

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 34/2025
IN
ORIGINAL APPLICATION NO. 1175/2024

IN THE MATTER OF:

Vikas Tiwari

... Applicant

Vs

Delhi Pollution Control Committee & Ors.

... Respondents

I N D E X

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(RESPONDENT No. 4)

IN CHARGE
Civil Engineer-III
of Flood Control Deptt
Govt. of Delhi, Delhi

THROUGH

NEW DELHI

DATED: **20.11.2025**

(JYOTI MENDIRATTA)

Advocate for the GNCT of Delhi

Ph: 9811136141

jmalawoffices@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 34/2025
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Vs

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... Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 4- IRRIGATION &
FLOOD CONTROL DEPARTMENT, GOVT. OF NCT OF DELHI**

MOST RESPECTFULLY SHOWETH:-

1. That the Applicant had initially filed O.A. No. 1175 of 2024 with respect to his grievance regarding the purported violations by the Ready Mix Cement (RMC) plants, and unauthorized movement of heavy vehicles and Trucks on the restricted Pushta Road and the alleged air and noise pollution in violation of the Air (Prevention and Control of Pollution) Act, 1981 and the Noise Pollution (Regulation and Control) Rules, 2000. This Hon'ble Tribunal was pleased to dispose of the said application by passing the following directions:

“5. Having regard to the aforesaid and also considering the nature of the allegation which has been made in the original application, we are of the view that at the first instance, Delhi Pollution Control Committee (DPCC) is required to look into the matter, ascertain the correct factual position at the ground level and take appropriate remedial action. Hence, we permit the applicant to file a comprehensive complaint along with all


 Executive Engineer
 Civil Division-IV
 & Flood Control Deptt.
 Govt. of Delhi, Delhi

the supporting material to the Member Secretary, DPCC who on receipt of the same will take appropriate action, keeping in view of the observations made above and by following the Principles of Natural Justice. If the allegation of the applicant is found to be correct, necessary remedial and punitive action will be taken within three months from the date of receipt of the complaint by Member Secretary, DPCC."

2. Thereafter, the present Execution Application has been filed by the Applicant complaining of inaction by the DPCC and other authorities and non compliance of the afore-said directions.
3. That the said stretch of Pushta Road falls under the jurisdiction of Irrigation and Flood Control Department. Pursuant to the notice issued by this Hon'ble Tribunal vide order dated 27.05.2025, a Junior Engineer from the department of the Answering Respondent visited and inspected the site in question on 23.08.2025. The owners of the RMC plants operating at the said site informed that all the said Plants had consent to operate from DPCC.
4. It is respectfully submitted that these RMC Plants deploy heavy vehicles, transit mixture (T.M.) and trucks to the plant via L.M. Bund Sonia Vihar Pusta road, despite warning boards by the answering Respondent at several spots on the said stretch banning plying of heavy vehicles on the said road. Copies of the Photographs of sign boards and also of the violations cited is annexed hereto and marked as **Annexure-B (Colly)**.
5. Thereafter, the Answering Respondent wrote a letter dated 27.08.2025 to the concerned SDM with a copy to District Magistrate, North-East and DCP, North-East, attaching therewith the report of the Junior Engineer, asking them to take necessary action against the RMC Plant Owners.


Executive Engineer
Civil Division-A
& Flood Control Deptt.
Govt. of Delhi, Delhi

Copy of the said letter dated 27.08.2025 alongwith the report of the Junior Engineer is annexed hereto and marked as **Annexure-A**.

6. It is humbly submitted that the Answering Respondent has the highest respect and regard for the orders and majesty of this Hon'ble Tribunal. The present reply is being filed for the kind consideration of this Hon'ble Tribunal and may kindly be taken on record.


(SOM NATH KASHYAP)
Executive Engineer,
CD-IV, I&FC Department,
Govt. of NCT of Delhi
Executive Engineer
I & FC Control Dept
Govt. of Delhi, Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 34/2025
IN
ORIGINAL APPLICATION NO. 1175/2024

IN THE MATTER OF:

Vikas Tiwari

... Applicant

Vs

Delhi Pollution Control Committee & Ors.

... Respondents

AFFIDAVIT

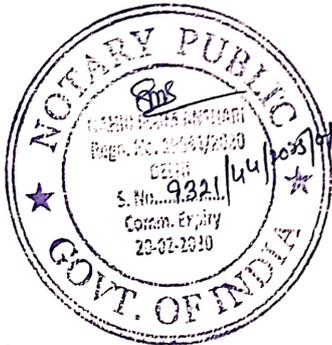
I, Somnath Kashyap, S/o Late. Sh. Ram Ganesh aged 45 Years, working as Executive Engineer, L.M. Bund Office Complex, Shastri Nagar, New Delhi-110031, do hereby solemnly affirm and state as under:

1. I am the Authorized signatory on behalf of IRRIGATION & FLOOD CONTROL DEPARTMENT, GNCTD in the present matter and I am conversant with the facts and the circumstances of the case. As such, I am competent and authorized to file the present affidavit.
2. That I have gone through the contents of the Reply on behalf of Respondent No. 4, I&FC Deptt., Govt. of NCT of Delhi, which has been understood by me and state that the contents of the said are true and correct to best of my knowledge.

