

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. OA No. 195/2023**

IN THE MATTER OF:

Vivek Mahna

...Applicant

Versus

GOVT OF NCT OF DELHI

...Respondent

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**Filed by Adv. Rajkumar
(On behalf on Central Pollution Control Board)**

**Place: Delhi
Dated: 13.01.2025**

ACTION TAKEN REPORT

BY

CENTRAL POLLUTION CONTROL BOARD

AS PER

HON'BLE NATIONAL GREEN TRIBUNAL

(ORDER DATED 06 MAY, 2024)

IN THE MATTER OF

VIVEK MAHNA

V/S

GOVT OF NCT OF DELHI

IN

ORIGINAL APPLICATION NO.

195/2023

**Action Taken Report in the Matter of Vivek Mahna Versus Govt. of NCT of
Delhi**

(OA No. 195/2023)

1.0 Background:

In the matter of OA No. 195/2023, Vivek Mahna Versus Govt. of NCT of Delhi, as per para 10, 11 and 12 of order dated 06-05-2024 (**Annexure-I**), Hon'ble NGT directed as follows.

Para 10. "The District Magistrate, South West, present in person, has submitted that he will duly consider the issue of cancelling the permission granted to the Project Proponent in view of the violations which have come on record."

Para 11 "When once the violations have been found by the CPCB, appropriate action is also required to be taken by it by duly following the principles of 'Natural Justice.'"

Para 12 "Hence, we dispose of the OA directing the Member Secretary, CPCB to take appropriate action in accordance with law against the violators by duly following the principles of natural justice and submit action taken report....."

2.0 Action taken:

- a. In reference to para 10 of the above-mentioned order of the Hon'ble National Green Tribunal (NGT), the Central Pollution Control Board (CPCB), via letter dated 27-05-2024 and subsequent reminder letter dated 01-07-2024, requested the District Magistrate (DM) of South West to provide information on the actions taken to comply with the Hon'ble NGT order. In response, the DM South West, vide letter dated 10-07-2024, stated that the issue of cancelling the permission granted to the project proponent does not fall within their purview, as they lack the legal authority to address the matter. Consequently, the DM South West issued a letter dated 10-07-2024 to the Deputy Commissioner, Municipal Corporation of Delhi (MCD), and the Executive Engineer, Delhi Pollution Control Committee (DPCC), requesting them to take appropriate action in the matter. Copies of CPCB's letters dated 27-05-2024 and 01-07-2024 to the DM South West are attached as **Annexure-II**, and the response letter, dated 10-07-2024 from the DM South West is attached as **Annexure-III**.
- b. Subsequently, the Central Pollution Control Board (CPCB), vide letter dated 27-05-2024, also requested the Delhi Pollution Control Committee (DPCC)

to provide information regarding violations of conditions stipulated in the Consent to Establish (CTE)/Consent to Operate (CTO) issued to the unit, as well as any other environmental issues committed by the unit over the past five years. In response, the DPCC, via letter dated 21-06-2024, informed that no inspection of the unit in question had been conducted by the DPCC in the last five years, and no environmental compensation had been imposed by the DPCC during this period. A copy of CPCB's letter dated 27-05-2024 is attached as **Annexure-IV**, and the response letter dated 21-06-2024 from the DPCC is attached as **Annexure-V**.

- c. In view of the above, and in exercise of the powers conferred under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, CPCB issued direction dated 16-08-2024 to the Delhi Pollution Control Committee (DPCC) to take immediate necessary action against the unit under reference (M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061) for violating consent conditions, including the levying of environmental compensation, by duly following the principles of 'Natural Justice' and to submit an action taken report to CPCB within 30 days from the date of issuance of the direction.
- d. In compliance of CPCB direction, DPCC issued Show Cause Notices to the unit under reference
 - i. For closure u/s 33(A) of Water Act, 1974 & 31(A) of Air Act, 1981,
 - ii. For imposition of EC of Rs.3,75,000/- and
 - iii. For revocation of consent.
- e. Further, DPCC issued letter to MCD regarding non-compliance with SWM Rules and parking issues on the service road, while letters have also been issued to DM South West and Delhi Jal Board regarding legality of borewell, direction has been given to the unit to stop DG set operation until it complies with CAQM Direction No. 76, and a letter has also been issued to SDM (Kapashera) for taking necessary action under the Noise Pollution (Regulation and Control) Rules, 2000. Copy of the CPCB direction dated 16-08-2024 to DPCC is placed as **Annexure-VI** and action taken report received from DPCC dated 01-10-2024 is placed as **Annexure- VII**.
- f. Central Pollution Control Board (CPCB), via letters dated 28-10-2024, 02-12-2024, and 02-01-2025 (**Annexure-VIII**), requested the Delhi Pollution

Control Committee (DPCC) to provide the compliance status of the show cause notice, directions, and letters issued by the DPCC.

- g. As informed vide email dated 08-01-2025, DPCC has carried out inspection on 05-12-2024 and issued following direction/letter to the unit under reference;
- i. Letter dated 08-01-2025, regarding Revocation/withdrawal of Consent to Operate under section 27 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and, as amended to date.
 - ii. Direction dated 08-01-2025, for closure under section 33 (A) of the Water (Prevention and 1974 and Control of Pollution) Act, under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.
 - iii. Letter dated 08-01-2025, regarding "Order for Imposition of Environmental Compensation" of Rs.3,75,000/- (Rs Three lakhs seventy five thousand only

Copy of the above said directions and letter dated 08-01-2025 issued by DPCC along with email received from DPCC is placed as **Annexure-IX**.

- h. CPCB has also asked DPCC on 10-01-2025 to ensure enforcement of the above directions, dated 08-01-2025 and realisation of Environmental Compensation immediately. Further, DPCC has also been asked to ensure monitoring of compliance of the directions. Copy of letter dated 10-01-2025, in this regard is given at **Annexure-X**.



(Sharandeep Singh)
Scientist 'E'

Central Pollution Control Board

Item No.08

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Original Application No.195/2023
(I.A. No.141/2024)

Vivek Mahna

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 06.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Appellant: Ms. Madhumita Singh, Adv. for Applicant (Through VC)

Respondent: Mr. Raj Kumar, Mr. Sumit Choudhary, Mr. Ankit Choudhary & Ms.
Anamika Singh, Advs. for CPCB
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. with Mr. Lakshay
Singhal, DM (SW), Ms. Namgyal Angmu, SDM Kapashera & Mr. Balram
Meena, ADM (SW)
Ms. Tanisha Samanta, Adv. for DPCC (Through VC)**ORDER**

1. In this Original Application, registered on the basis of the letter petition, the grievance relates to use of green area and parks in village Bijwasan and Bhartal, New Delhi for holding wedding and other social functions causing air pollution and discharging sewage on open land and roads causing water pollution in the area.

2. The Tribunal by order dated 28.04.2023 had constituted a joint Committee and had called for a report from it. The report submitted by the Committee was found to be deficient. The Tribunal on 11.01.2024, having regard to the repeated defaults, had directed the District

Magistrate, District South West to remain personally present through virtual mode on the next date i.e. on 11.03.2024.

3. When the matter was listed on 11.03.2024, the Tribunal had noted the following circumstances for direction to the DM for virtual presence:-

“2. Considering the grievance, Tribunal by order dated 28.04.2023 had constituted a Joint Committee comprising of DPCC and District Magistrate, South West Delhi with the direction to the Committee to visit the site, collect relevant information and submit a factual report within two months. The direction was contained in paragraph 3 of the order dated 28.04.2023 as under:-

*“3. In our view, a substantial question relating to environment due to implementation of Scheduled enactment under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual action taken report, for the purpose whereof, **we constitute a joint Committee comprising DPCC and District Magistrate, South West Delhi who shall visit the site, collect relevant information and submit a factual report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.**”*

3. A report dated 01.08.2023 was submitted under the signature of the District Magistrate, South West Delhi but the said report was not report by the Joint Committee as constituted by the Tribunal by order dated 28.04.2023. Along with the so called report dated 01.08.2023, a joint Inspection report by JEE, DPCC and Patwari, Revenue Department was submitted but that was not the joint Committee constituted by the Tribunal. The Tribunal in the order dated 31.10.2023 had taken note of the report dated 01.08.2023, submitted on 30.10.2023 and had observed as under:-

*“4. A report on 30.10.2023 has been filed under the signature of the District Magistrate, District South West but a perusal of the said report reveals that the report is based upon the joint inspection done by JEE, DPCC and Patwari, Revenue Department. **The joint inspection has not been done by the joint Committee which was constituted by this Tribunal and as per the direction of the Tribunal.** A perusal of the report also reveals that the inspection was done when no function was being held at the alleged site. The violation by concerned person at the time of holding of functions can be ascertained if the inspection is done at the time when the activity is going on at the site. We also gather from the photographs that a DG set has been kept there but there is no report in respect of the pollution being caused by it.”*

4. Thus, the Tribunal has clearly mentioned that the Joint Inspection was not done by the Joint Committee constituted by the Tribunal and it was based upon the Joint Inspection done by the authorities which were not the Members of the Joint Committee constituted by the Tribunal. Hence, on that date, the SDM, Kapashera appearing on behalf of the District Magistrate, District South West had submitted that a fresh report covering all the points reflected in the order will be submitted by the Committee after due compliance of direction of the Tribunal. The statement so made by SDM, Kapashera was recorded in the proceedings dated 31.10.2023 as under:-

“5. Ms. Namgyal Angmu, SDM Kapashera appearing on behalf of the District Magistrate, District South West has submitted that a fresh report **covering all the above points will be submitted by the joint Committee after due compliance of the directions of the Tribunal.**

6. **Hence, we give further six weeks’ time to the joint Committee to carry out the inspection keeping in view the observations made above and submit a fresh report by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”**

5. In view of the above, the Tribunal had granted further six week’s time to the Joint Committee to carry out the inspection and submit a fresh report.

