

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O. A. No. 353 of 2023

IN THE MATTER OF:

VARUN GULATI

...APPLICANT

Versus

GOVT OF NCT DELHI & ORS

....RESPONDENTS

**OBJECTIONS ON BEHALF OF THE APPLICANT
TO THE ACTION TAKEN REPORTS DATED
03.10.2023, 28.11.2023 & 30.01.2024**

(FOR INDEX:-Kindly See Inside)

**New Delhi
Dated.08.04.2024**

Filed BY

Shauq
S.A ZAIDI & MANSI CHAHAL

Mansi
ADVOCATE

**CHAMBER NO- 7, TRISHUL TOWER
KAUSHAMBHI, GHAZIABAD U.P**

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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

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INDEX

<u>S. No.</u>	<u>Particulars</u>	<u>Pages</u>
1.	Objections on behalf of the Applicant to the Action Taken Reports dated 03.10.2023, 28.11.2023 & 30.01.2024	156-170
2.	The True Copy of Notices issued by DPCC imposing EDC on Meethapur dyeing units are annexed herewith and marked as ANNEXURE A/1.	170-180
3.	The True Copy of the Letter dated 25.01.2024 along with SHO letter dated 30.01.2024 is annexed herewith and marked as ANNEXURE A/2.	181-182
4.	The True Copy of ATR forwarded by the DPCC to DC (Narela) & MCD to take action on the illegal dyeing units is annexed herewith and marked	

158

	as ANNEXURE A/3.	103-193
5.	—	—

New Delhi
Dated...⁸:04.2024

Filed BY

S. A. Zaidi
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**OBJECTIONS ON BEHALF OF THE APPLICANT
TO THE ACTION TAKEN REPORTS DATED
03.10.2023, 28.11.2023 & 30.01.2024**

MOST RESPECTFULLY SHOWETH:

1. That the above captioned matter is pending for adjudication before this Honourable Tribunal.
2. That the present Original Application was filed by the applicant against operation of "Red Category" dyeing factories operating illegally, without the consent/NOC/ Permission in the residential/ non-conforming areas of Bindapur, Matiala, Ranhola, Khyala, Meethapur, Badarpur, Mukundpur and Kirar in Delhi wherein the Honourable Tribunal vide order dated 23.05.2023 considered the

matter and directed the Committee appointed by Hon'ble Supreme court to look into the matter in coordination with other authorities including CPCB & DPCC and file and action taken report regarding the compliance status of the same.

3. Accordingly, three action taken reports dated 03.10.2023, 28.11.2023 & 30.04.2024 have been filed on behalf of Joint committee and DPCC before this Honourable Tribunal.

4. That it is humbly submitted that the reports filed by the Joint committee & DPCC is lacking the material particulars. The report is a false and a vague report wherein true facts have been concealed thereof from the Honourable Tribunal.

Hence, the applicant raises certain objections to the reports dated 03.10.2023, 28.11.2023 & 30.04.2024.

5. That the objections of the applicant are as follows:-

A. MEETHAPUR:-The inspection of Meethapur and Molarband was conducted by the Joint committee on 19.09.2023 which stated that out of 18 locations, 2 units were found already sealed, for 5 units the team could not open the locked door and thus competent person were needed to open the locked premises and further inspect. For remaining 10 units, no jeans dyeing factory was found at the location.

OBJECTION:-The applicant humbly submits that previously, the applicant filed a complaint regarding Meethapur dyeing units (same locations as given in the O.A) with DPCC on 31.08.2022 which were forwarded to YCC for joint inspections of the units. The YCC conducted a joint inspection with DPCC on 09.11.2022 of Meethapur units and found

them operating in the residential areas and thus imposed the EDC of Rs. 10 lakhs each on 10 dyeing units, but till date the EC has not been recovered from those units yet. The same fact has not been disclosed by the DPCC in its report.

The True Copy of Notices issued by DPCC imposing EDC on Meethapur dyeing units are annexed herewith and marked as ANNEXURE A/1.

Further, the report states that the team could not open the locked door of few units and thus competent person were needed to open the locked premises and further inspect. The applicant humbly states that the team which went for conducting the inspection consisted of officials of all authorities including DPCC, CPCB, MCD, Revenue department, BSES, DJB and Delhi Police personnel and still they were unable

to open the locked door to inspect the premises. It is humbly submitted that DPCC & MCD are equipped with the power of breaking the lock in the non-conforming area and inspect the unit. But they didn't do so with ulterior motives and stated that they couldn't open the door.

Moreover, the applicant again requested the DPCC to conduct the inspection of Meethapur for which on 25.01.2024, a team was constituted by MCD to inspect the unit, but however the inspection could not take place because the SHO, Jaitpur denied the police force to DPCC & MCD for conducting inspections.

The True Copy of the Letter dated 25.01.2024 along with SHO letter dated 30.01.2024 is annexed herewith and marked as ANNEXURE A/2.

Till today, the inspections couldn't take place and still several units are operating in Meethapur residential area.

B. KHYALA:-As of today, around 20 units are still operating amid the densely populated Khyala which are directly discharging the untreated effluent into the Nazafgarh Drain. The applicant has done a video recording on 03.03.2024 showing the units still operational in Khyala residential area. The applicant undertakes to submit the video recordings as and when directed by the Honourable Tribunal.

C. MATIALA & BINDAPUR:- As of today, around 10 units are still operating amid the densely populated Matiala & Bindapur which are directly discharging the untreated effluent into the nearby Drain. The applicant has taken the aerial shots of the units

operating in Matiala & Bindapur and undertakes to submit as and when directed by the Honourable Tribunal.

6. That the applicant humbly submits that till today there are more than 50 units operating in the residential areas of Meethapur, Khyala, Mukundpur, Bindapur, Matiala which are directly discharging their untreated effluents into the drain. The applicant in 2022 submitted a complaint with the DPCC to inspect the residential areas of North Delhi and take the remedial action against them. The applicant again sent a reminder to DPCC on 25.09.2023. The DPCC approached the MCD to conduct a joint survey on the repeated complaints of the applicant wherein they issued repeated letters to MCD but MCD didn't cooperate with the DPCC to conduct the inspection of the areas. After which the DPCC on its own inspected the dyeing units and forwarded the ATR to DC (Narela) & MCD to

take necessary action against the dyeing polluting units. The MCD has till date failed to take any action, against the polluting units operating in residential areas, as identified by DPCC and the units continue to violate the norms.