VERIFICATION :

I, the deponent above named, solemnly affirmed that the contents of this affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Verified at Delhi on this (19.11.2025)

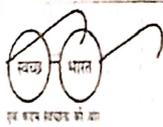


ATTESTED
Somnath Kashyap
NOTARY PUBLIC, DELHI

20 NOV 2025

Somnath Kashyap
DEPONENT
Executive Engineer
Civil Division-IV
Irrigation & Flood Control Deptt.
Govt. of Delhi, Delhi

Somnath Kashyap
DEPONENT
Executive Engineer
Civil Division-IV
Irrigation & Flood Control Deptt.
Govt. of Delhi, Delhi



06

No. EE/CD-IV/DB/NGT-COURT CASE/2025-26/
To

Dated:

The S.D.M. (North-East),
K-Block, First Floor,
DC Office Complex,
Nand Nagari,
Delhi-110093.

Subject: Regarding court case with E.A. No. 34/2025 in O.A. No. 1175/2024, before the Hon'ble the National Green Tribunal (NGT) Court.

Ref.:- Site inspection report dated 23.08.2025.

Sir,

With reference to subject cited as above, it is to bring to your kind notice that a court case with E.A. No. 34/2025 in O.A. No. 1175/2024 is presently under consideration before the Hon'ble the National Green Tribunal (NGT) Court.

In the aforesaid case, the petitioner has raised the issue of continued plying of heavy vehicle, particular Transit Mixtures (T.M.) being operated by RMC plants in Sabhapur Extension. Despite the warning boards installed at Soniya Vihar Pusta road clearly indicating that no heavy vehicles are allowed to enter on the pushta road, it is been observed that Transit Mixture are still using the pushta road for delivering the concrete to various locations.

A report (copy enclosed) is also prepared with photographs of transit mixture passing through the pushta road. This report also highlights that there are 5 RMC Plants i.e. Vinod Kumar (RMC Plant), ENPEECON, Kamdhenu Cement (G), ND Con Constructions and Shri Ram being operated at village Sabhapur, Delhi-110094. The consent order issued by D.P.C.C. of all the said R.M.C Plants are also enclosed with the report.

In view of the above, you are requested to kindly take necessary action against the above said RMC Plants owners immediately and ensure no heavy vehicles are allowed to ply on the Sonia Vihar Pushta Road.

Yours' faithfully,

Encl.: As above.

(S.N. KASHYAP)
EXECUTIVE ENGINEER, CD-IV

Dated: 27/8/25

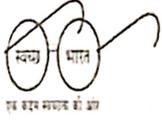
No. EE/CD-IV/DB/NGT-COURT CASE/2025-26/ 3057
Copy forwarded for kind information please to :-

- The D.M. (North-East), O/o the D.C. office complex, Nand Nagari, Opp. Gagan Cinema, Delhi-110093.
- The Chief Engineer, Zone-II, I&FCD, L.M. Bund Officer Complex, Shastri Nagar, Delhi-110031.
- The Superintending Engineer, FC-I, I&FCD, L.M. Bund Officer Complex, Shastri Nagar, Delhi-110031.
- The DCP, North-East District, New Seelampur, Shahdara, Delhi, 110053
- ✓ Assistant Engineer-I, CD-IV.

Assistant Engineer-I,
Civil Division-IV
Irrigation & Flood Control Dept.
Govt. of Delhi, Delhi

EXECUTIVE ENGINEER, CD-IV





OFFICE OF THE ASSISTANT ENGINEER-I : CIVIL DIVISION-IV
 IRRIGATION AND FLOOD CONTROL DEPTT., GOVT. OF NCT OF DELHI,
 L. M. BUND OFFICE COMPLEX, SHASTRI NAGAR, DELHI -110031
 Ph.-011-21210859 Email : ifccdiv@gmail.com



No. AE-I/CD-IV/COURT CASE/2025-26/ 161

Date:- 25/8/25

To

The Executive Engineer,
 Civil Division-IV,
 L.M. Bund Office Complex,
 Shastri Nagar Delhi- 110031

Subject:- Regarding court case with E.A. No. 34/2025 in O.A. No. 1175/2024, before the Hon'ble the National Green Tribunal (NGT) Court.

Ref.:- Site inspection report dated 23.08.2025.