6. A second report dated 06.12.2023 was again submitted under the signature of the District Magistrate, District South West. The report did not bear the signature of both the Members of the Joint Committee. Hence, the Tribunal by order dated 11.01.2024 had mentioned as under:-

“4. **Now again, a report dated 06.12.2023 under the signature of District Magistrate, District South West alone has been filed. It does not contain the signature of the Member or authorized representative of DPCC. The report is incomplete.** It has been pointed out by the applicant that there are three banquet halls namely Crystal, Pearl and Sapphire in Krishna Greens and the report does not reflect as to which banquet hall was inspected. It has also been stated that there are toilets and washrooms in the banquet halls but they have not been inspected and it has not been disclosed as to where the sewage from these toilets is going when no sewer connection has been provided by the MCD. It has also been stated by Counsel for the applicant that even the capacity of the STP set up has not been disclosed and that the report relating to the noise pollution is in respect of the sample which was taken on 08.06.2023, much prior to the previous direction of the Tribunal. She has also pointed out that the report does not reflect the number of borewells and the extent of ground water being drawn by these banquet halls.”

Tribunal by order dated 06.12.2023 had directed personal presence of the District Magistrate, District South West through virtual mode today.”

4. When inspite of the above said direction, the District Magistrate had not appeared virtually, therefore, Tribunal by noting the relevant circumstances had imposed the cost of Rs. 25,000/- by observing as under:-

“8. In spite of the clear direction of the Tribunal, the District Magistrate, District South West has not appeared virtually today. He has also not filed any application seeking exemption for appearance or disclosing any reason or difficulty on account of which he has failed to appear virtually today. Mr. Balram Meena, ADM South West, has appeared virtually and has very bluntly said that the report of the Joint Committee was already filed and that the District Magistrate is held up in some function, therefore, he cannot appear. Hence, we have no option but to impose a cost of Rs. 25,000/- for non-compliance of the repeated direction, payable by the District Magistrate, District South West which will be deposited with the Registrar General of the Tribunal within two weeks.”

5. There was a fresh direction to the District Magistrate, South West to file a fresh report and also to appear personally today.

6. An I.A No. 141/2024 has been filed by the District Magistrate, South West seeking waiver of cost and taking the plea that on account of programme of Hon'ble Home and Cooperation Minister, Government of India on 11.03.2024, he had failed to appear and he has also mentioned the circumstances due to which the ADM, South West who had appeared virtually could not make the proper submissions. DM and ADM both have personally appeared today and tendered apology. Hence, in the circumstances mentioned in the application, I.A. No. 141/2024 is allowed and the cost of Rs. 25,000/- imposed by the order dated 11.03.2024 upon the District Magistrate, South West is waived.

7. In terms of the earlier order of the Tribunal, fresh report by the CPCB has been filed on 07.03.2024. The fresh report reveals that the

permission for commercial use of the property located at H-1, Pushpanjali Farms Link Road Dwarka, Delhi for holding social functions such as weddings, parties etc. was granted and that the unit consist of the three halls namely Hall no. 1-Sapphire, open lawn adjoining to Sapphire, Hall No. 2- Pearl and Hall No. 3 - Crystal. The report of the CPCB is as follows which reflects violations by the Project Proponent:-

“3.3 Water supply:

During the inspection,

- i. *It was observed that there was no water supply connection in the unit.*
- ii. *The unit informed that the water requirements for various purposes such as cleaning utensils, toilets, and a small swimming pool are being met through tankers. Additionally, drinking water is provided to customers via RO water jars as per the requirement. Tanker bill dated 27.02.2024 was provided by the unit (**Copy is enclosed in Annexure-IV.**), for the period from 04.02.2024 to 26.02.2024, indicating the procurement of 12 tankers, each carrying 5000 liters of water for per function. However, the team did not observe any tanker on 25.02.2024 during the function, and no water storage tank of 5000 liters capacity was found on site.*
- iii. *One bore well was also found in the unit and no water meter was installed on the bore well. The unit informed that bore well is legally installed. In this regard, unit has provided copy of Delhi Jal Board letter dated 16.05.2015 and the order of SDM Kapashera dated 29.06.2015 (**Copy is enclosed in Annexure-V**) wherein it is mentioned that bore well is not illegal. However, the unit has not provided supporting document regarding permission from Central Ground Water Authority (CGWA) or any records on the utilization of bore well water.*

3.4 Waste Water Management:

During inspection, it was observed that there is no sewerage network in the area. The unit has installed Effluent Treatment Plant (ETP) for the treatment of kitchen effluent and Septic Tank for waste generated from toilets and urinals.

- i. *Observations regarding Effluent Treatment Plant;*
 - a. *The ETP was found to be in non-operational condition. The oil & grease trap and drainage system for transporting effluent were choked and filled with solid waste.*
 - b. *There was no meter installed at the inlet and outlet of the ETP.*

- c. No arrangements were made for the storage of untreated water during maintenance of the ETP.
 - d. The logbook was not being maintained regarding the operation and maintenance of ETP.
 - e. No information was provided regarding the utilization of treated water.
 - f. There was no ETP operator present during the inspection for the operation of the ETP.
 - g. The unit has not provided any documents regarding the layout diagram and capacity of the ETP.
- ii. Observations regarding Septic tank;
- a. Unit has constructed toilets for each hall and separate toilets for workers.
 - b. The discharge from toilets and urinals of the unit was being managed through the septic tank.
 - c. Unit provided a copy of the bill dated 28.02.2024 regarding cleaning services of the septic tank during February 2024 through Gopal Gulia (**Copy enclosed in Annexure-VI**). However, the unit has not provided any record that M/s Gopal Gulia is authorized for the collection of septic tank waste and the collected waste is being sent to centralized STP.

3.5 Solid Waste Management

During the Inspection, it was observed that;

- i. The unit was not adhering to Rule 4(1) of the Solid Waste Management Rules, 2016, as it was not segregating dry and wet waste and has not provided separate bins accordingly.
- ii. Facility for composting or bio-methanation, as mandated by Rule 4(8) of the Solid Waste Management Rules, 2016, has not been installed by the unit.
- iii. The unit has informed that all unsegregated solid waste is being collected by M/s Delhi Waste Management Najafgarh Pvt Ltd at the rate of ₹ 5000/- per month. A copy of the invoice issued by M/s Delhi Waste Management Najafgarh Pvt Ltd for the month of February 2024 has been provided. (**Copy is enclosed in Annexure-VII**)

3.6 Air Pollution Control Measures

During inspection, it was observed that;

- i. Proper ducting arrangements have been installed in the kitchens to channelize air emissions effectively.
- ii. Gas-based Tandoors were being used for cooking purposes.
- iii. A total of 6 diesel generators of different capacities have been installed in the unit, primarily used for power supply during functions. However, following noncompliance observed:
 - a. Only two diesel generators, with capacities of 250 kVA and 500 kVA, are mentioned in the Consent to Operate (CTO).

- b. As per CAQM direction no. 76, dated 29.09.2023 (amended on 22.02.2024). **(Copy is enclosed in Annexure VIII)**, installation of Dual Fuel Kits or Retro-fitted ECDs through certified vendors/agencies is mandatory for all 6 diesel generators in the unit. However, No action has been initiated for the installation of Retro-fitted ECDs or Dual Fuel Kits. Furthermore, logbooks for DG sets were not maintained.

S.No	Capacity In kVA	Status of Compliance of CAQM direction no 76	Remarks
1	250	Non-compliant and No action initiated for installation of RECD/Dual Fuel Kit.	DG sets logbook not maintained.
2	250		
3	125		
4	125		
5	125		
6	380		

- iv. In addition to this, the unit has also obtained a power connection from BSES with a sanctioned load of 6.0 kVA,

3.7 Noise Pollution:

- All 6 diesel generators (DG sets) in the premises are equipped with acoustic enclosures, ensuring noise reduction during operation.
- DJ (Music) system has been installed in all three halls (Sapphire, Pearl and Crystal).
- However, it was observed during the inspection that music was being played on the DJ system beyond 10:00 PM in the open lawn area adjoining Sapphire Hall No. 01.

3.8 Fire Safety Certificate:

The unit has provided a copy of the fire safety certificate issued to M/s Krishna Green Farm House, valid from 11.03.2021 for a period of three years i.e. renewal due on or before 11.03.2024 **(Copy is enclosed in Annexure-IX)**. However, it was noted that the Consent to Operate (CTO) issued by the Delhi Pollution Control Committee (DPCC) is in the name of Krishna Green by Mapple Gold.

Parking Arrangement:

- The unit has informed that vehicles are being parked in adjacent properties H-3 and H-4. However, the documentation provided indicates a with H-3 only. **(Copy is enclosed in Annexure-X)** No document has been provided for the parking agreement with the H-4 property.
- During the inspection, it was observed that the unit had deployed traffic marshals and valet parking facilities, and cars were being parked in the H-3 property. However, it was noted that the entry and exit were common, and a few cars were also parked on the service road.