The True Copy of ATR forwarded by the DPCC to DC (Narela) & MCD to take action on the illegal dyeing units is annexed herewith and marked as ANNEXURE A/3.

7. Without prejudice and in addition to the aforesaid objections/ submissions, it is humbly submitted that the dyeing units are still non-compliant and are acting in flagrant violations of the environmental norms. The illegal dyeing units are still a potential source of adverse impact on the environment as they are continuously discharging the dyeing toxic effluent into the drains in open.

8. That the above objections raised by the applicant against the report filed by the Joint Committee & DPCC shows that the status report is nothing but a totally false, incomplete and frivolous report, which is prepared with the ulterior motives. The report has also concealed important facts from this Honourable Tribunal.

9. PRAYER

In view of the aforesaid facts and circumstances it is prayed that this Honourable Tribunal may graciously be pleased to:-

- a) Constitute a new inspection Committee comprising a representative of NMCG and CPCB & BSES to conduct fresh inspection of the dyeing units operational in the residential areas of Bindapur, Matiala, Ranhola, Khyala, Meethapur, Badarpur, Mukundpur and Kirari in Delhi.

b) Direct the BSES & NDPL to restrict giving the new three phase electricity connections in the residential areas.

New Delhi
Dated.....04.2024

Applicant

Through

Sham
S.A. ZAIDI & MANSI CHAHAL
ADVOCATES

Mansi
S.A. ZAIDI & MANSI CHAHAL
ADVOCATES

169

**BEFORE THE NATIONAL GREEN TRIBUNAL
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O.A. No. 353 OF 2023

IN THE MATTER OF:

VARUN GULATI

....APPLICANT

VERSUS

GOVT OF NCT OF DELHI & ORS

.....RESPONDENTS

AFFIDAVIT

I Varun Gulati S/o Late Shri R.P. Gulati R/o A-66, 1st Floor, Ganesh Nagar, Tilak Nagar, Delhi, do here by solemnly affirm and declare as under:

1. That I am the Applicant in the above noted case therefore I am fully conversant with the fact of the case I am competent to sign and swear this Affidavit.
2. That the accompanying reply has been drafted by my counsel and the same has been read over and explain to me and I say and declare that the same are true and correct.



170.

3. That the Contents of accompanying reply be read as part and parcel of this affidavit as the same are not repeated herewith for the sake of brevity.



DEPONENT

VERIFICATION

Verified at Delhi on this _____ day of, 2024 that the contents of my above Affidavit are true and correct to my knowledge and nothing material has been concealed there from.



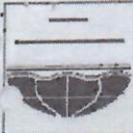
ATTESTED

NOTARY
DELHI (INDIA)
U D APR 11 2024



DEPONENT

08 APR 2024



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>

ANNEXURE - AU

9/11/22

(18)

121

DPCC/CMC-II/ Complaint(email)/2020/ 2063-2065

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

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

And whereas, you Occupier of 172, Gali No-13, Sindhu person Road, Meethapur Extension, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

And whereas, Your unit has been inspected by YCC(Yamuna Cleaning Cell) team formed by DJB and the DJB has already give direction to discom to disconnect the electricity connection of your unit.

And whereas, a letter has been received from Factory Licensing Department, Municipal Corporation of Delhi bearing No-ADC/FLD/MCD/2022/D-390 dated 20/06/2022 wherein it has been requested to levy Environmental Compensation against your unit as per the policy in this regard.

And whereas, you, the addressee were issued a show Cause Notice on 26/09/2022 for showing cause within 15 days as to why the Environmental Compensation of Rs.10,00,000/- (Rupees Ten Lakh Only) may not be confirmed.

And whereas, no reply has been submitted by you, the addressee till date.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, DPCC confirms the Environmental Compensation of Rs.10,00,000/- (Rupees Ten Lakh Only) levied upon you, the addressee. You are required to deposit the abovesaid amount in the form of Demand Draft in favour of "Delhi Pollution Control Committee" within 7 days of the issue of these directions.

Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.

Incharge (CMC-II)

To,
172, Gali No-13,
Sindhu person Road,
Meethapur Extension,
Meethapur, Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

DPCC/CMC-II/ Complaint(email)/2020/ 2069-2071

Dated: 9/11/22

172
16
C/145
26

Subject: - Directions for imposition of Environmental Damage Compensation.

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

And whereas, you Occupier of 250, Sindhu Farm Road, Near Peer Baba Mazar, Meethapur Extension, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

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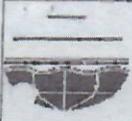
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Incharge (CMC-II)

To,
250, Sindhu Farm Road,
Near Peer Baba Mazar,
Meethapur Extension, Meethapur,
Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
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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>

DPCC/CMC-II/ Complaint(email)/2020/ 2075-2077

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

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And whereas, you Occupier of House No-305, Haddu Mohalla, Madanpur Khadar, New Delhi 110076 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Dyeing & Washing of clothes.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

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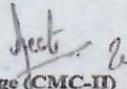
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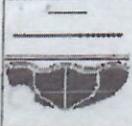
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Incharge (CMC-II)

To,
No-305, Haddu Mohalla,
Madanpur Khadar,
New Delhi 110076

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



(V2) 174
C/142

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DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
4th & 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
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DPCC/CMC-II/ Complaint(email)/2020/ 2076-2080

Dated: 9/11/22

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And whereas, you Occupier of 4258, Gali No-13, Main Sindhu Farm Road, Meethapur Extension, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

And whereas, Your unit has been inspected by YCC(Yamuna Cleaning Cell) team formed by DJB and the DJB has already give direction to discom to disconnect the electricity connection of your unit.

And whereas, a letter has been received from Factory Licensing Department, Municipal Corporation of Delhi bearing No-ADC/FLD/MCD/2022/D-390 dated 20/06/2022 wherein it has been requested to levy Environmental Compensation against your unit as per the policy in this regard.

And whereas, you, the addressee were issued a show Cause Notice on 26/09/2022 for showing cause within 15 days as to why the Environmental Compensation of Rs.10,00,000/- (Rupees Ten Lakh Only) may not be confirmed.