Sir,

Please refer to site inspection report dated 23.08.2025 as mentioned above . In this regard, it is submitted that a court case with no. O.A. 1175/2024 before Hon'ble N.G.T. Court received in division office on dated 29.07.2025 wherein IFCD is a respondent No. 04. In the above said court case, petitioner is claiming that some RMC Plants are operating in Sabhapur Extension and these RMC Plants continuously violating the restrictions of unauthorized movement of heavy vehicles specifically, transit mixtures for delivering of concrete via pushta road.

As per the directions, concerned Junior Engineer inspected the said location and submitted report on dated 23.08.2025 to the undersigned. The site inspection report alongwith the relevant court order is enclosed herewith for your kind pursual and further necessary action please.

Yours faithfully,

(PIYUSH GOYLA)
 ASSISTANT ENGINEER -I

Encl:- As above

Executive Engineer
 Civil Division-IV
 Irrigation & Flood Control Deptt.
 Govt. of Delhi, Delhi

Dated:- 23.08.2025

To

The Assistant Engineer-I,
Civil Division-IV,
L.M. Bund office Complex,
Shastri Nagar Delhi- 110031.

Subject:- Submission of site inspection/ visit report at RMC Plant in Sabhapur Extension.

Sir,

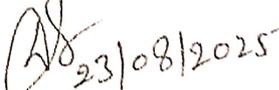
It is reported that a court case with no. O.A. 1175/2024 before Hon'ble N.G.T. Court received in division office on dated 29.07.2025 wherein IFCD is a respondent No. 04. Brief history of this case is that there is a RMC plant in Sabhapur Extension and petitioner is claiming that continued violations by the RMC Plants including unauthorized movement of heavy vehicles and trucks for delivering of concrete.

As per the direction of Engineer-in-Charge, I visited / inspect the site mentioned in the case and asked to owner of the plant that show any legal permission if they have any. After inspection of many point of view I reached to the following observations:-

1. There are 5 R.M.C. Plant i.e. Vinod Kumar (RMC Plant), ENPEECON, Kamdhenu Cement (G), ND Con Constructions and Shri Ram.
2. They all gave a consent order bearing certificate No. (Enclosed with this letter).
3. In this case our role is such that these RMC Plant takes its heavy vehicles, transit mixture (T.M.) and trucks to the plant via our L.M. Bund Sonia Vihar Pusta road. (photographs attached).
4. IFCD already installed warning board at various places on Pusta road instructing bank of heavy vehicles physically on bund road.(photographs attached)

This is for your kind information please.

Yours faithfully



(DEEPANKAR)

Junior Engineer, CD-IV



Assistant Engineer
Civil Division-IV
L.M. Bund Control Room
Shastri Nagar Delhi



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.dpccomms.nic.in>)

CONSENT ORDER

Certificate No. :G-21374

| | | |
|--------------------------|---|---|
| Name of the unit | : | VINOD KUMAR(RMC PLANT) |
| Address | : | K H NO. 434, VILLAGE SABHAPUR, DELHI-94, Ready Mix Concrete Plant, Delhi - 110094 |
| Consent Order No | : | DPCC/CMC/2021/7008002 |
| Date of issue | : | 30/12/2021 |
| Product/Activity | : | Ready Mix Concrete Plants (without trade effluent discharge) |
| Manufacturing Activities | : | READY MIX CONCRETE PLANT |
| Category Name | : | [GREEN] |
| Product Capacity | : | 40 Metric Tonnes/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 **GREEN** Category. This is being issued with reference to your application id 7008002 valid from 30/12/2021 to 29/12/2031.

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.


 Secretary Engineer
 Civil Division-A
 & Flood Control Department
 Government of Delhi, Delhi



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.dpccenmms.nic.in/>)

CONSENT ORDER

Certificate No. CG-21755

| | | |
|--------------------------|---|--|
| Name of the unit | : | NDICON CONSTRUCTIONS |
| Address | : | K.H. NO. 427, VILLAGE OF SABHAPUR, DELHI-94 Permitted Industrial Units, Delhi - 110074 |
| Consent Order No | : | DPCC/MC/2022/277379 |
| Date of issue | : | 28/01/2022 |
| Product/Activity | : | Ready Mix Concrete Plants (without trade effluent discharge) |
| Manufacturing Activities | : | READY MIX CONCRETE MIX WITH TRADE EFFLUENT |
| Category Name | : | [GREEN] |
| Product Capacity | : | 40 Cubic Meters/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, 1986 under GREEN Category. This is being issued with reference to your application id 7277379 valid from 28/01/2022 to 27/01/2032.