8. The report of the CPCB makes following recommendations:-

“4.0 Recommendations:

1. *The unit must ensure the proper maintenance and operation of the ETP and deploy trained operators for its operation.*
 2. *The unit shall ensure that after cleaning the septic tank, waste is transported to centralized STPs only through authorized tankers or service providers.*
 3. *Unit may take appropriate action as per CGWA guidelines regarding use of bore well.*
 4. *The unit shall place sufficient number of separate bins for waste segregation at the source and install facilities for composting or bio-methanation for the treatment of biodegradable waste.*
 5. *The unit must ensure compliance with Direction No. 76 dated 29.09.2023 issued by CAQM regarding the use of DG sets in the Delhi NCR area.*
 6. *The unit must ensure compliance with the Noise Pollution (Regulation and Control) Rules, 2000.*
 - a) *According to Rule 5(2) of the Noise Pollution (Regulation and Control) Rules, 2000, sound-producing instruments or musical instruments shall not be used during night time (10:00 PM to 6:00 AM) except in closed premises.*
 - b) *As per Rule 5A(2), sound-emitting firecrackers shall not be burst in silence zones or during night time.*
 7. *The unit must ensure that functions are only booked according to the parking capacity/parking agreement, and no vehicles are to be parked on adjacent roads or service roads.*
 8. *The fire safety certificate to be renewed and updated for the unit.*
 9. *The Municipal Corporation of Delhi should ensure that the banquet hall is operating in accordance with its permission dated 27.04.2009.”*
9. The Joint Committee has also filed following fresh report dated 20.03.2024, reflecting the violation by the unit in question:-

“(3) Details of the inspection team: *Sh. Lakshay Singhal — DM, South West District, Sh. Amzad Khan - JEE, DPCC*

(10) Treatment of Waste Water generated from the kitchen and mode of disposal of treated effluent:

4. *During the time of inspection operator started the plant and the same was found operational.*
5. *Flow meter was not found installed in the plant.*

(11) Details of Power supply and DG sets in the unit:

3. *Logbook of DG sets is not maintained as it is not shown to the joint inspection team.*

(12) Compliance of CAQM directions with respect to DG sets:

All the 06 DG sets are non-compliant wrt CAQM directions No-76.

Unit owner informed that they are in the process of installing Retrofitting Emissions Control Device (RECD) and unit also provided purchase order of 6 RECD dated 05.03.2024. Copy of the order placed is enclosed as Annexure-7

(15) Ground water extraction and permission from Competent Authority:

*01 Borewell was found installed in the banquet for which unit owner had shown certificate of registration from CGWA dated 10.11.1998. However, purpose for which the permission was given is not shown to the joint committee whether it was given for agriculture purpose or commercial purpose. Copy of the same is enclosed as **Annexure-6**. Currently the borewell is being used for commercial purpose. No permission from the District Advisory Committee (DAC) for the borewell as per the Notification of Department of Environment dated 12.7.2010.*

- (16) Fire safety:** *Unit has informed the Joint Committee during the inspection that they have applied for renewal of the same, but no document was shown to the inspection team.*

(17) Parking facilities: *no parking agreement of property H2 was furnished by the owner. Copy of the agreement is enclosed as Annexure-8.”*

10. The District Magistrate, South West, present in person, has submitted that he will duly consider the issue of cancelling the permission granted to the Project Proponent in view of the violations which have come on record.

11. When once the violations have been found by the CPCB, appropriate action is also required to be taken by it by duly following the principles of 'Natural Justice'.

12. Hence, we dispose of the OA directing the Member Secretary, CPCB to take appropriate action in accordance with law against the violators by duly following the principles of natural justice and submit action taken report before the Registrar General of the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and if found necessary, the matter may be listed before the Bench for consideration.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 06, 2024
Original Application No.195/2023
(I.A. No.141/2024)
SN



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

No.: CM-13011/16/2024-LAW-HO-CPCB-HO

1855

May 27, 2024

To

The District Magistrate, South West Delhi
South West District
Old Terminal Tax Building,
Kapashera, New Delhi – 37

Subject: Hon'ble National Green Tribunal (NGT) Order dated 06.05.2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Sir,

This is in reference to the Hon'ble National Green Tribunal order dated 06.05.2024 (copy enclosed) in the matter of Vivek Mahna Vs Govt. of NCT of Delhi (Original Application No. 195/2023 (I.A. No. 141/2024)) wherein the Hon'ble NGT has issued the following direction in paragraph No. 10 of the said order.

“10. The District Magistrate, South West, present in person, has submitted that he will duly consider the issue of cancelling the permission granted to the Project Proponent in view of the violations which have come on record.”

In view of the above, it is requested to kindly provide information on action taken by your Office to Central Pollution Control Board (soft copy of same may please also be provided to email: sharandeep.cpcb@nic.in) to facilitate Central Pollution Control Board for taking further necessary action so as to comply with the Hon'ble NGT direction within the stipulated time frame. The information may please be provided within two weeks from date of issue of this letter.

Encl.: As above

Yours faithfully,

Sharandeep
27.05.24

(Sharandeep Singh)
Head-UPC-I

2146/074/24
28/05/2024

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत
28/05/2024

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



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MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Reminder

No.: CM-13011/16/2024-LAW-HO-CPCB-HO 2654

July 01, 2024

To

The District Magistrate, South West Delhi
South West District
Old Terminal Tax Building,
Kapashera, New Delhi – 37

Subject: Hon'ble National Green Tribunal (NGT) Order dated 06.05.2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Ref: This office letter of even no dated 27.05.2024

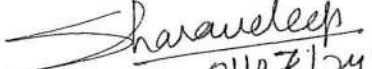
Sir,

This is in reference to this office letter of even no. dated 27.05.2024 (copy enclosed) and further emails dated 14.06.2024 & 24.06.2024 wherein it was requested to provide information on action taken in compliance to para 10 of the Hon'ble National Green Tribunal order dated 06.05.2024 in the matter of Vivek Mahna Vs Govt. of NCT of Delhi (Original Application No. 195/2023 (I.A. No. 141/2024).

In this regard, it is informed that CPCB has not received any information as on date. Further, it is requested to kindly provide desired information by 02.07.2024 on action taken to comply the para 10 of the said Hon'ble NGT order to Central Pollution Control Board (soft copy of same may please also be provided to email: ckdxit.cpcb@nic.in) to facilitate Central Pollution Control Board for taking further necessary action so as to comply with the Hon'ble NGT direction within the stipulated time frame.

Encl.: As above

Yours faithfully,


(Sharandeep Singh)
Head-UPC-I

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
नियंत्रण निदेशक
दिनांक 02/07/2024

2231/UPC/24
01/07/24

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING: KAPASEHRA N.DELHI 110037

No. District Magistrate/SW/NGT/File No. 096766440/2024/65169

Dated: 10/7/24

Subject: Reply of letter no. 1855 dated 27.05.2024 in the matter of "Vivek Mahana Vs. GNCT of Delhi (Ref. OA No. 195/2023 & IA No. 141/2024).

Please refer to your letter No.1855 dated 27.05.2024 regarding Hon'ble NGT's order dated 06.05.2024 in the matter of "Vivek Mahana Vs. GNCT of Delhi".

In this connection, It is to inform that the issue of cancelling the permission granted to the project proponent does not fall under the preview of the undersigned, as there are no legal powers provided to the DM(SW) for the same. Hence, this office has issued letter (copy enclosed) to the concerned department i.e. DC(MCD) Najafgarh Zone & Executive Engineer(DPCC) for taking appropriate action in respect of the violations recorded by the Joint Inspection Committee (formed by Hon'ble NGT) against the violators with the direction to submit Action Taken report to this office for further submission to Hon'ble NGT.

(LAKSHAY SINGHAL, IAS)
DISTRICT MAGISTRATE (SW)

LAKSHAY SINGHAL, IAS
District Magistrate
South-West Delhi
Old Terminal Tax Building
Kapashera, New Delhi-110037

To,

Sh. Sharandeep Singh, Head-UPC-I,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
New Delhi-110032.



GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING: KAPASEHRA N.DELHI 110037

No. District Magistrate/SW/NGT/File No. 096766440/2024/65170

Dated: 10/7/24

Subject: ATR in the matter of "Vivek Mahana Vs. GNCT of Delhi (Ref. OA No. 195/2023 & IA No. 141/2024).

Whereas, the directions passed by the Hon'ble NGT vide order dated 06.05.2024 in the matter of "**Vivek Mahana Vs. GNCT of Delhi**" for taking necessary action against the violators (Copy of order is enclosed herewith for perusal).

Therefore, in view of above, please take appropriate action in respect of the violation recorded by the Joint Inspection Committee against the violators in accordance with law and submit **Action Taken Report** to this office at the earliest so that a detailed report may be submitted to the Hon'ble NGT.

(LAKSHAY SINGHAL, IAS)
DISTRICT MAGISTRATE (SW)

To

LAKSHAY SINGHAL, IAS
District Magistrate
South-West Delhi
Old Terminal Tax Building
Kapasehra, New Delhi-110037

1. Dy. Commissioner, MCD(Najafgarh Zone), Near Dhansa Bus Stand, Najafgarh, Delhi	2. Executive Engineer, DPCC 4th & 5th Floor ISBT, Kashmere Gate, Delhi, Delhi 110006
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192

Annexure-IV

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

No.: CM-13011/16/2024-LAW-HO-CPCB-HO (854)

May 27, 2024

To

The Member Secretary
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmiri Gate
Delhi – 110006

Subject: Hon'ble National Green Tribunal (NGT) Order dated 06.05.2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Sir,

This is in reference to the Hon'ble National Green Tribunal order dated 06.05.2024 (copy enclosed) in the matter of Vivek Mahna Vs Govt. of NCT of Delhi (Original Application No. 195/2023 (I.A. No. 141/2024)), wherein the Hon'ble NGT has issued the following direction for the Central Pollution Control Board.

“11. When once the violations have been found by the CPCB, appropriate action is also required to be taken by it by duly following the principles of ‘Natural Justice’.

12. Hence, we dispose of the OA directing the Member Secretary, CPCB to take appropriate action in accordance with law against the violators by duly following the principles of natural justice and submit action taken report before the Registrar General of the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF and if found necessary, the matter may be listed before the Bench for consideration.”