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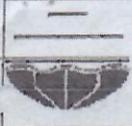
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Incharge (CMC-II)

To,
4258, Gali No-13,
Main Sindhu Farm Road,
Meethapur Extension, Meethapur,
Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
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3. Office Copy, CMC-II



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visit us at : <http://dpec.delhigovt.nic.in>

9/13/20
②
⑧

175

DPCC/CMC-II/ Complaint(email)/2020/ 2093-2095

Dated: 9/11/20

Subject: - Directions for imposition of Environmental Damage Compensation.

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And whereas, you Occupier of Shop no-3, Property No-200, Block-I, Sindhu Farm Road, Meethapur Meethapur Extension, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

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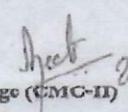
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Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, DPCC confirms the Environmental Compensation of Rs.10,00,000/- (Rupees Ten Lakh Only) levied upon you, the addressee. You are required to deposit the abovesaid amount in the form of Demand Draft in favour of "Delhi Pollution Control Committee" within 7 days of the issue of these directions.

Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.


Incharge (CMC-II)

To,
Shop no-3, Property No-200,
Block-I, Sindhu Farm Road,
Meethapur Meethapur Extension,
Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

4/136
①
②

176

DPCC/CMC-II/ Complaint(email)/2020/ 3076-2078

Dated: 9/7/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

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

And whereas, you Occupier of shop no-5, Main Sindhu Farm Road, Meethapur Badarpur Molarband, Meethapur Extension, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

And whereas, Your unit has been inspected by YCC(Yamuna Cleaning Cell) team formed by DJB and the DJB has already give direction to discom to disconnect the electricity connection of your unit.

And whereas, a letter has been received from Factory Licensing Department, Municipal Corporation of Delhi bearing No-ADC/FLD/MCD/2022/D-390 dated 20/06/2022 wherein it has been requested to levy Environmental Compensation against your unit as per the policy in this regard.

And whereas, you, the addressee were issued a show Cause Notice on 26/09/2022 for showing cause within 15 days as to why the Environmental Compensation of Rs.10,00,000/- (Rupees Ten Lakh Only) may not be confirmed.

And whereas, no reply has been submitted by you, the addressee till date.

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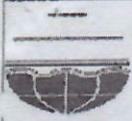
Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.

Incharge (CMC-II)

To,
Shop no-5, Main Sindhu Farm Road,
Meethapur Badarpur Molarband,
Meethapur Extension, Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

16

177

4/151

22

DPCC/CMC-II/ Complaint(email)/2020/ 2051-2053

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

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

And whereas, you Occupier of A-30, Ground floor Sindhu Farm Road near Peer Baba Mazar, Meethapur Extension, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

And whereas, Your unit has been inspected by YCC(Yamuna Cleaning Cell) team formed by DJB and the DJB has already give direction to discom to disconnect the electricity connection of your unit.

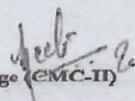
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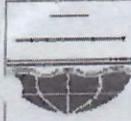
Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.

Incharge 
(CMC-II)

To,
A-30, Ground floor,
Sindhu Farm Road
near Peer Baba Mazar, Meethapur Extension,
Meethapur, Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

DPCC/CMC-II/ Complaint(email)/2020/ 2048-2050

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

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

And whereas, you Occupier of Plot no-28, Gali no-2, Namardar colony, Tanki road, Shakti Vihar, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Washing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

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And whereas, a letter has been received from Factory Licensing Department, Municipal Corporation of Delhi bearing No-ADC/FLD/MCD/2022/D-390 dated 20/06/2022 wherein it has been requested to levy Environmental Compensation against your unit as per the policy in this regard.

And whereas, you, the addressee were issued a show Cause Notice on 26/09/2022 for showing cause within 15 days as to why the Environmental Compensation of Rs.5,00,000/- (Rupees Five Lakh Only) may not be confirmed.

And whereas, no reply has been submitted by you, the addressee till date.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, DPCC confirms the Environmental Compensation of Rs.5,00,000/- (Rupees Five Lakh Only) levied upon you, the addressee. You are required to deposit the abovesaid amount in the form of Demand Draft in favour of "Delhi Pollution Control Committee" within 7 days of the issue of these directions.

Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.

Incharge (CMC-II)

To,
Plot no-28, Gali no-2,
Namardar colony, Tanki road,
Shakti Vihar, Meethapur,
Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

DPCC/CMC-II/ Complaint(email)/2020/ 2045-2047

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

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

And whereas, you Occupier of 16/93, Sindhu Farm Road, Near Dishant Nirman store, Meethapur Extension, Meethapur, Delhi-110044 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

And whereas, Your unit has been inspected by YCC(Yamuna Cleaning Cell) team formed by DJB and the DJB has already give direction to discom to disconnect the electricity connection of your unit.

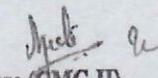
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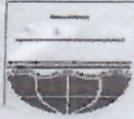
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Incharge (CMC-II)

To
16/93, Sindhu Farm Road,
Near Dishant Nirman store,
Meethapur Extension, Meethapur,
Delhi-110044

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II



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>

DPCC/CMC-II/ Complaint(email)/2020/ 2042-2044

Dated: 9/11/22

Subject: - Directions for imposition of Environmental Damage Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

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And whereas, you Occupier of A-11, Ali Vihar, Ali, Delhi-110076 (hereinafter referred as the Addressee) are operating your aforesaid unit at the above said address and engaged in the activity of Jeans Dyeing & Washing.

And Whereas, Hon'ble Supreme Court has passed an order on 07.05.2004 in I.A. No. 22 in WP(c) No. 4677 of 1985 titled as M.C. Mehta Vs. Union of India & Others for closure of the units from the residential/non-confirming areas in NCT of Delhi.

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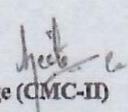
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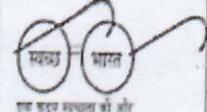
Non-compliance of any orders of Delhi Pollution Control Committee is liable for action as per the provisions of Water Act, 1974 and Air Act, 1981.