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

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 Deputy Engineer
 Civil Division-5
 Air & Flood Control Dept
 Govt. of Delhi, Delhi



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.nlc.in>)

CONSENT ORDER

Certificate No. :G-21486

| | | |
|--------------------------|---|--|
| Name of the unit | : | KAMDHNU CEMENT |
| Address | : | KH NO. 616/2, VILLAGE SABHAPUR, DELHI-110094, Permitted Industrial Units, Delhi - 110094 |
| Consent Order No | : | DPCC/CMC/2022/7055839 |
| Date of issue | : | 10/01/2022 |
| Product/Activity | : | Ready Mix Concrete Plants (without trade effluent discharge) |
| Manufacturing Activities | : | READY MIX CONCRETE WITHOUT TRADE EFFLUENT |
| Category Name | : | [GREEN] |
| Product Capacity | : | 50 Cubic Meters 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 GREEN Category. This is being issued with reference to your application id 7055839 valid from 10/01/2022 to 09/01/2032.

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

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 Assistant Engineer
 Civil Division-IV
 Air & Noise Control Deptt.
 Govt. of NCT of Delhi



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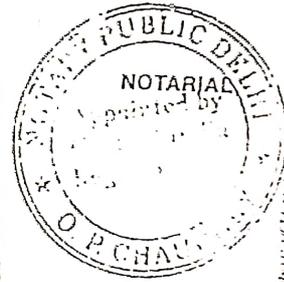
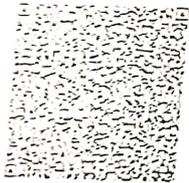
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INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL75221194907313W
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 Unique Doc Reference : SUBIN-DL77630309013B44651052W
 Purchased by : Anuj Gupta
 Description of Document : Article 4 Affidavit
 Presenty Description : Not Applicable
 Consideration Price (Rs.) : 0
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 First Party : Anuj Gupta
 Second Party : Not Applicable
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 Stamp Duty Amount (Rs.) : 20
 : (Twenty only)

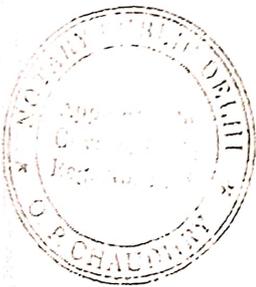


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[Handwritten Signature]

Secretary, Signature
Civil Division-A
& Flood Control Dept
Govt of Delhi, Delhi



Statutory Alert:

- The authenticity of this Stamp certificate should be verified at 'www.shoelstamp.com' or using e-Stamp Mobile App of Stock Holding
- Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid
- The onus of checking the legitimacy is on the users of the certificate
- In case of any discrepancy please inform the Competent Authority

Affidavit

I Anuj Gupta Son of Shri Suresh Kumar Gupta R/O B-259, Derawal Nagar Delhi-110009 do here by solemnly affirm and declare as under.

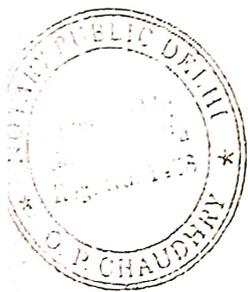
- 1. That I am the Partner in the firm Kamdhenu cement and also Director of the Company Shri Ram ready Mix Concrete Pvt Ltd having Ready Mix Concrete plant at Khasra no 616/2 village Sabhapur Delhi-110094.
- 2. That I have granted the consent order to operate the Ready mix concrete plant at aforesaid address from Delhi Pollution control committee and vide certificate number G-21486 dated 10/01/2022 and the same is vailed up to 09/01/2032.
- 3. That the consent order issued by the DPCC in the name of Kamdhenu Cement.
- 4. That Kamdhenu cement and Shri Ram ready mix concrete both are same having the same management.
- 5. That the GST registration for both Kamdhenu cement and Shri Ram Ready Mix concrete Pvt Ltd having the same address.

[Signature]
Deponent

Verification:-

Verified that the contents of my above affidavit are true and correct to the best of my knowledge and belief.

[Signature]
Deponent



ATTESTED

NOTARY PUBLIC DELHI

[Signature]
Secretary, Board of
Pollution Control
Division-IV
Pollution Control Board
Delhi, Delhi

17 APR 2024

DELHI POLLUTION CONTROL COMMITTEE

(Government of N.C.T. of Delhi)

4th & 5th Floor, ISBT Building Kashmere Gate, Delhi 110006

CONSENT ORDER

Certificate No.: G-23514

| | |
|--------------------------|--|
| Name of the unit | KAMDHENU CEMENT (G) |
| Address | Khasra no. 616/2, Min 4 Bigha 15 Biswas, Village - Sahapur, Shahdara, Delhi - 110094, Permitted Industrial Units, Delhi - 110094 |
| Consent Order No. | DPCC/CMC/2022/7698189 |
| Date of issue | 10/05/2022 |
| Product Activity | Ready Mix Concrete Plants (without trade effluent discharge) |
| Manufacturing Activities | READY MIX CONCRETE |
| Consent Name | [GREEN] |
| Project Capacity | 800 Metric Tonnes/Month |

Consent to Operate is hereby granted under section 21 of the Air (Prevention & Control of Pollution) Act, 1986 and under section 25(26) of the Water (Prevention & Control of Pollution) Act, 1974 under GREEN Category. This consent is subjected to terms and conditions specified overleaf. This is being issued with reference to your application id 7698189 valid from 19/04/2022 to 18/04/2032.