To comply above directions, CPCB needs to take appropriate action and in view of this, it is requested to provide information about violation/s w.r.t. conditions stipulated in CTE/CTO issued to the unit and other environmental issues committed by M/s Krishna Green by Mapple

Page 1 of 2

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

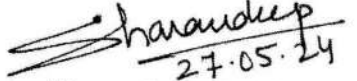
Gold, H 1, Pushpanjali Farms NH-8 Link Road Dwarka, Bharthal Road, Delhi-110061 as per last 05 years record of Delhi Pollution Control Committee in the following format:

S. No.	Description of violation	Exact duration of violation		Remark if any
		From date	To date	

It is requested to provide the requisite information within two weeks from date of issue of this letter, to the office of the undersigned (soft copy of same may please also be provided to email: sharandeep.cpcb@nic.in) to facilitate Central Pollution Control Board for taking further necessary action so as to comply with the Hon'ble NGT direction within the time frame.

Encl.: As above

Yours faithfully,




27.05.24
(Sharandeep Singh)
Head-UPC-I

2147/cpcb/24
28/05/2024

केंद्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत...
दिनांक...
28/5/2024

of

By Speed Post/email

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23/534

Date: 21/06/2024

To,

The Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan, East Arjun Nagar,
 New Delhi-110032.

Subject: Hon'ble National Green Tribunal order dated 06.05.2024 in Original Application No- 195/2023(I.A. No 141/2024) titled Vivek Mahna Vs Govt of NCT of Delhi.

Ref: Letter No.CM-13011/16/2024-LAW-HO-CPCB-HO dated 27.5.2024

Sir,

This refers to your letter dated 27.05.2024 seeking information about violations w.r.t. conditions stipulated in CTE/CTO issued to the unit and other environmental issues committed by M/s Krishna Green by Mapple Gold, H-1, Pushpanjali Farms, NH-8 Link Road, Dwarka, Bharthal Road, Delhi-110061 as per last 05 years record of Delhi pollution Control Committee.

It is to submit that as per the records of last 5 years no inspection of this unit was carried out by DPCC alone and no EC was imposed on the unit during the last 5 years by the DPCC. Inspections were carried out by the Joint Committee (Revenue dept. and DPCC officials) constituted by Hon'ble NGT in the present matter and the reports have been filed before Hon'ble NGT.



BMS Reddy
 (Dr. BMS Reddy)
 SEE, CMC-II

Dr. B.M.S. Reddy
 Senior Environmental Engineer
 Delhi Pollution Control Committee
 4th & 5th Floor, ISBT Building,
 Kashmere Gate, Delhi, Delhi-110006



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

No.: CM-13011/16/2024-LAW-HO-CPCB-HO

3574

August 16, 2024

To,

The Member Secretary
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi – 110006

Subject: Directions under section 18 (1) (b) of the Water (Prevention and Control of Pollution) act, 1974, and & the Air (Prevention & Control of Pollution) Act, 1981 regarding non-compliance status of M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi – 110061.

WHEREAS, amongst others, under section 17 of the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the State and to secure the execution thereof; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the Rule framed there under; and

WHEREAS, in the Hon'ble National Green Tribunal Original Application No. 195/2023 titled "Vivek Mahna Versus Govt. of NCT of Delhi", applicant's grievance relates to use of green area and parks in village Bijwasan and Bhartal, New Delhi for holding wedding and other social functions causing air pollution and discharging sewage on open land and roads causing water pollution in the area; and

WHEREAS, Hon'ble NGT vide its order dated 11.01.2024 in the above matter, directed the following:

"...6. In the circumstances of the case, we direct the Member Secretary, CPCB to get the fresh inspection done when the function is going on and ascertain the correct position and file the report...."; and

WHEREAS, M/s Krishna Green by Mapple Gold (herein after referred as "The unit") is a Banquet Hall located at H 1, Pushpanjali Farms NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 & possesses Consent to Operate dated 29.08.2023 under Air & Water, Act issued from Delhi Pollution Control Committee (DPCC) which is valid from 26.05.2023 to 25.05.2033 and under Orange category; and

WHEREAS, a team of officials from CPCB inspected the unit on 22.02.2024 & 25.02.2024. During said inspection, following violations were observed:

1. The Effluent Treatment Plant (ETP) installed in unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection. No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit during the inspection violating the condition of Consent to Operate (CTO) dated 29.08.2023 issued by DPCC.
2. Non-adherence to Rule 4(1) (a) of the Solid Waste Management Rules, 2016, by the unit as the unit was not segregating dry and wet waste or providing separate bins, and had failed to install a composting or bio-methanation facility as mandated by Rule 4(8) of the said rules.
3. Only two diesel generators with capacities of 250 kVA and 500 kVA are mentioned in the CTO, but a total of six diesel generators of capacities 250 kVA (2 Nos), 125 (3 Nos) and 380 kVA (01 No.) were found installed in the unit, violating CTO condition. Further all six diesel generators are found noncompliant to Direction 76 dated 29.09.2023 issued by Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) requiring Dual Fuel Kits or Retro-fitted Emission Control Devices (RECD). The timeline for compliance of said direction was 30.09.2023. The logbooks for the generators were also not maintained.
4. Music was being played on the DJ system beyond 10:00 PM in the open lawn area of the unit which is a violation of Rule 5(2) of Noise pollution (Regulation and Control) Rules, 2000.
5. Vehicles were parked in adjacent properties with Plot No. H-3 and H-4. However, vehicles were also parked on service road violating the guidelines mentioned in permission dated 27.04.2009 issued by MCD. Further, the documentation provided by unit indicates a parking agreement only with H-3; and

WHEREAS, as evident from the above non compliances observed by the inspection team that the Unit found non-complying w.r.t the stipulated consent conditions of PCC; and

WHEREAS, the report has been submitted to Hon'ble NGT on 07.03.2024 by CPCB and vide its Order dated 06.05.2024, Hon'ble NGT directed the following,

"...11. When once the violations have been found by the CPCB, appropriate action is also required to be taken by it by duly following the principles of 'Natural Justice'.

12. Hence, we dispose of the OA directing the Member Secretary, CPCB to take appropriate action in accordance with law against the violators by duly following the principles of natural justice and submit action taken report before the before the Registrar General of the Tribunal...."; and

NOW, THEREFORE, in exercise of the powers conferred under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, Delhi Pollution Control Committee (DPCC) is hereby directed to take immediate necessary action against the Unit [M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi - 110061] for violating consent conditions including levying of environmental compensation by duly following the principles of 'Natural Justice' and ensure that the unit is permitted to operate with compliance of the following:

1. Proper parking arrangements. Functions shall only be booked according to the parking capacity/parking agreement, and no vehicles are to be parked on adjacent roads or service roads.
2. Proper operation and maintenance of its Effluent Treatment Plant (ETP) and septic tank and must not discharge any untreated effluent outside the premises.
3. Installation of flow meter at the inlet and outlet of the ETP and maintain proper records for the same.
4. Having necessary arrangements for the storage of untreated water during the maintenance of the ETP, maintenance of logbook regarding the operation and maintenance of the ETP, and explore provisions regarding the utilization of treated water.
5. Adherence to the provisions of the Solid Waste Management Rules, 2016. The unit shall place a sufficient number of separate bins for waste segregation at the source and install facilities for composting or bio-methanation for the treatment of biodegradable waste.
6. Compliance with CAQM Direction No. 76 dated 29.09.2023, as amended, and other directions issued by CAQM from time to time regarding the use of DG sets in the Delhi NCR area, and also maintain logbooks for the same.
7. Compliance with the Noise Pollution (Regulation and Control) Rules, 2000.
 - a. According to Rule 5(2) of the Noise Pollution (Regulation and Control) Rules, 2000, sound-producing or musical instruments shall not be used during night-time (10:00 PM to 6:00 AM) except in closed premises.
 - b. As per Rule 5A (2), sound-emitting firecrackers shall not be burst in silence zones or during night-time.

The action taken report shall be sent to CPCB within 30 days from the date of issuance of this direction. DPCC shall also acknowledge the receipt of this direction to the CPCB within 15 days from the date of receipt.

(Bharat Kumar Sharma)
Member Secretary



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT
(GOVT. OF NCT OF DELHI)
2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER
BELA ROAD, CIVIL LINES DELHI-54
 (visit us at website : <http://dpcc.delhigovt.nic.in/>)



Date: 01/10/2024

DPCC/(10)/(10)/(48)/Leg-23 | 878

To,

The Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan, East Arjun Nagar,
 New Delhi-110032.

Sir,

This is with reference to the directions issued by CPCB dated 16.08.2024 under section 18(1)(b) of Water(Prevention and Control of Pollution) Act, 1974 And the Air(Prevention and Control of Pollution) Act, 1981 regarding non-compliance status of M/s Krishna Green by Mapple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 in one of the NGT matters i.e OA No. 195/2023 "Vivek Mehna Vs. Govt. of NCT of Delhi". Based on the observations/violations of the CPCB inspection team, as intimated in the directions cited above, following actions have been taken by DPCC:

1. Show Cause Notice for closure U/s 33(A) of Water Act, 1974 and 31(A) of Air Act, 1981 has been issued to the unit.
2. Show Cause Notice for imposition of EC of Rs.3,75,000/- has been issued to the unit.
3. Show Cause Notice for revocation of consent has been issued to the unit.
4. Letter to MCD to initiate necessary action as per the provisions of SWM Rules, 2016 for non-compliance of provisions of SWM Rules and for necessary action for parking issue on service road violating the guidelines mentioned in permission dated 27.04.2009 issued by MCD has been issued.
5. Letter to DM South West with a copy to DJB to take necessary action after checking the legality of the borewell has been issued.
6. Direction to the unit to not to operate the DG sets till it complies with the Direction No. 76 of CAQM. Further, the unit has been asked to submit an undertaking to the effect that it has stopped operation of all the DG sets.
7. A letter to SDM (Kapashera) to take necessary action as per the Noise Rules, 2000 has been issued.

