Notification of Ministry of Environment & Forest, Govt. of India, No. GSR 106 (E) Dated 20.02.1987.

And whereas, in EA No. 50/2023 in OA No. 60/2014 and the Hon'ble Tribunal pronounced judgment on 24.05.2024 and vide its judgment following directions were passed:

16. It is undisputed before the Tribunal that the respondent no. 3 is using the green area of 18500 sqm. at the Siri Fort Sports Complex for marriage parties etc. without running the Tower Restaurant and he has acted contravention of order of the Tribunal in dated 10.07.2015 passed in original application no. 60/2014 as modified by the order dated 31.07.2017 in Review application no. 23/2015. Therefore, the respondents are required to take immediate action to ensure that the respondent no. 3 uses the green area of 18500 sqm strictly in terms of the order of the Tribunal. The respondent no. 3 has violated the order of the Tribunal and has use the green area of 18500 sqm unauthorizedly, therefore, for past violation Environmental Compensation (EC) is also required to be imposed....."



And whereas, The Hon'ble National Green Tribunal's in Execution Application No. 03/2025 in Original Application No. 60/2014 Titled as "SPCHETNA vs Delhi Development Authority & Others passed an order dated 24.05.2024, *activities at the site in question in violation of the Tribunal's order are continuing and Delhi Pollution Control Committee has also not imposed any environmental compensation taking a view which is directly in conflict with the specific order passed by this Tribunal.*

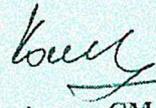
And whereas, Show Cause Notice for imposition of Environmental Compensation of Rs. 3,75,000/- (Rupees Three lakhs seventy Five Thousand Only) was issued, to M/s Jhankar Banquet & Restaurant Asiad Tower, Asiad Tower, Khel Gaon, New Delhi-110049 (hereinafter referred as the addressee), for operating the party lawn in violation of the lease agreement with DDA vide letter dated 02.05.2025.

And whereas, the addressee unit has submitted its reply on 21.5.2025 in response to Show Cause Notice dated 02.05.2025, which was considered and found not satisfactory.

Now, the Competent Authority in DPCC, as per the DPCC office order dated 30.03.2022, has decided to confirm Environmental Compensation (EC) of Rs. 3,75,000 (Rupees Three Lakhs Seventy Five Thousand Only) and hereby imposed/confirmed upon the addressee unit.

Hence, the addressee unit hereby directed to deposit Environmental Compensation (EC) of Rs. 3,75,000 (Rupees Three Lakhs Seventy Five Thousand Only) to this office in the form of DD in favour of "Delhi Pollution Control Committee" within 15 days from the date of issuance of this order directions failing which, concerned SDM will be asked to take necessary action to recover the EC amount as arrears of land revenue without further reference to the addressee unit.

This is being issued with the approval of the Chairman, DPCC.



Incharge, CMC-II

Email ID: bmsreddy.dpcc@delhi.gov.in

Copy to: Incharge, IT Cell with a request to get the order uploaded on the website of DPCC.

Dr.B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
3rd Floor Block-1 DMRC IT Park
Shastri Park Delhi-110053


DELHI POLLUTION CONTROL COMMITTEE

(Government of N.C.T. of Delhi) 4th & 5th Floor, ISBT Building

Kashmere Gate, Delhi 110006

 (Visit us at <https://www.dpccocmms.nic.in>)


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CONSENT ORDER
Annexure-3
Certificate No. :G-31744

Name of the unit	:	JHANKAR BANQUETS & RESTAURANT ASIAD TOWER
Address	:	Asiad Tower Khel Gaon, Banquet Halls, Delhi - 110049
Consent Order No	:	DPCC/CMC/2023/9719956
Date of issue	:	28/06/2023
Product/Activity	:	Restaurants/Eating Houses / Dhabas and other such establishments (with minimum seating capacity of 101) / Banquet Halls/ Party Lawns (with minimum Floor area 100 m2) and /Sweet Shops/ Halwais and Other such Establishments (with Annual Average Production of one Tonne/Day or more) - connected to / Discharging Effluent into Public / Municipal / DJB Sewer and having Kitchen and / or Laundry without Boiler
Manufacturing Activities	:	BANQUET HALL
Category Name	:	[ORANGE]
Prout Capacity	:	400 Kg/Day

This Renewal of Consent to **Operate** is hereby granted under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 under **ORANGE** Category. **This is being issued with reference to your application id 9719956 valid from 28/06/2023 to 27/06/2033.**

All terms and conditions stipulated in earlier granted consent to operate shall remain same..

This is system generated and does not require any authentication/ signature.