Digitally signed by
Preni Swarup Pankaj
 Date: 2022.05.10
 15:09:30 +0530
 Senior Environmental Engineer


 Preni Swarup Pankaj
 Senior Environmental Engineer
 Delhi Pollution Control Committee



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>)

CONSENT ORDER

Certificate No. :G-21296

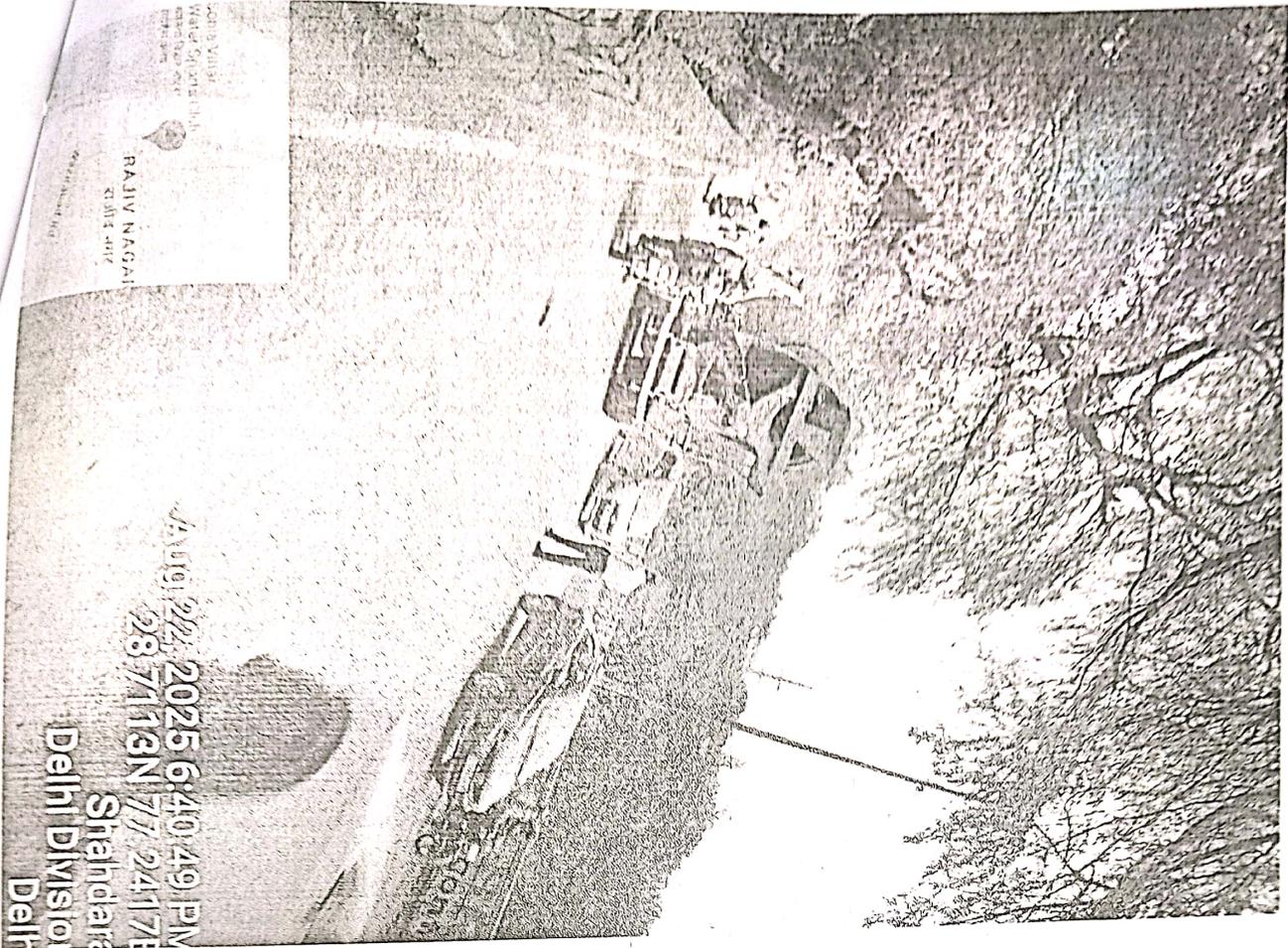
| | | |
|--------------------------|---|--|
| Name of the unit | : | <u>ENPEECON</u> |
| Address | : | KH NO. 434,435,436 VILLAGE SABHAPUR,DELHI-94, Ready Mix Concrete Plant, Delhi - 110094 |
| Consent Order No | : | DPCC/CMC/2021/6977361 |
| Date of issue | : | 22/12/2021 |
| Product/Activity | : | <u>Ready Mix Concrete Plants (without trade effluent discharge)</u> |
| Manufacturing Activities | : | READY MIX CONCRETE PLANT |
| Category Name | : | [GREEN] |
| Product Capacity | : | 46 Cubic Meters/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 GREEN Category. This is being issued with reference to your application id 6977361 valid from 22/12/2021 to 21/12/2031.