Copies of the said letters/SCNs/directions issued by this office are enclosed/attached herewith for your kind reference. Further necessary action will be taken based on the replies to the above said communications.


 Incharge, CMC-II

Dr. B.M.S. Reddy
 Senior Environmental Engineer
 Delhi Pollution Control Committee
 4th & 5th Floor, ISBT Building,
 Kashmere Gate, Delhi, Delhi-110006



1999
DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT
(GOVT. OF NCT OF DELHI)
2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER
BELA ROAD, CIVIL LINES DELHI-54
 (visit us at website : <http://dpcc.delhigovt.nic.in/>)



DPCC/(10)/(10)/(48)/Leg-23/867

Date: 01/10/2024

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms,
 NH-8, Link Road Dwarka,
 Bharthal Road,
 Delhi-110061.

Subject: Show Cause Notice for closure under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

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.

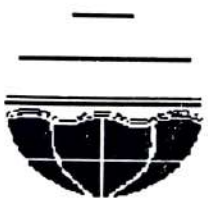

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide Notification No.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

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide Notification No. GSR 106 (E) dated 20.02.1987.

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, in pursuance to the Hon'ble NGT order dated 11.01.2024 in O.A. No.195/2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" inspection of **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061**(hereinafter referred as "Addressee") was carried out by officials of CPCB on 22.02.2024 and 25.02.2024.

Handwritten signature in blue ink.

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23/867

Date: 01/10/2024

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms,
 NH-8, Link Road Dwarka,
 Bharthal Road,
 Delhi-110061.

Subject: Show Cause Notice for closure under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

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, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide Notification No. GSR 106 (E) dated 20.02.1987.

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, in pursuance to the Hon'ble NGT order dated 11.01.2024 in O.A. No.195/2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" inspection of **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061**(hereinafter referred as "Addressee") was carried out by officials of CPCB on 22.02.2024 and 25.02.2024.

Kouly

And whereas, the Effluent Treatment Plant (ETP) installed in the addressee unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection. No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit during the inspection violating the condition of Consent to Operate (CTO) dated 29.08.2023 issued by DPCC.

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, following **proposed directions** are issued:-

1. That the addressee unit shall be directed to stop operations of the unit with immediate effect.
2. That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
3. That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
4. That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.



Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your 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 competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Member Secretary, DPCC.



Incharge, CMC-II

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi, Delhi-110006

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23/868

Date: 01/10/2024

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms,
 NH-8, Link Road Dwarka,
 Bharthal Road,
 Delhi-110061.

Subject: Show Cause Notice for imposition of Environmental 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, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide Notification No. GSR 106 (E) dated 20.02.1987.

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, in pursuance to the Hon'ble NGT order dated 11.01.2024 in O.A. No.195/2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" inspection of **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka,**

Handwritten signature in blue ink.

Bharthal Road, Delhi110061 (hereinafter referred as "Addressee") was carried out by officials of CPCB on 22.02.2024 and 25.02.2024.

And whereas, the Effluent Treatment Plant (ETP) installed in unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection. No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit during the inspection violating the condition of Consent to Operate (CTO) dated 29.08.2023 issued by DPCC.

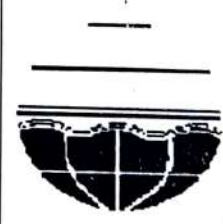

Now therefore, in view of the above, it is proposed to levy Environmental Compensation of **Rs 3,75,000/-** (Rupees Three lakhs seventy Five Thousand Only) for causing damage to the environment by way of discharge of wastewater without requisite treatment.

Hence, by way of this notice, the addressee unit is hereby given an opportunity to submit your 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. Your 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 with the approval of Member Secretary, DPCC.


Incharge, CMC-II

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi, Delhi-110006

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23 | 869

Date: 01/10/2024

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms,
 NH-8, Link Road Dwarka,
 Bharthal Road,
 Delhi-110061.

Subject:- Show Cause Notice for revocation/withdrawal of Consent to Operate under Air(Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, as amended to date.

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, as per the mandatory provisions u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981, no person without the previous consent of the State Pollution Control Board (DPCC in case of Delhi) shall establish or operate any industrial plant in an Air Pollution Control Area.

And whereas, as per the mandatory provisions u/s 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, no person without the previous consent of DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage

Kanishk

or trade effluent into a stream or well or sewer or on land, bring into use any new or altered outlet for the discharge of sewage or begin to make any new discharge of sewage..

And whereas, in pursuance to the Hon'ble NGT order dated 11.01.2024 in O.A. No.195/2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" inspection of **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061** (hereinafter referred as "Addressee") was carried out by officials of CPCB on 22.02.2024 and 25.02.2024.

And whereas, the Effluent Treatment Plant (ETP) installed in unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection. No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit during the inspection violating the condition of Consent to Operate (CTO) dated 29.08.2023 issued by DPCC.

Now therefore, in view of the above, the Competent Authority in DPCC, has proposed to revoke/withdraw the consent to operate issued to the addressee unit as per section 27 of Water (Prevention and Control of Pollution) Act, 1974, as amended to date and section 21 of Air (Prevention and Control of Pollution) Act, 1981 amended to date.

Hence, by way of this notice, the addressee unit is hereby given an opportunity to submit its reply as to why the consent issued earlier on 29.8.2023 should not be revoked/withdrawn in view of the non-compliance (observed by the CPCB officials on 22.02.2024 & 25.02.2024) w.r.t certain terms and conditions laid down/stipulated thereon. Your reply, if any 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

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi, Delhi-110006

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23 / 875-877

Date: 01/10/2024

To,

The Deputy Commissioner,
 Najafgarh Zone,
 Municipal Corporation of Delhi,
 Najafgarh Dhansa Road, Near Dhansa Bus Stand,
 Najafgarh, New Delhi-110043.

Subject- Compliance of provisions of Solid Waste Management Rules, 2016 and Parking guidelines (issued by MCD) by the banquet Hall M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061.

Sir,

This refers to the inspection of the unit "M/s Krishna Greens by Maple Gold" by the officials of CPCB on 22.02.2024 & 25.02.2024 as per the orders of Hon'ble NGT in OA No.195/2023(Vivek Mahna Vs GNCTD). The observations of CPCB during the said inspection(s) are as under:

" (1) Non-adherence to Rule 4(1) (a) of the Solid Waste Management Rules, 2016, by the unit as the unit was not segregating dry and wet waste or providing separate bins, and had failed to install a composting or bio-methanation facility as mandated by Rule 4(8) of the said rules."

" (2) Vehicles were parked in adjacent properties with Plot No. H-3 and H-4. However, vehicles were also parked on service road violating the guidelines mentioned in permission dated 27.04.2009 issued by MCD. Further, the documentation provided by unit indicates a parking agreement only with H-3."

In view of the above, you are kindly requested to initiate necessary applicable action as per the provisions of SWM Rules, 2016 and also initiate necessary action for violation of guidelines mentioned in permission dated 27.04.2009 issued by MCD. An action taken report may kindly be sent to this office within 10 days. An early action in this regard is highly appreciated.

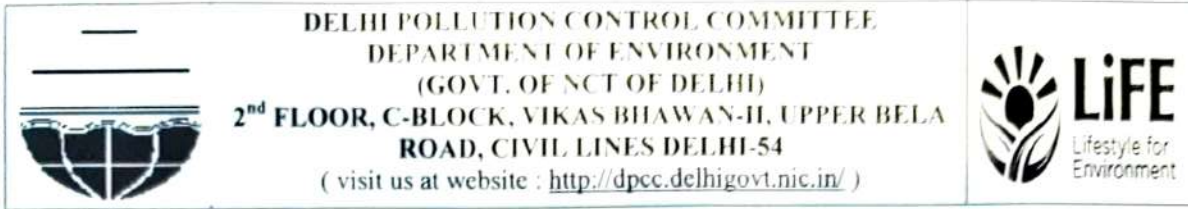

 Incharge, CMC-II

Enclosure:- As Above

Copy to:-

1. The Commissioner, MCD, Dr. S.P.M Civic centre, Minto Road, Ajmeri Gate, New Delhi-110002.
2. Master File, CMC-II.

Dr. B.M.S. Reddy
 Senior Environmental Engineer
 Delhi Pollution Control Committee
 4th & 5th Floor, ISBT Building,
 Kashmere Gate, Delhi, Delhi-110006



DPCC/(10)/(10)/(48)/Leg-23 / 872-874

Date: 01/10/2024

To,

District Magistrate (South-West),
Old Terminal Tax Building,
Kapashera, New Delhi-110037

Subject- Regarding status of Borewell in the banquet Hall M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061.

Sir,

This refers to the inspection of, M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi110061, by the officials of CPCB on 22.02.2424 & 25.02.2024 and joint inspection by DPCC & Revenue department on 16.03.2024 as per the orders of Hon'ble NGT in OA No.195/2023. During the inspections, one borewell was observed in the premises of the unit. The observation of CPCB is as under:

"One bore well was also found in the unit and no water meter was installed on the bore well. The unit informed that bore well is legally installed. In this regard, unit has provided copy of Delhi Jal Board letter dated 16.05.2015 and the order of SDM Kapashera dated 29.06.2015 (Copy is enclosed) wherein it is mentioned that bore well is not illegal. However, the unit has not provided supporting document regarding permission from Central Ground Water Authority (CGWA) or any records on the utilization of bore well water."