Incharge (CMC-II)

To,
Sh Manoj Rexwal, A-11,
Ali Vihar, Ali,
Delhi-110076

Copy to:

1. Sub Divisional Magistrate (Sarita Vihar), Old Gargi college building behind Lady Shri Ram college Lajpat nagar-4 New Delhi-110024
2. Master file, CMC-II
3. Office Copy, CMC-II

	MUNICIPAL CORPORATION OF DELHI OFFICE OF THE ASSISTANT COMMISSIONER CENTRAL ZONE, LAJPAT NAGAR-II, NEW DELHI-110024 *****	 व्यक्त भारत एक स्तर एकता ही जीत
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No: AC/CNZ/MCD/2023-24/D-1273

Dated: 25/01/2024

Subject: - Regarding NGT matter OA.No.353/2023 "Varun Gulati Vs GNCTD & Ors."-
action against illegal Jeans Dying Units.

This is in reference to letter No.DPCC/CMC-II NGT OA No.353/2023/8577 dated 09.11.2023 from Member Secretary of DPCC, GNCTD on the subject sited matter regarding action against illegal dying unit operating in Meethapur and Badarpur areas. A joint team was constituted for ensuring closure of unauthorized dyeing units in areas of Madanpur Khadar, Aali Vihar , Meethapur for 23 new location have been received where jeans deiyng activity are taking place as per the complaints.

For the purpose a team comprising of following officers/officials has already been constituted:-

S. No.	Name & Designation	Mobile No.	Agency
1	Sh. Anil Kohli , Factory Inspector	7042168196	MCD/FLD, HQ
2	Sh. Rajesh Kumar, ASO/LI	8588064624	MCD/CNZ
3	Sh. Ankit Kr. Pandey, JE/Building/182	9540798853	MCD/CNZ
4	Sh. Bhagat Dayal, JE/Building/185	8588888621	MCD/CNZ
5	Sh. Bhim Chand, JSA/RC	8368059101	MCD/CNZ
6	Sh. Nikunj Malik, Junior Enviornmental Engineer	8851100132	DPCC

Therefore, the above Team is hereby directed to inspect these 23 units. If required, by exercising statutory power and take action against them. The inspection of these units will be **carried out on 30.01.2024** and take appropriate action against these units.

Administrative Officer
Central Zone, MCD

All Team Members,

Copy to:

1. Senior Environment Engineer, DPCC with a request to depute concern official to join the drive on scheduled dates.
2. CEO, Delh Jal Board, Varunalaya Phase-II, Jhandewalan, New Delhi -110055 with a request to depute concern DJB official to join the drive on scheduled dates.
3. CEO, BSES Rajdhani Power Ltd., BSES Bhawan, Near Nehru Place Bus Terminus, Nehru Place, New Delhi -110019 with a request to depute concern BSES official to join the drive on scheduled dates.
4. SHO (Jaitpur) with a request to join the drive on scheduled dates.
5. SHO (Sarita Vihar) with a request to join the drive on scheduled dates.
6. SDM (Sarita Vihar) with a request to join the drive on scheduled dates.

Copy for information to:-

1. PS to Commissioner, MCD
2. Member Secretary , DPCC
3. Special Commissioner of Police, (Law & Order)-II
4. DM (South East) Revenue Deptt., GNCTD
5. CL&EC, HQ
6. SE-II, CNZ
7. DCP, South East
8. DC/CNZ
9. AC/CNZ
10. Office Copy.

Inspection Report

Date: - 30/01/24

182

In pursuance letter no- A1/CN2/MCO/2023-24/0-1273 dated 25/01/2024, a joint team consisting of MCO, DPCC, Revenue Dept, BSEEP Jal Board was constituted for ensuring closure of 23 unauthorised dyeing units in areas of Madanpur Khadar, Ali Vihar & Mathapur.

The inspection of such units was scheduled for 30.01.2024.

The team reached police station jaitpur and requested for providing police force to assist in the inspection of the unauthorised dyeing units. However police force has been denied on the ground that the aforementioned has been received in the police station only on 29.01.2024 and the police station is unable to arrange for police force within such a short span of time. MCO may fix another date for inspection of the unauthorised dyeing units.

Nikunj Malik
30/01/24
(JEE, DPCC)

DW
30/01/24
LE/CN2

30
Factory Inspector
30/01/24

Lalit Kumar D.S.B
30/01/24

30/01/24 L.M
BSES

2
30/01/24
Behindar (Sanit Vihar)



ANNEXURE - A/B

183

Fwd: Regarding Illegal Jeans Dyeing units and electroplating units

1 message

Wed, 20 Dec 2023 at 17:27

CMC5 DPCC <dpcc.cmc5@gmail.com>

To: dcnorth@nic.in, dc-narela@mcd.nic.in, acnarela40@gmail.com, dc.civilines@mcd.nic.in, clzdc1@gmail.com

Cc: Mohammad Arif <arif430@gmail.com>, EE Surender Singh <singh.rdpc@gmail.com>, jansewajanhit@gmail.com <jansewajanhit@gmail.com>

This has reference to complaint filed by Sh Varun Gulati which was forwarded to your office along with attachments for taking necessary action in the matter. In this regard it is submitted that ATR in the matter is still awaited. Moreover, the complainant has also forwarded one more mail in the same context and requested to share the ATR.(copy of same is attached herewith)

Therefore, it is requested to take necessary action at the earliest and provide ATR in this matter.

Thanks & Regards

Consent Management Cell -V
Delhi Pollution Control Committee,
1st Floor, Vikas Bhawan-II,
Civil Lines, Delhi-110054



----- Forwarded message -----

From: **CMC5 DPCC** <dpcc.cmc5@gmail.com>

Date: Thu, Nov 23, 2023 at 3:32 PM

Subject: Regarding Illegal Jeans Dyeing units and electroplating units

To: <dc-narela@mcd.nic.in>, <dcnorth@nic.in>, <acnarela40@gmail.com>, <dc.civilines@mcd.nic.in>, <clzdc1@gmail.com>

With reference to complaint filed by Sh Varun Gulati and DPCC office order dated 22.06.2023 and dated 29.05.2023 for taking actions against the illegal dyeing units in swaroop nagar, sanoth village, pooth khurd, khara kalan, alipur, narela, siraspur, mukundpur areas as mentioned in the complaint. Copy of orders/letters and traced locations of units are enclosed herewith.

Details of Lat/Long received through email and hardcopy of Sh Varun Gulati enclosed herewith in email.