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

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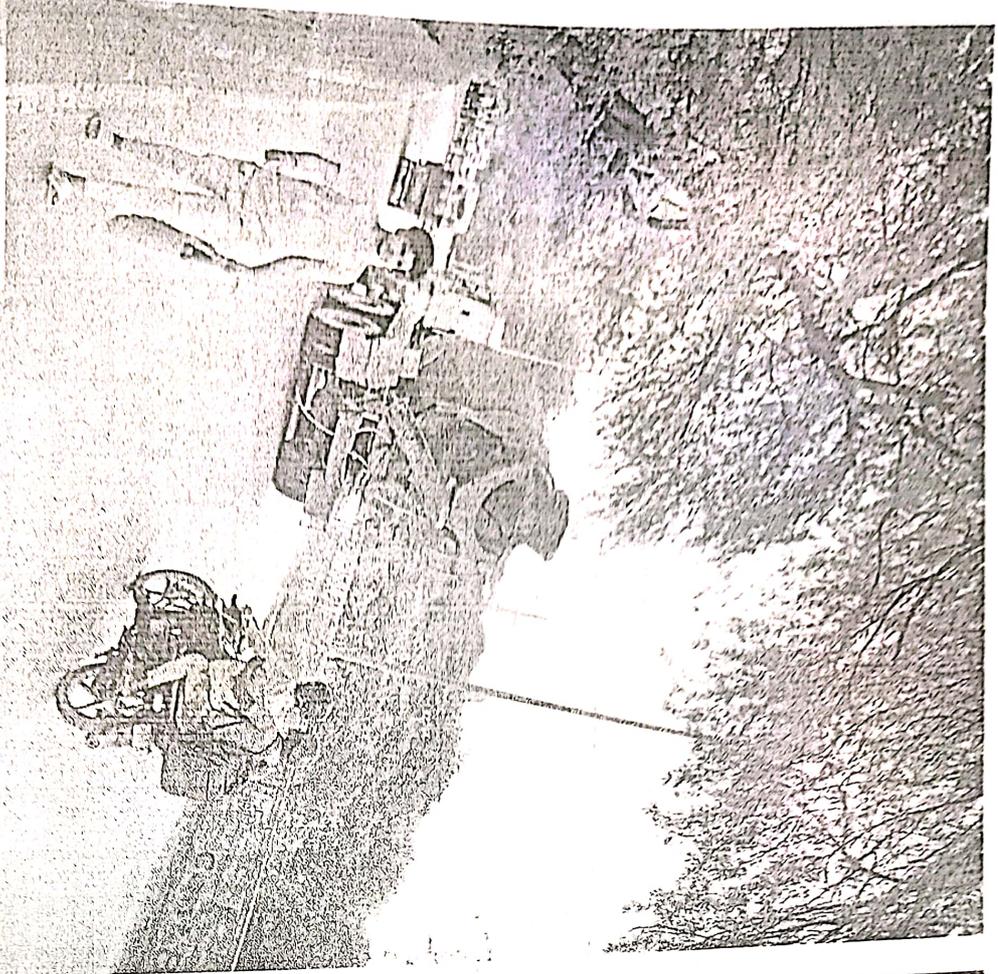

Secretary
Pollution Control
& Flood Control Deptt.
Govt. of Delhi, Delhi



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 28 7/11/21 77 2417E
 Shahdara
 Delhi Division
 Delhi



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 Tondiar City Road
 Delhi
 Delhi Division No. 2