In view of the above, you are kindly requested to look into the matter and direct the concerned to check legality of the borewell and take necessary action on priority. An action taken report may kindly be sent to this office. An early action in this regard is highly appreciated.


Incharge, CMC-II

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kapashera Gate, Delhi-110006

Copy to:-

1. Executive Engineer (SW)-II, Delhi Jal Board, NCT of Delhi, Room No 101, P Floor, Over Head Tank, Najafgarh, New Delhi-110043.
2. Master File, CMC-II.

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23 / 870 -871

Date: 01/10/2024

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms,
 NH-8, Link Road Dwarka,
 Bharthal Road,
 Delhi-110061.

Subject- Compliance of Direction No. 76 issued by Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) with respect to DG sets.

Sir,

This refers to the inspection of your unit at the abovesaid address by the officials of CPCB on 22.02.2024 & 25.02.2024 as per the orders of Hon'ble NGT in OA No.195/2023(Vivek Mahna Vs. GNCTD). The observation of CPCB is as under:



" A total of six diesel generators of capacities 250 kVA (2 Nos), 125 (3 Nos) and 380 kVA (01 No.) were found installed in the unit, violating CTO condition. Further all six diesel generators are found non-compliant to Direction 76 dated 29.09.2023 issued by Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) requiring Dual Fuel Kits or Retro-fitted Emission Control Devices (RECD). The timeline for compliance of said direction was 30.09.2023. The logbooks for the generators were also not maintained.."

In view of the above, you are directed to not operate the DG sets till you comply with the Direction No. 76 of CAQM and you are also directed to submit an undertaking to the effect that you have stopped operation of the DG sets.


 Incharge, CMC-II

Copy to:- Master File, CMC-II, DPCC.

Dr. B.M.S. Reddy
 Senior Environmental Engineer
 Delhi Pollution Control Committee
 4th & 5th Floor, ISBT Building,
 Kashmere Gate, Delhi, Delhi-110006

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
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DPCC/(10)/(10)/(48)/Leg-23 / 880-882

Date: 03/10/2024

To,

The SDM(Kapashera),
 Old Tax Terminal Building, Kapashera.
 New Delhi-110037.

Sub; Compliance of order of Hon'ble NGT dated 06.05.2024 in OA No. 195/2023 "Vivek Mehna vs. Govt. of NCT of Delhi"- reg.

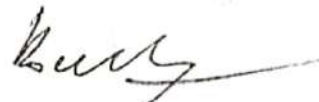
Sir,

Please refer to the order of Hon'ble NGT in OA No. 195 of 2022, observations during the inspection of unit M/s Krishna Greens by Mapple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 by the Joint team of Revenue department and DPCC dated 16.03.2024, findings of the CPCB inspection dated 22.02.2024 & 25.02.2024. Subsequently, CPCB had issued directions under section 18 (1)(b) of Water Act, 1974 and Air Act, 1981 to DPCC vide its letter dated 16.8.2024 directing DPCC to take necessary action including imposition of Environmental Compensation on the unit in question based on the violations observed. One of the violations observed by the CPCB was Music was being played on the DJ system beyond 10:00 PM in the open lawn area of the unit which is a violation of Rule 5(2) of Noise pollution (Regulation and Control) Rules, 2000, on which action is to be taken by the SDM concerned as per the office order issued by the Department of Environment, GNCTD dated 29.11.2022. Copy of the said office order is enclosed/attached herewith for your ready reference and necessary action. Action Taken Report on the issue may kindly be sent to this office within 20 days so that the same can be apprised to the CPCB which will in turn file status report in Hon'ble NGT.

Encl: As above.

Copy to:

- (1) District Magistrate (South-West), Old Terminal Tax Building, Kapashera, New Delhi-110037,
 (2) Master File, CMC-II



Incharge, CMC-II
Dr. B.M.S. Reddy
 Senior Environmental Engineer
 Delhi Pollution Control Committee
 4th & 5th Floor, ISBT Building
 Kapashera Gate, Delhi-110006

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

No.: CM-13011/16/2024-LAW-HO-CPCB-HO

October 28, 2024

To,

The Member Secretary
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi – 110006

Subject: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Ref: 1. CPCB Directions of even no. dated 16-08-2024
2. DPCC letter No. DPCC/(10)/(10)/48/Leg-23/878 dated 01-10-2024

Sir,

This is in reference to the Hon'ble NGT order dated 06-05-2024 in the matter OA No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi and subsequent direction dated 16-08-2024 issued to DPCC by CPCB in compliance of said NGT order. Further, DPCC has provided action taken report vide letter dated 01-10-2024 wherein DPCC informed about the issuance of the show cause notice/direction/letters.

In this regard, it is kindly requested to provide the present compliance status of the show-cause notice/direction/letters issued by DPCC.

Yours faithfully,

Sharandeep
28/10/2024
(Sharandeep Singh)

Additional Director & Head-UPC-I

101/UPC-I/24
28/10/2024

ofc

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत
दिनांक 29-10-2024

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

211

Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

Me <ckdixit.cpcb@nic.in>
Sat, 23 Nov 2024 8:42:03 PM +0530 •
To "K.S Jayachandran" <msdpcc@nic.in>
Cc "bmsreddydpcc" <bmsreddy.dpcc@nic.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "UPC I" <upc1.cpcb@gov.in>

Sir,
With reference to subject and letter dated 28-10-2024 enclosed in trailing mail, it is humbly requested to provide the present compliance status of the show-cause notice/direction/letters issued by DPCC.

With Regards
Dr CK Dixit
Scientist C, UPC-I Division
CPCB Delhi

==== Forwarded message =====
From: UPC I <upc1.cpcb@gov.in>
To: "msdpcc" <msdpcc@nic.in>
Cc: "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "CHANDRA KANT DIXIT" <ckdixit.cpcb@nic.in>
Date: Wed, 30 Oct 2024 16:11:00 +0530
Subject: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi
==== Forwarded message =====



Sir,
As directed, please find attached file on above mentioned subject.

With regards,

UPC-I Division
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi – 110032

1 Attachment(s) • Download as Zip



Letter to DPCC regarding NGT O... .pdf
237.8 KB •

212

Fwd: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

Me Me <ckdixit.cpcb@nic.in>
Fri, 20 Dec 2024 10:04:33 PM +0530 •
To "K.S Jayachandran" <msdpcc@nic.in>
Cc "MEMBER SECRETARY CPCB" <mscb.cpcb@nic.in>, "bmsreddydpcc" <bmsreddy.dpcc@nic.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "UPC I" <upc1.cpcb@gov.in>

Sir,
As directed, with reference to CPCB letter dated 28-10-2024 and 02-12-2024 (copy attached), it is kindly requested to provide the present compliance status of the show cause notice/direction/letters issued by DPCC in the matter.
With Regards
Dr CK Dixit
Scientist C, UPC-I Division
CPCB Delhi

==== Forwarded message =====
From: UPC I <upc1.cpcb@gov.in>
To: "msdpcc" <msdpcc@nic.in>
Cc: "bmsreddydpcc" <bmsreddy.dpcc@nic.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "CHANDRA KANT DIXIT" <ckdixit.cpcb@nic.in>
Date: Tue, 03 Dec 2024 11:46:45 +0530
Subject: Fwd: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi
==== Forwarded message =====



☾ **2 Attachment(s)** • [Download as Zip](#) • [Add To](#) >

 Letter - The MS, DPCC - NG... .pdf
615.4 KB • 

 Letter to DPCC regarding N... .pdf
237.8 KB • 



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Reminder

File No.: CM-13011/16/2024-LAW-HO-CPCB-HO

December 02, 2024

To,

The Member Secretary
Delhi Pollution Control Committee
6th Floor, C wing, Delhi Secretariat
I P Estate, Delhi- 110002

Sub: Hon'ble National Green Tribunal (NGT) order dated 06.05.2024 in Original Application No. 195/2023 (I.A. No. 141/2024) Titled Vivek Mahna Vs Govt. of NCT of Delhi.

Ref.: CPCB letter no. CM-13011/16/2024-LAW-HO-CPCB-HO, dated: 28.10.2024 and email dated: 23.11.2024

Sir,

This has reference to the even number letter sated 28.10.2024 of this office (copy enclosed) and email dated 23.11.2024, wherein it was requested to provide the present compliance status of the show cause notice/direction/letters issued by DPCC.

In this regard, it is requested that the same may kindly be provided at the earliest.

Encl.: As above

Yours faithfully,


02.12.2024

(Sharandeep Singh)

Additional Director & Head- UPC-I

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

214

Fwd: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

CK CHANDRA KANT DIXIT <ckdixit.cpcb@nic.in>
 Thu, 02 Jan 2025 7:34:35 PM +0530 •
 To "K.S Jayachandran" <msdpcc@nic.in>
 Cc "MEMBER SECRETARY CPCB" <mscb.cpcb@nic.in>, "AVNISH TRIPATHI" <law.cpcb@gov.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "UPC I" <upc1.cpcb@gov.in>

Sir/Madam,
 As directed, with reference to subject and trailing mails, please find attached letter.

Regards
 Dr CK Dixit
 Scientist D, UPC-I Division
 CPCB Delhi

==== Forwarded message =====

From: CHANDRA KANT DIXIT <ckdixit.cpcb@nic.in>
 To: "K.S Jayachandran" <msdpcc@nic.in>
 Cc: "MEMBER SECRETARY CPCB" <mscb.cpcb@nic.in>, "bmsreddydpcc" <bmsreddy.dpcc@nic.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "UPC I" <upc1.cpcb@gov.in>
 Date: Fri, 20 Dec 2024 22:04:00 +0530
 Subject: Fwd: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

==== Forwarded message =====



Sir,
 As directed, with reference to CPCB letter dated 28-10-2024 and 02-12-2024 (copy attached), it is kindly requested to provide the present compliance status of the show cause notice/direction/letters issued by DPCC in the matter.