Therefore, it is requested to take action against illegal dyeing units .

Thanks & Regards

Thanks & Regards

Consent Management Cell -V
Delhi Pollution Control Committee,
1st Floor, Vikas Bhawan-II,
Civil Lines, Delhi-110054





DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
6th Level, C-Wing, Delhi Secretariat, New Delhi-110002
Ph. No. 011-23392306 Fax: 01123392034 Z(e mail: msdpcc@nic.in),



DPCC/CMC-V/Misc./2023/ 194-201

Dated: 29/5/23

To,

The Deputy Commissioner (Narela),
Municipal Corporation of Delhi,
13, R-178, MDR-138, Rajeev Colony, Swantantra Nagar
Delhi-110040
e-mail: Narela.mcd.nic.in

Sub.: Regarding action against illegal Jeans Dyeing Units.

Sir,

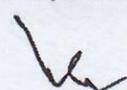
This is in continuation of earlier letter (Copy enclosed) dated 26.04.2023 issued by MS, DPCC regarding action against illegal jeans Dyeing Units.

With reference to subject cited above, during the Solid Waste Management Monitoring Committee (SWMC) meeting held on 25.04.2023 at Raj Niwas under the Chairmanship of Hon'ble Lieutenant Governor, Delhi, has shown his displeasure over illegal operation of Jeans Dyeing Industries in Budhpur, Mukundpur, Swaroop Nagar and Narela and its adjoining non-conforming area. He has directed to constitute joint inspection teams and to take immediate action against Jeans Dyeing units operating in Non-conforming areas.

During the drive conducted on 03.05.2023, 04 units were sealed in area of Budhpur, Khera Kalan (List enclosed with). However, it has come to notice that still many dyeing units are working/operating clandestinely in Narela zone in areas like Bakoli, Khera Kalan, Shahbad area, Praladhpur, Pooth Khurdh, Katewara, Bajitpur, Auchandi and its adjoining areas etc which require similar enforcement drive as conducted earlier in areas of Budhpur, Khera Kalan.

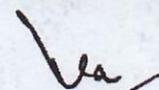
Viewing the gravity of water pollution potential of units, I would request your personal intervention in this matter and urge you to constitute a joint team comprising of MCD, DM (North), DPCC, BSES, Delhi Police and DJB for joint inspection drive to be conducted in areas under Narela zone to commence from tomorrow onwards to ensure effective closure of such unauthorized Dyeing units and stop them from continuing their illegal operation. Shri Mohd. Arif, Senior Environmental Engineer (Mobile No. 9717593510) is the contact point at DPCC.

The matter may be treated on priority.


(Dr. K.S. Jayachandran)
Member Secretary, DPCC

Copy for information and necessary action to:-

1. The Commissioner, MCD, 4th Floor, Civic Centre, Minto Road, Delhi-110002- with a request to issue necessary directions to concerned officers.
2. The Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, New Delhi-110055 - with a request to depute its representative- to join the sealing drive on scheduled dates.
3. Special Commissioner of Police (Law & Order)-II with a request to direct concerned officer to join the drive.
4. The District Magistrate (North District), Alipur, GTK Road, Delhi-110036. With a request to depute SDM (of above mentioned areas) or its representative- to join the sealing drive on scheduled dates.
5. The Sub-Divisional Magistrate (Alipur), Room No-14, DM Office Complex, Grand Trunk Road, Alipur, New Delhi-1100036- with a request to depute its representative to join the sealing drive on scheduled dates.
6. The General Manager (Commercial), Tata Power Delhi Distribution Limited (TPDDL), Grid Sub Station Building, Hudson Lane, Kingsway Camp, Delhi-110009 - with a request to depute officers to join the sealing drive on scheduled dates..
7. Master File, CMC-V


(Dr. K.S. Jayachandran)
Member Secretary, DPCC

185

With reference to complaint filed by Sh. Varun Gulati and office order dated 22.06.2022 and dated 29.05.2023 for taking action against the illegal Jean dyeing unit operating in residential/non- conforming area of Delhi. Details of Lat/Long received through email and hardcopy of Sh Varun Gulati

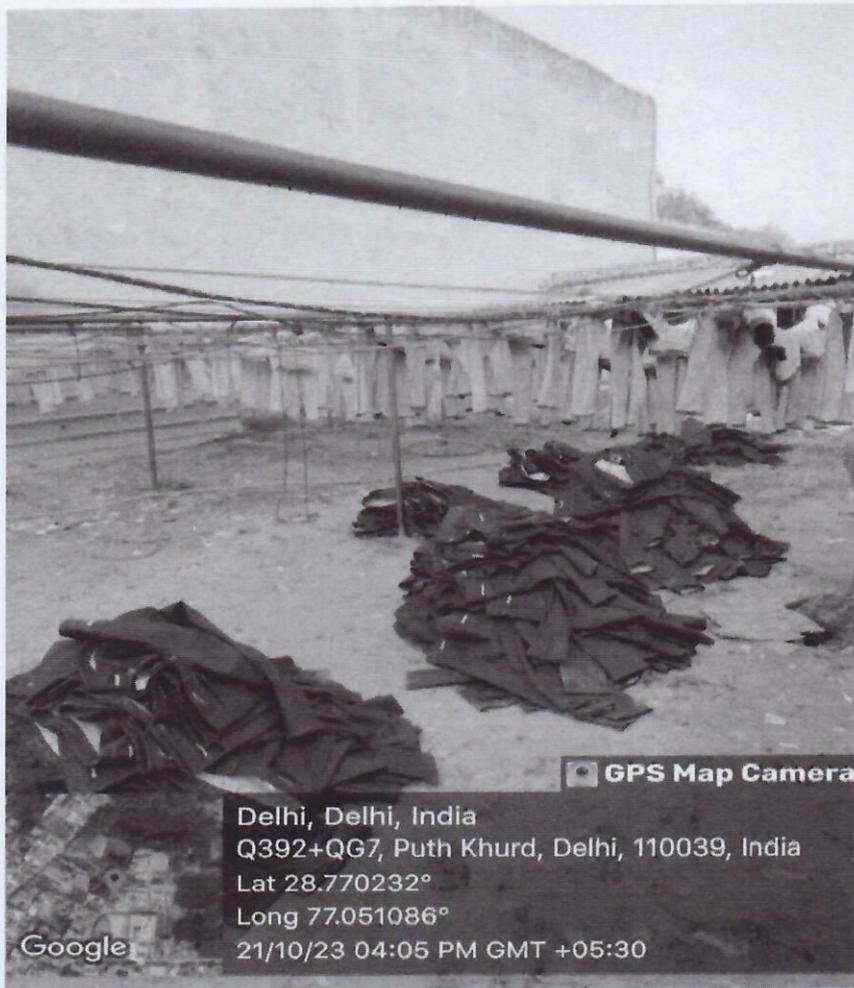
Copy of order dated 22.06.2023 enclosed herewith in email. It was decided to visit these units jointly with MCD; however same could not be done despite repeated schedule in this regard. A team of DPCC traced the units as per details provided by Sh Varun gulati (Copy of complaint received are enclosed /attached) and detail and photographs are as under:-