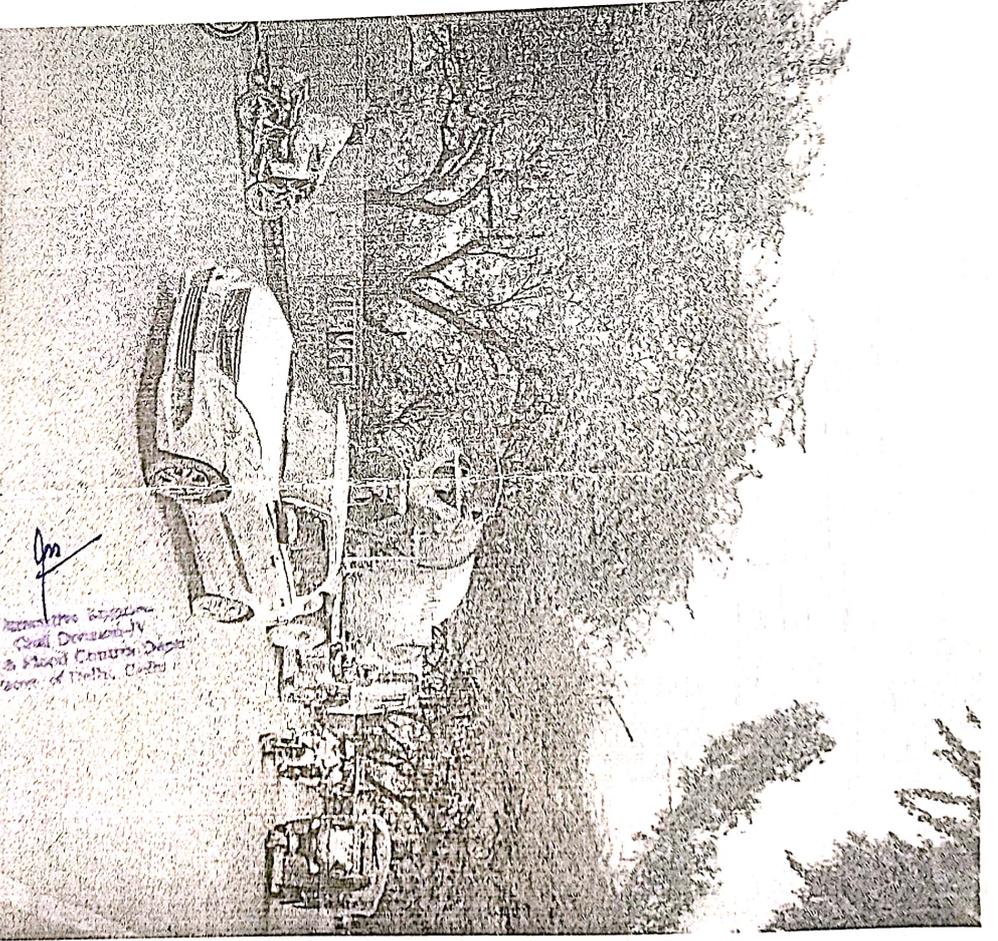


Sonia Vihar
World Sports Club
Kirti Vihar
Delhi-110015

RAJIV NAGAR
Kirti Vihar
Delhi-110015

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Sonia Vihar
Delhi Division
Delhi



Sonia Vihar
World Sports Club
Kirti Vihar
Delhi-110015

RAJIV NAGAR
Kirti Vihar
Delhi-110015

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Signature
Assistant Inspector
Civil Division IV
& Head Constable Dept
Govt. of Delhi, Delhi

