

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

Original Application No. 195/2023

IN THE MATTER OF:

Vivek MahnaApplicant

Versus

Govt. of NCT of DelhiRespondent

Most respectfully showeth that:

This is in compliance to the order dated 28.04.2023 issued by the Hon'ble Principal Bench, whereby, a joint Committee comprising DPCC and District Magistrate, South West was constituted to visit the site to collect relevant information and submit a factual report within two months before the Hon'ble Bench regarding grievance petition filed by the applicant Sh. Vivek Mehna.

In this regard, a joint inspection by JEE, DPCC and Patwari, Revenue Department, was fixed for 26/07/2023 at 11:00 AM for inspection of the site. Accordingly, joint inspection was conducted, basis which the relevant information is being submitted as under:

1. Complainant Sh. Vivek Mehna, who resides in H-5, Pushpajali Farms, was contacted telephonically. He informed that this complaint is against Krishna Green banquet hall at H-1, Pushpanjali Farms.
2. At the site i.e. H-1 Pushpanjali Farms (NH-8 link Road, Dwarka-Bharthal Road), a banquet hall named Krishna Green by Mapple was found to be situated.
3. Security Guards & other staffs found available were asked about place for parking of vehicles and they informed that they have separate plot for parking of vehicles whenever there are functions at the property. The said plot was also visited but there was no vehicle as there was no function being held at the time of visit.

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4. It was also observed that there was a service road in front of the above banquet hall and no vehicle was found parked outside the banquet causing obstruction to the traffic, at that time.
5. An Effluent Treatment Plant (ETP) was also found to be installed in the banquet hall for the treatment of waste water coming out the kitchen. Oil and Grease Trap (OGT) was also found to be installed and it was informed by the staff that oil and grease/sludge collected in the tanks is sent outside by septic container vehicles.
6. It was also informed that the owner has applied to DPCC for Consent To Operate (CTO) vide application no. 56066 dated 26.05.2023.
7. It was also informed that there was a vacant plot between H-5 Pushpanjali Farms and Krishna Green banquet hall and no sewage was being discharged on the said vacant plot at the time of inspection.
8. As per the revenue record, the banquet hall is situated at Khasra No. 54/7 (4-17), 14/1 min (0-15), 14/2 (3-12) & 17 min (2-19) of village Bharthal, New Delhi, which is recorded in the name of Ashok Kumar Dusad S/o Radhey Shyam Dusad.

It may be noted that since the MCD is responsible for issuing approvals/NOCs to the various farm houses in the area to hold marriages/other social functions, they may be impleaded as one of the respondents and necessary reports on the operations of the banquet hall may be sought from them as well.

The report is being submitted for kind perusal of the Hon'ble Bench and necessary directions in the matter please.


 01/09/2023
(HEMANT KUMAR, IAS)
DISTRICT MAGISTRATE
DISTT. SOUTH-WEST
HEMANT KUMAR, IAS
 District Magistrate
 South-West District
 Old Terminal Tax Building
 Kapashera, New Delhi-110037

Encl.:

1. Report submitted by DPCC and Revenue Deptt.
2. Copy of Khatoni of the property in question.
3. Photographs of the property in question.

126.07.23

Joint Inspection report in compliance of NGT order
dated 28.04.2023 in OA NO. 195/2023 "Vivik Mehra Vs
Govt. of NCT of Delhi"

- (1) Site H1 Pushpanjali Farm NH-8 Link Road Dwarka
Bherthal Road, South West is visited on 26.07.2023
where a banquet hall named Krishna Green by Mapple
Gold is situated. No function/Parties were found
going on during the visit.
- (2) Security Guard and other staff of banquet hall informed that
they have separate plot for the parking of vehicles at
the time of function. That separate plot is also visited
but no vehicle found parked due to no function on the day
of visit.
- (3) It was also observed that there was a service road
in front of the banquet hall and no vehicles were found
parked outside causing obstruction to traffic.
- (4) Effluent Treatment Plant (ETP) was found installed in the
banquet hall for the treatment of waste water generated
in kitchen. Oil and Grease trap (OGT) was also found
installed and it was informed by the staff that
oil and grease/sludge collected in the tanks is
sent outside by septic container vehicles.
- (5) Banquet has already applied for Consent to operate
(CTO) in DPCC with application no - 56066 dated 26.05.2023.

(P.T.O)

(6) Complainant Sh. Vinay Mehra who resides in H-5 Pushpanjali Farms was also contacted over phone and he informed that this complaint is against Krishna Green Banquet hall at H1 Pushpanjali Farms.

(7) It was also observed that there was a vacant plot between H5 Pushpanjali Farms and Krishna Green Banquet Hall. No sewage found dumped on this vacant plot at the time of inspection.