With Regards
 Dr CK Dixit
 Scientist C, UPC-I Division
 CPCB Delhi

==== Forwarded message =====

From: UPC I <upc1.cpcb@gov.in>
 To: "msdpcc" <msdpcc@nic.in>
 Cc: "bmsreddydpcc" <bmsreddy.dpcc@nic.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "CHANDRA KANT DIXIT" <ckdixit.cpcb@nic.in>
 Date: Tue, 03 Dec 2024 11:46:45 +0530
 Subject: Fwd: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (1A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

==== Forwarded message =====

Sir,

With reference to subject and letter dated 28.10.2024 & trailing mail, please find attached letter.

With regards,

UPC-1 Division
 Central Pollution Control Board



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Reminder- II

File No.: CM-13011/16/2024-LAW-HO-CPCB-HO

January 02, 2025

To,

The Member Secretary
Delhi Pollution Control Committee
6th floor, C wing, Delhi Secretariat,
I P Estate, Delhi-110002

Sub: Hon'ble National Green Tribunal (NGT) Order dated 06/05/2024 in O.A. No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Ref.: CPCB letter no. CM-13011/16/2024-LAW-HO-CPCB-HO dated, 28-10-2024 & 02-12-2024 and email dated 20-12-2024

Sir,

This has reference to CPCB's direction dated 16-08-2024 to DPCC in compliance of Hon'ble NGT order cited above and further, action taken report provided by DPCC vide letter dated 01-10-2024 wherein DPCC informed about the issuance of the show cause notice/direction/letters.

In this regard, CPCB, vide dated, 28-10-2024 & 02/12/2024 of this office (copy enclosed) and email dated 20-12-2024, has requested to provide the present compliance status of the show cause notice/direction/letters issued by DPCC in the matter. However, reply is still awaited.

In view of the above and as matter is listed on 17-01-2025, it is requested to kindly provide the present compliance status of the show-cause notice/direction/letters issued by DPCC, latest by 06-01-2025

Encl.: As above

Yours faithfully,


02.01.2025

(Sharandeep Singh)

Additional Director & Head- UPC-I

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in

216

ATR in NGT case OA No. 195/2023 "Vivek Mehna Vs. Govt. of NCT of Delhi"

dp

dpcccm6@gmail.com

Wed, 08 Jan 2025 12:41:12 PM +0530

To "mscb.cpcb" <mscb.cpcb@nic.in>, "ckdixit.cpcb" <ckdixit.cpcb@nic.in>

Cc "dpcc.cmc2 2new" <dpcc.cmc2.new@gmail.com>, "sharandeep.cpcb@nic.in" <sharandeep.cpcb@nic.in>

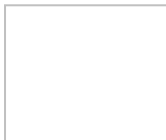
Tags Not in Contacts

Sir,

In compliance of the NGT matter in OA No. 195/2023 "Vivek Mehna Vs. Govt. of NCT of Delhi", the ATR w.r.t. DPCC is attached herewith.

--

Regards,
CFC-VI
Delhi Pollution Control Committee (DPCC)



3 Attachment(s) • [Download as Zip](#) • [Add To](#) >



Order for Imposition of ECpdf

1.3 MB •



Directions for Closure 08.01... .pdf

1.5 MB •



Revocation 08.01.2025.pdf

1.4 MB •

By Speed Post/Email



DELHI POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
 3rd FLOOR, BLOCK-B, DELHI IT PARK, SHASTRI PARK, DELHI -110053
 visit us at: <https://dpcc.delhigovt.nic.in>



DPCC/(10)/(10)/(48)/Leg-23/1714-1718

Dated: 08.01.2025

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms, NH - 8, Link Road Dwarka, Bharthal Road,
 Delhi-110061

Subject: Revocation / withdrawal of Consent to Operate under section 27 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and, as amended to date.

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, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide Notification No. GSR 106 (E) dated 20.02.1987.

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, **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061** (herein after referred as "Addressee") are operating your unit at the above said address & engaged in the activity of **Banquet Hall**.

And whereas, the "Addressee" was issued Consent to Operate under the above mentioned Air & Water Acts, by DPCC on 29.08.2023 (Certificate No. G-33195 valid up to 25.05.2033) with conditions that Quantity of Effluent Discharge from the unit shall not exceed (i) Trade Effluent - 3000 Litres / Day (ii) Sewage / Domestic Effluent 1000 Litres / Day and Capacity of the Diesel Generator Sets (Two Nos) installed in the unit shall be 250 KVA & 500 KVA.

And whereas, in pursuance to the order dated 11.01.2024 of Hon'ble National Green Tribunal(NGT) in O.A. No.195 / 2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" an inspection of M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 was carried out by the officials of CPCB on 22.02.2024 and 25.02.2024.

And whereas, during the inspection on 22.02.2024 and 25.02.2024 by the officials of CPCB Effluent Treatment Plant (ETP) installed in the unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection.

No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to

record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit.

And whereas, CPCB issued directions under section 18 (1) (b) of the Water (Prevention and Control of Pollution) act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981 to DPCC on 16.08.2024 regarding the non-compliances observed during the inspection. Subsequently, Show Cause Notice (SCN) for revocation of Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974 and under Air (Prevention and Control of Pollution) Act, 1981 as amended to date was issued to the addressee unit on 01.10.2024.

And whereas, the "Addressee" had submitted its representation on 16.10.2024 regarding the withdrawal of above mentioned Show Cause Notice. Subsequently, an inspection was conducted by DPCC officials on 05.12.2024.

And whereas, during the inspection on 05.12.2024 by the DPCC officials, Effluent Treatment Plant (ETP) installed in the unit was found operating (no shed provided over ETP), however, log book maintained for ETP shows 16-18 KLD treatment of trade effluent, which is much more than the permitted discharge of trade effluent (3 KLD) mentioned in the above mentioned Consent to Operate issued by DPCC on 29.08.2023. ETP logbook entry not maintained properly. Flow meters installed at the inlet & outlet of the ETP but logbook found not maintained. Therefore "Addressee" has violated the condition of above mentioned Consent to Operate.

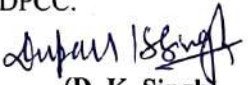
And whereas, during the inspection on 05.12.2024 by the DPCC officials, there were Five Diesel Generator Sets (Three DG Sets of 125 KVA each, One DG Set of 62.5 KVA and One DG Set of 250 KVA) in the premises of the "Addressee" whereas vide above mentioned Consent to Operate issued by DPCC on 29.08.2023 only two Diesel Generator Sets of 500 KVA & 250 KVA were permitted and therefore "Addressee" has violated the condition of said Consent to Operate.

In view of the non-compliances observed by officials of CPCB on 22.02.2024 & 25.02.2024 and officials of DPCC on 05.12.2024, the Competent Authority in DPCC has decided to revoke the above mentioned Consent to Operate (CTO) issued to the "Addressee" on 29.08.2023.

Now therefore, the above mentioned Consent to Operate issued by DPCC on 29.08.2023 (Certificate No. G-33195) to the " Addressee" is hereby Revoked / withdrawn under section 27 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21of the Air (Prevention and Control of Pollution) Act, 1981, as amended to date, with immediate effect.

The "Addressee" may kindly note that the operation of the unit without having valid consent under the above mentioned Air & Water Acts, attracts further action as per the provisions of these Acts without further intimation to the "Addressee" in this regard.

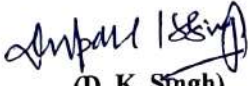
This is being issued with the approval of the Competent Authority in DPCC.


(D. K. Singh)

Addl. Director, DPCC

Copy to:

1. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-32.
2. The District Magistrate (South West), Old Terminal Tax Building, Kapashera, Delhi -37
3. Incharge, IT, DPCC – For uploading on the website of DPCC.
4. Master File, CMC-VI.


(D. K. Singh)

Addl. Director, DPCC



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
3rd FLOOR, BLOCK-B, DELHI IT PARK, SHASTRI PARK, DELHI -11005
 visit us at: <https://dpcc.delhigovt.nic.in>



DPCC/(10)/(10)/(48)/Leg-23/1719-1725

Dated:08.01.2025

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms, NH - 8, Link Road Dwarka, Bharthal Road,
 Delhi-110061

Subject: Directions for closure under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

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, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide Notification No. GSR 106 (E) dated 20.02.1987.

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, **M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061** (herein after referred as "Addressee") are operating your unit at the above said address & engaged in the activity of **Banquet Hall**.

And whereas, the "Addressee" was issued Consent to Operate under the above mentioned Air & Water Acts, by DPCC on 29.08.2023 (Certificate No. G-33195 valid up to 25.05.2033) with conditions that Quantity of Effluent Discharge from the unit shall not exceed (i) Trade Effluent - 3000 Litres / Day (ii) Sewage / Domestic Effluent 1000 Litres / Day and Capacity of the Diesel Generator Sets (Two Nos) installed in the unit shall be 250 KVA & 500 KVA.

And whereas, in pursuance to the order dated 11.01.2024 of Hon'ble National Green Tribunal(NGT) in O.A. No.195 / 2023 in the matter "Vivek Mahna Vs. Govt. of NCT of Delhi" an inspection of M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 was carried out by the officials of CPCB on 22.02.2024 and 25.02.2024.

And whereas, during the inspection on 22.02.2024 and 25.02.2024 by the officials of CPCB Effluent Treatment Plant (ETP) installed in the unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection.

No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit.