S.No.	Name of Unit	Location/Address	Trade Running
1	Owner/Occupier	/Swaroop Nagar, Gajraj Chowk, near Azad Palace (Lat- 28.756226, Long- 77.156056)	Jeans washing & dyeing
2	Owner/Occupier	/Swaroop Nagar, Gajraj Chowk, near Azad Palace(Lat-28.756028, Long-77.156133)	Jeans washing & dyeing
3	Owner/Occupier	Lat- 28.7628735, Long- 77.1448505 /Siraspur	Jeans washing & dyeing
4	Owner/Occupier	Lat- 28.816431, Long- 77.074325/Sanoth Village	Electroplating & dyeing of cloth
5	Owner/Occupier	Lat- 28.816275, Long- 77.074454 /Sanoth Village	Jeans drying job work
6	Owner/Occupier	Lat- 28.7702988, Long- 77.0512353/Pooth Khurd	Jeans washing & dyeing
7	Owner/Occupier	Lat- 28.810996, Long -77.146909/Bakoli, Alipur	Jeans washing & dyeing
8	Owner/Occupier	Lat- 28.8626532, Long- 77.0949651/Narela, Alipur	Jeans washing & dyeing

It is provided that a letter dated 29.05.2023 was issued to D.C Narela and DC Civil lines zone, MCD for taking immediate action for closure of their illegal dyeing unit operating in residential/non- conforming area of Delhi.

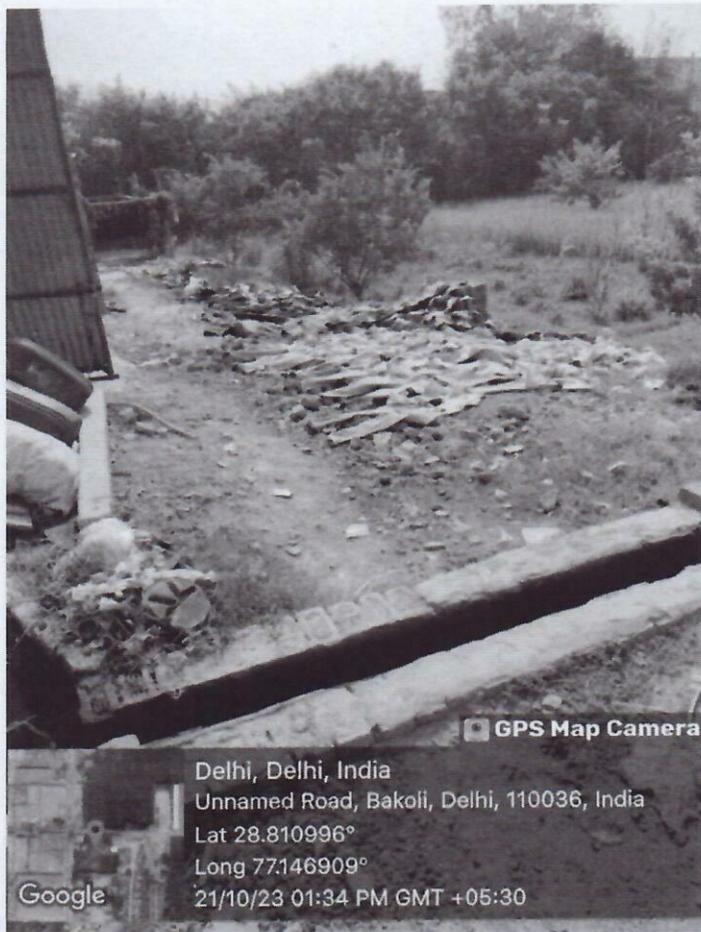
As enquired all the above 8 units were in operational condition and engaged in activity of jeans dyeing and washing . Apart from above 8 units of different areas 17 units were visited along with MCD officials and power supply disconnected and sealed by MCD during the drive

186



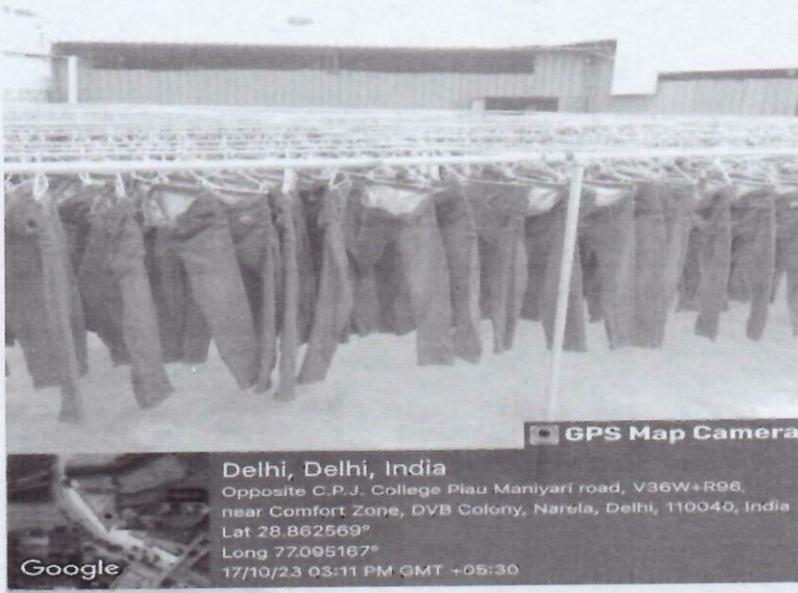
Lat- 28.7702988, Long- 77.0512353/Pooth Khurd