(8) As per the revenue record the banquet hall is situated at khasra No- $\frac{54}{7}$ (4-17), 14/1 min (0-15), 14/2 (3-12), 17 min (2-19) in the ownership of Ashok Kumar Dusat s/o Radhey Shyam Dusat.

(9) MCD may also be added as a party for checking compliances at this end.

Amzad Khan
26/7/2023

AMZAD KHAN
JEE, DPCC


26/7/23

LAXMI DHAR SHARMA
(Return)



**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (KH)/ SW DISTRICT
OLD TERMINAL TAX BUILDING, KAPASHERA, DELHI - 110037**

No.SDM (KH)/SW/2023/

Dated: 25.07.2023

ORDER

In compliance of NGT order dated 28.04.2023 in case titled as "Vivek Mehna Vs Govt. of NCT of Delhi" and with reference to the letter no. F.No. DPCC/CMC-II/NGT/OA-195/2023/5308 dated 17.07.2023 received from the DPCC. A joint inspection has been fixed on **26.07.2023 at 11:00 AM** for inspection of the site by the official nominated by the DPCC as well Revenue field official. The assembly point will be DM (South-West) Office Kapashera, New Delhi.

Following aspects need to be reported upon!

1. Parking of vehicles at the site and any obstruction caused in traffic due to the same.
2. Discharge of sewage by the owners at the site and whether any system in place for proper disposal.
3. Any other violation of norms/provisions as per Water (Prevention of Control of Pollution) Act 1974 and Air (Prevention & Control of Pollution) Act 1981

Complete report must be submitted by 31.07.2023



Namgyal Angmo
(NAMGYAL ANGMO, IAS) 25/7/2023
SDM (KAPASHERA)

Copy to:-

1. Mr. Amzad Khan (Junior Environmental Engineer).
2. Mr. Leeladhar, Halka Patwari of Sub-Division Kapashera.

Copy for information to:-

1. The District Magistrate (SW) Old Terminal Tax Building, Kapashera, N. Delhi.

Namgyal Angmo
(NAMGYAL ANGMO, IAS) 25/7/2023
SDM (KAPASHERA)

NAMGYAL ANGMO, IAS
Sub-Divisional Magistrate (Kapashera)
South-West District, GNCTD
Old Terminal Tax Building
Kapashera, New Delhi-110037

Item No. 10

Court No. 1

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

Original Application No. 195/2023

Vivek Mahna

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 28.04.2023

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

Application is registered based on a complaint received by post/e-mail

ORDER

1. This original application under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered on a letter petition dated 12.12.2022 sent by Vivek Mahna, President, Pushpanjali Residents Welfare Association, Bijwasan, New Delhi.
2. The grievance is that there are green area and parks in Village Bijwasan and Bhartal, New Delhi which are about 200 in numbers, owned by different people. These green areas and parks are being used daily for holding wedding and other social functions. For attending these functions, hundreds of vehicles used to gather and parked daily, causing traffic jam

and Air (Prevention and Control of Pollution) Act, 1981 and also creating health hazards to the local people.

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.

4. District Magistrate, South West Delhi shall be the nodal agency for coordination and compliance of this order.

5. List for further consideration on 24.07.2023.

6. A copy of this order be forwarded to DPCC and District Magistrate, South West Delhi by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

1	2	3	4	5	6	7
खाना वर्गी का क्रमांक	खानेदार का नाम / खाने का नाम या फिर खाने S. No. of the Khata Khatani	सूचिका के अधिकार प्रारम्भ की तिथि का वर्ष	खाने के प्रत्येक गाँव का खाने नंबर	प्रत्येक गाँव का खाने का क्षेत्र या खाने का क्षेत्र	सूचिका का वर्ग	REMARKS
	Name of the Khataholder/with Percentage and Address	Date of commenceme nt of Bhumidari	Khatam No. of each Khata	Area of each Khata No. in Bighas/Acre	Land Revenue OR Part	
Land Held By Bhumidar						
133	अशोक कुमार दुग्गार HUF कर्ता अशोक कुमार दुग्गार पुत्र रावेरखाम दुग्गार H/o C-17 श्रीन पार्क मेन नई दिल्ली	2004-2005	14/1	0-15		(1) 0-4/922 देवा म-180/04-05 di. 18-10-04
			7	4-17		
			14/2	3-12		
			17	2-19		
		Holding Total	4	12-03		3.52
		Khata Total	4	12-03		3.52
Total			4	12-03		3.52

Certified By :

PATWARI (

TEHSILDAR (





H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude	Longitude
28.542950000000005°	77.06402833333333°
Local 12:54:41 PM	Altitude 221 meters
GMT 07:24:41 AM	Wednesday, 26.07.2023



H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude	Longitude
28.542955°	77.06408166666667°
Local 12:54:05 PM	Altitude 221 meters
GMT 07:24:05 AM	Wednesday, 26.07.2023