And whereas, CPCB issued directions under section 18 (1) (b) of the Water (Prevention and Control of Pollution) act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981 to DPCC on 16.08.2024 regarding the non-compliances observed during the inspection. Subsequently, Show Cause Notice was issued by DPCC to the

“Addressee” on 01.10.2024 for closure under section 31(A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981, as amended till date.

And whereas, the “Addressee” had submitted its representation on 16.10.2024 regarding the withdrawal of above mentioned Show Cause Notice. Subsequently, an inspection was conducted by DPCC officials on 05.12.2024.

And whereas, during the inspection on 05.12.2024 by the DPCC officials, Effluent Treatment Plant (ETP) installed in the unit was found operating (no shed provided over ETP), however, log book maintained for ETP shows 16-18 KLD treatment of trade effluent, which is much more than the permitted discharge of trade effluent (3 KLD) mentioned in the above mentioned Consent to Operate issued by DPCC on 29.08.2023. ETP logbook entry not maintained properly. Flow meters installed at the inlet & outlet of the ETP but logbook found not maintained. Therefore “Addressee” has violated the condition of above mentioned Consent to Operate.

And whereas, during the inspection on 05.12.2024 by the DPCC officials, there were Five Diesel Generator Sets (Three DG Sets of 125 KVA each, One DG Set of 62.5 KVA and One DG Set of 250 KVA) in the premises of the “Addressee” whereas vide above mentioned Consent to Operate issued by DPCC on 29.08.2023 only two Diesel Generator Sets of 500 KVA & 250 KVA were permitted and therefore “Addressee” has violated the condition of said Consent to Operate.

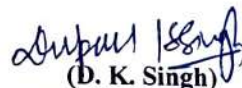
And whereas the above mentioned Consent to Operate under the Air & Water Acts has already been Revoked / Withdrawn by DPCC on 08.01.2025.

In view of the non-compliances observed by officials of CPCB on 22.02.2024 & 25.02.2024 and officials of DPCC on 05.12.2024, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee u/s 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981, as amended to date, has decided to issue following directions :-

1. That you (the “Addressee”) shall stop the operation of your above mentioned unit with immediate effect.
2. That the concerned Sub Divisional Magistrate (SDM) shall take necessary action to ensure the effective closure of the above mentioned unit of the “Addressee” with immediate effect.
3. That the concerned Authority in BSES shall disconnect Electricity Supply to the above mentioned unit of the “Addressee” with immediate effect.
4. That the concerned authority in Delhi Jal Board shall disconnect the Water Supply to the above mentioned unit of the “Addressee” with immediate effect.

Failure to comply with the above directions attracts further action as per the provisions of Water Act, 1974 and Air Act, 1981 without further intimation to the “Addressee” in this regard.

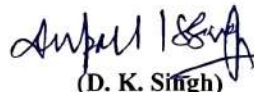
This is being issued with the approval of the Competent Authority in DPCC.


(D. K. Singh)

Addl. Director, DPCC

Copy to:

1. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, New Delhi-32.
2. Sub Divisional Magistrate (Kapashera), Old Terminal Tax Building, Kapashera, Delhi -37 : **To ensure the Effective Closure of the above mentioned unit of the “ Addressee” with immediate effect** and submit Compliance Report to DPCC within 15 days from the date of issuance of these directions.
3. Executive Engineer (SW) - II, Delhi Jal Board, Room No. 101, 1st Floor, Over Head Tank, Najafgarh, Delhi-43 : **To disconnect the Water Supply to the above mentioned unit of the “ Addressee” with immediate effect** and submit Compliance Report to DPCC within 15 days from the date of issuance of these directions.
4. The Chief Operating Officer, BSES Rajdhani Power Ltd., BSES Bhawan, Near Nehru Place Bus Terminus, Nehru Place, Delhi-19: **To disconnect the Electricity Supply of the above mentioned unit of the “ Addressee” with immediate effect** and submit Compliance Report to DPCC within 15 days from the date of issuance of these directions.
5. Incharge, IT, DPCC : To upload these directions on the website of DPCC.
6. Master File, CMC-VI


(D. K. Singh)

Addl. Director, DPCC

By Speed Post/Email

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI 3rd FLOOR, BLOCK-B, DELHI IT PARK, SHASTRI PARK, DELHI -110053 visit us at: https://dpcc.delhigovt.nic.in	
DPCC/(10)/(10)/(48)/Leg-23/1726-1730		Dated:08.01.2025

To,

M/s Krishna Greens by Maple Gold,
 H1, Pushpanjali Farms, NH - 8, Link Road Dwarka, Bharthal Road,
 Delhi-110061

Subject: Order for Imposition of Environmental 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.

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No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to

Amruth Singh

record the ETP operation & maintenance. ²²² Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit.

And whereas, CPCB issued directions under section 18 (1) (b) of the Water (Prevention and Control of Pollution) act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981 to DPCC on 16.08.2024 regarding the non-compliances observed during the inspection. Subsequently, Show Cause Notice (SCN) was issued by DPCC to the "Addressee" on 01.10.2024 for Imposition of Environmental Compensation.

And whereas, the "Addressee" had submitted its representation on 16.10.2024 regarding the withdrawal of above mentioned Show Cause Notice. Subsequently, an inspection was conducted by DPCC officials on 05.12.2024.

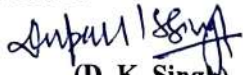
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And whereas, during the inspection on 05.12.2024 by the DPCC officials, there were Five Diesel Generator Sets (Three DG Sets of 125 KVA each, One DG Set of 62.5 KVA and One DG Set of 250 KVA) in the premises of the "Addressee" whereas vide above mentioned Consent to Operate issued by DPCC on 29.08.2023 only two Diesel Generator Sets of 500 KVA & 250 KVA were permitted and therefore "Addressee" has violated the condition of said Consent to Operate.

In view of the non-compliances observed by officials of CPCB on 22.02.2024 & 25.02.2024 and officials of DPCC on 05.12.2024, the Competent Authority in DPCC keeping in view the 'Polluters Pay Principle' has decided to confirm the imposition of Environmental Compensation of Rupees 3,75,000/- (Rupees Three Lakh Seventy Five Thousand Only) upon the "Addressee" (M/s Krishna Greens by Maple Gold, H1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061).

Hence, you the "Addressee" are hereby directed to deposit Environmental Compensation of Rupees 3,75,000/- (Rupees Three Lakh Seventy Five Thousand Only) in the form of Demand Draft in favour of "Delhi Pollution Control Committee" within 15 days from the date of issuance of this order.

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


(D. K. Singh)
Addl. Director, DPCC

Copy to:

1. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-32.
2. The District Magistrate (South West), Old Terminal Tax Building, Kapashera, Delhi -37
3. Incharge, IT, DPCC – For uploading on the website of DPCC.
4. Master File, CMC-VI.


(D. K. Singh)
Addl. Director, DPCC

भरत कुमार शर्मा
सदस्य सचिव
Bharat Kumar Sharma
Member Secretary



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार

CENTRAL POLLUTION CONTROL BOARD

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

No.: CM-13011/16/2024-LAW-HO-CPCB-HO

January 10, 2025

To,
The Member Secretary,
Delhi Pollution Control Committee
6th floor, C wing, Delhi Secretariat,
I P Estate, Delhi-110002

Subject: Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi.

Ref: 1. CPCB Directions of even no. dated 16-08-2024
2. DPCC email dated 08-01-2025

Sir,

This is in reference to the CPCB Direction dated 16-08-2024 issued to DPCC in compliance of Hon'ble NGT Order dated 06-05-2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi and subsequent actions taken by DPCC as intimated by email dated 08.01.2025.

DPCC has carried out inspection of unit under reference (M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061) on 05-12-2024 and issued the following direction/letter to the unit;

- Letter dated 08-01-2025, regarding Revocation/withdrawal of Consent to Operate under section 27 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and, as amended to date.
- Direction dated 08-01-2025, for closure under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and Control of Pollution) Act, under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.
- Letter dated 08-01-2025, regarding "Order for Imposition of Environmental Compensation" of Rs.3,75,000/- (Rs Three lakhs seventy-five thousand only)

In view of the above, DPCC shall also ensure enforcement of the above directions and realisation of Environmental Compensation immediately. Further, monitoring of compliance of the directions be also ensured.

Yours faithfully,

(Bharat Kumar Sharma)
Member Secretary



'परिवेश भवन, पूर्वी अर्जून नगर, दिल्ली-110 032, भारत

'Parivesh Bhawan, East Arjun Nagar, Delhi-110 032, India

Tel. +91-11-22303655, 22307078, e-mail: bksharma.cpcb@nic.in, msccb.cpcb@nic.in

Website: www.cpcb.nic.in

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Hon'ble National Green Tribunal (NGT) Order dated 06-05-2024 in Original Application No. 195/2023 (I.A. No. 141/2024) titled Vivek Mahna Vs Govt. of NCT of Delhi

Me <ckdixit.cpcb@nic.in>
Fri, 10 Jan 2025 2:39:32 PM +0530

To "K.S Jayachandran" <msdpcc@nic.in>

Cc "MEMBER SECRETARY CPCB" <mscb.cpcb@nic.in>, "AVNISH TRIPATHI" <law.cpcb@gov.in>, "Avanish Nath Tripathi" <atripathi.cpcb@gov.in>, "KRISHAN KUMAR GUPTA" <kkgupta.cpcb@gov.in>, "SHARANDEEP SINGH" <sharandeep.cpcb@nic.in>, "UPC I" <upc1.cpcb@gov.in>

Respected Sir,
As directed, with reference to the subject, please find attached letter.

With Regards
Dr CK Dixit
Scientist D
CPCB Delhi

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Letter to DPCC dated 10-01-202... .pdf
318.9 KB • 🔗