107



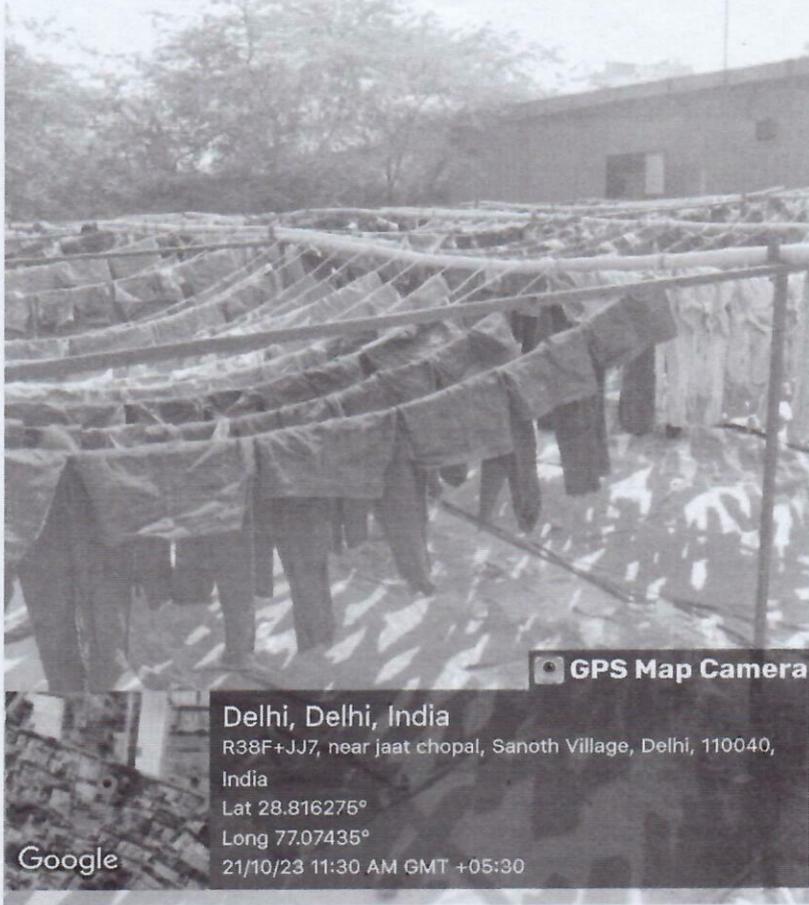
Lat- 28.810996,
Long -77.146909/Bakoli, Alipur