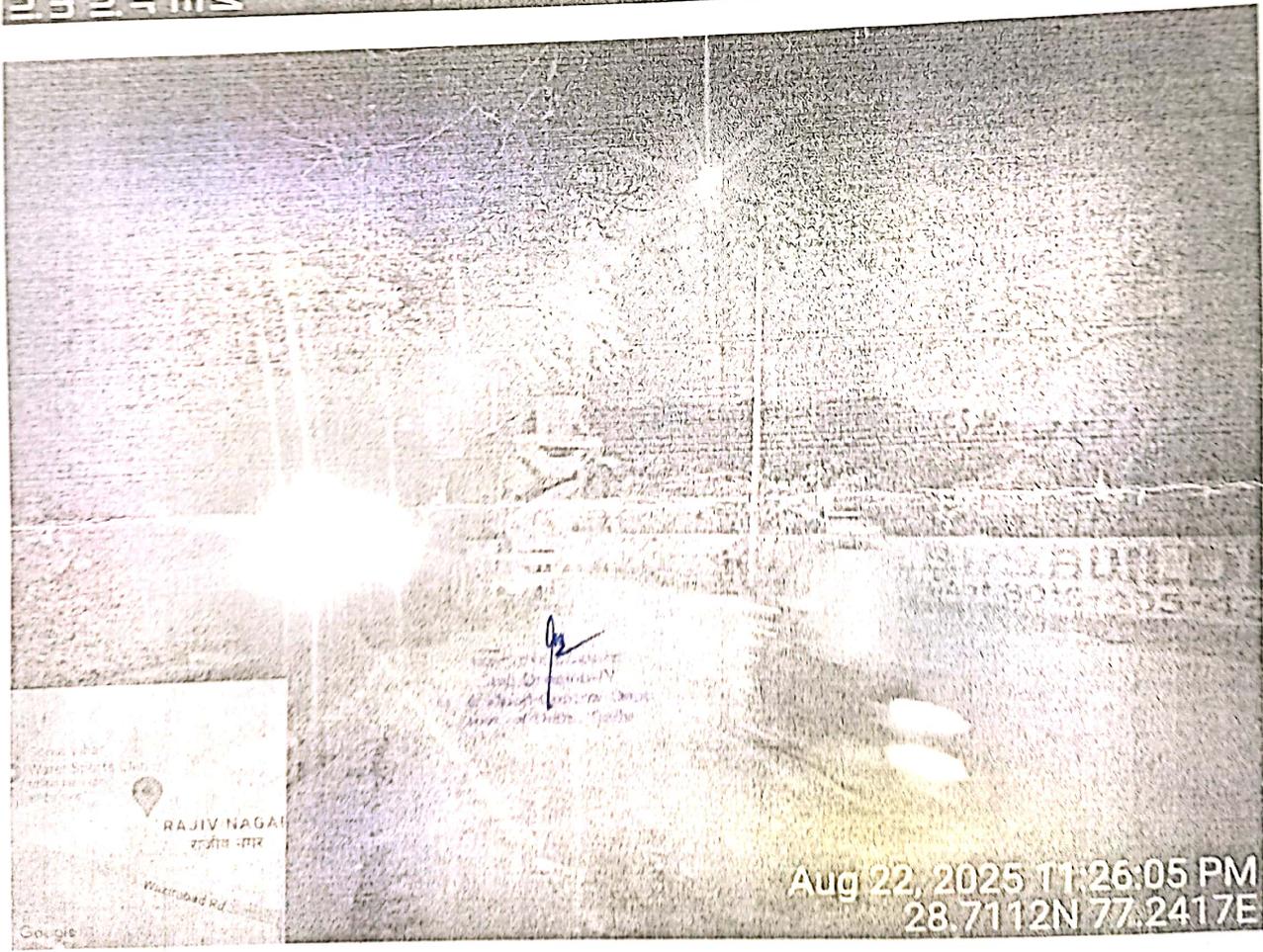
Sonia Vihar
Delhi Division
Delhi

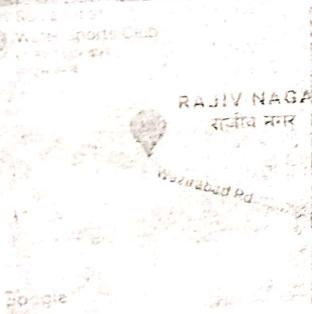
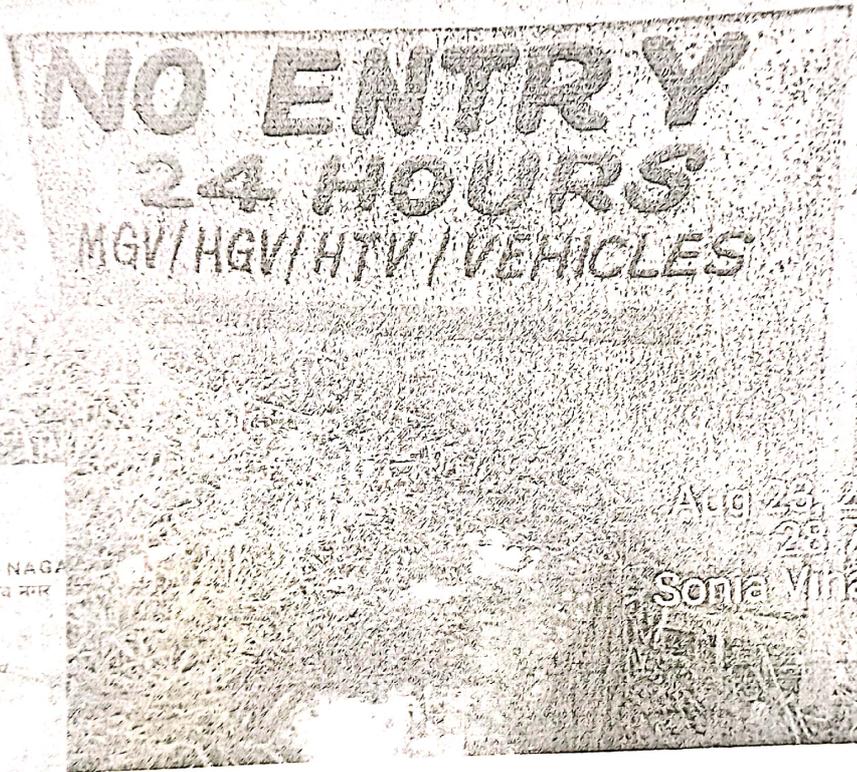


28/08/2012, 4:38 PM
 772 409 999, 4900 E
 Office City-Road
 New 110090
 Delhi
 India
 CALL DIRECTION 4



28/08/2012, 4:32 PM
 772 409 999, 4900 E
 Office City-Road
 New 110090
 Delhi
 India
 CALL DIRECTION 4





Aug 23, 2025 5:24:25 PM
 28° 7'09.2"N 77° 24'13"E
 Sonia Vihar - Pushpa Road
 Sonia Vihar
 Delhi Division
 Delhi

[Signature]
 Executive Engineer
 Civil Drainage-IV
 Flood Control Dept.
 Govt. of Delhi, Delhi.