188



Lat- 28.8626532, Long- 77.0949651/Narela, Alipur

189



Lat- 28.816275, Long- 77.074454
/Sanoth Village

190



GPS Map Camera

Delhi, Delhi, India

R38F+JJ7, near jaat chopal, Sanoth Village, Delhi, 110040, India

Lat 28.816431°

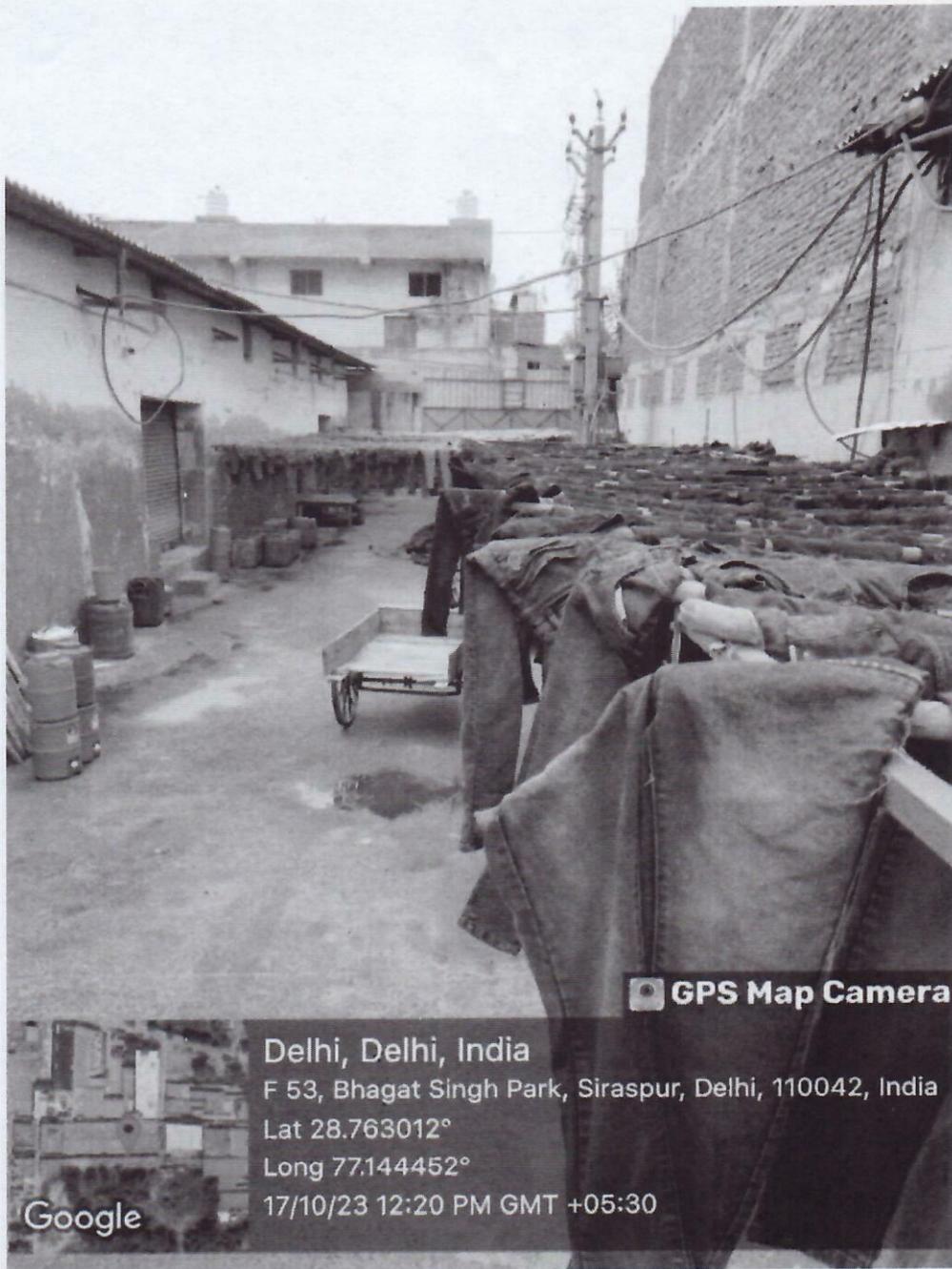
Long 77.074325°

21/10/23 11:46 AM GMT +05:30

Google

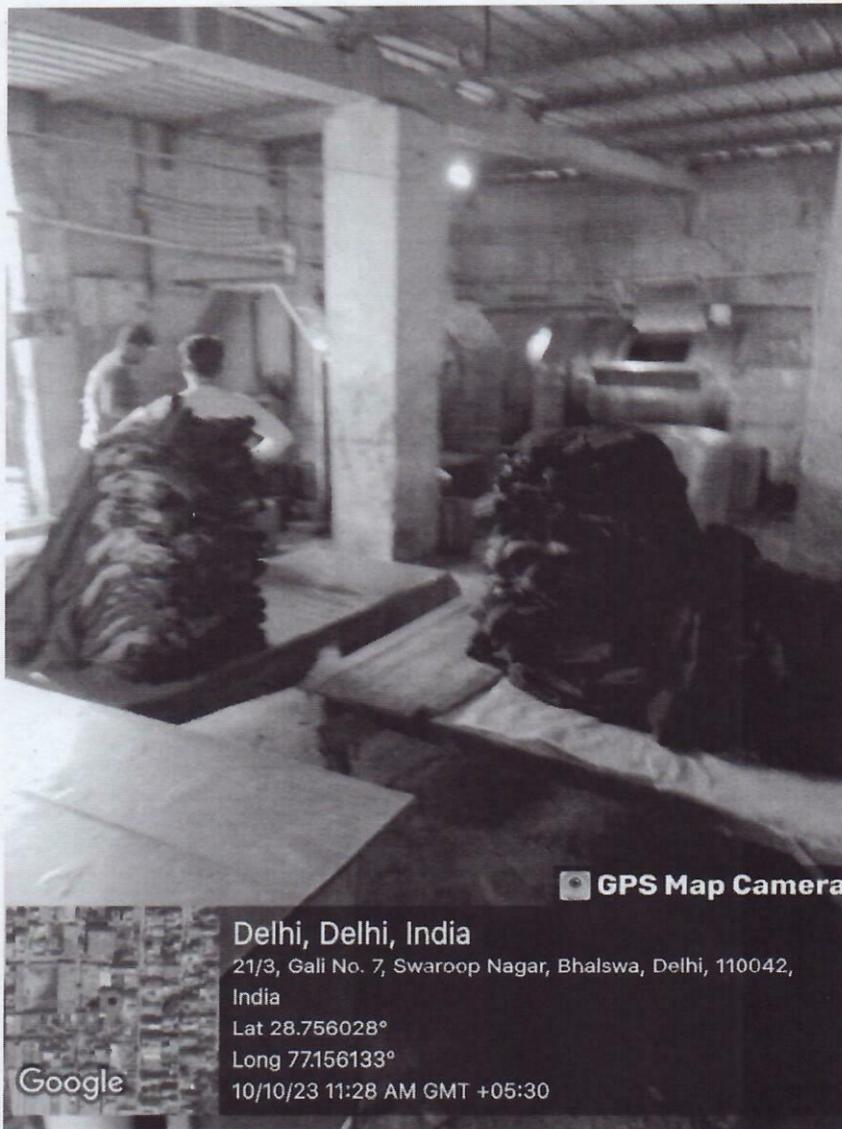
Lat- 28.816431, Long- 77.074325/Sanoth Village

191



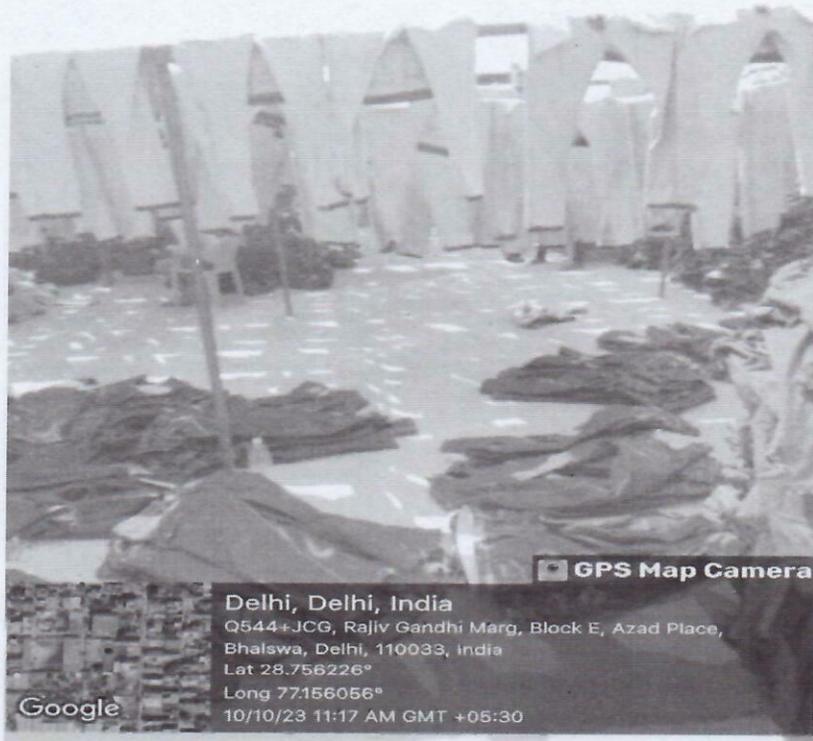
Lat- 28.7628735, Long- 77.1448505
/Siraspur

192



Swaroop Nagar, Gajraj Chowk, near Azad Palace(Lat-28.756028, Long-77.156133)

193



S.no 1-Swaroop Nagar, Gajraj Chowk, near Azad Palace (Lat- 28.756226, Long-77.156056)