G3V7+PM5, H-1 Rd, Block H, DLF Phase 1, Pushpanjali Farms, Gurugram, Delhi, 122002, India

Latitude
28.542925°

Longitude
77.06399666666667°

Local 12:54:50 PM
GMT 07:24:50 AM

Altitude 220 meters
Wednesday, 26.07.2023



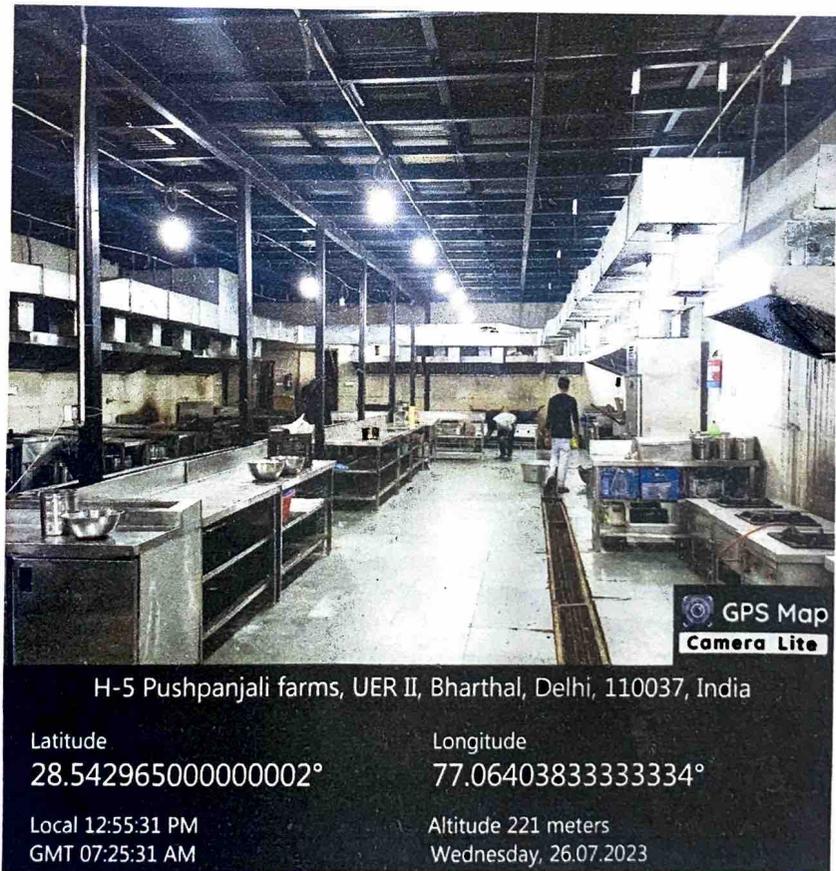
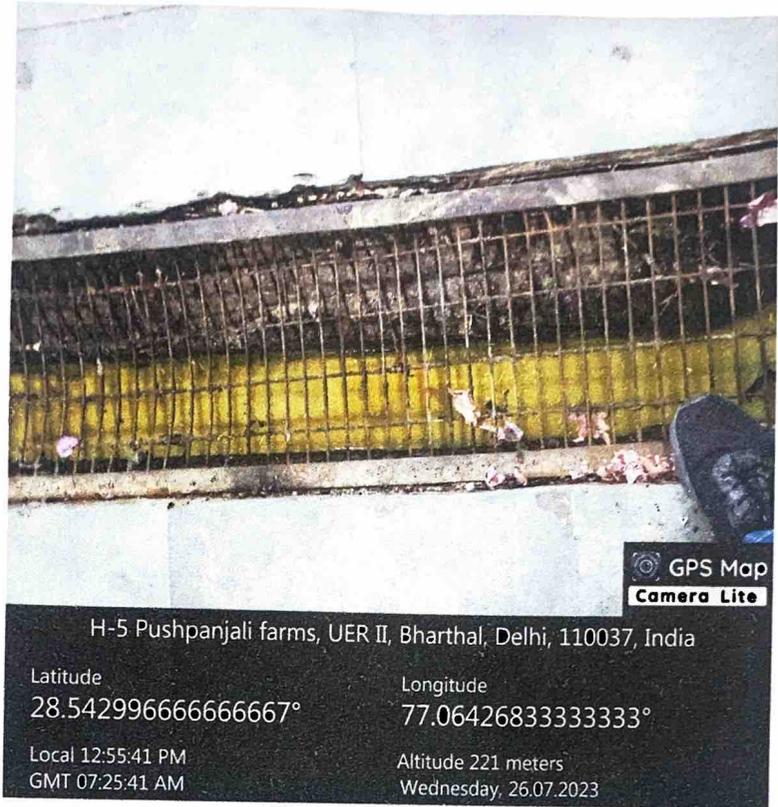
H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

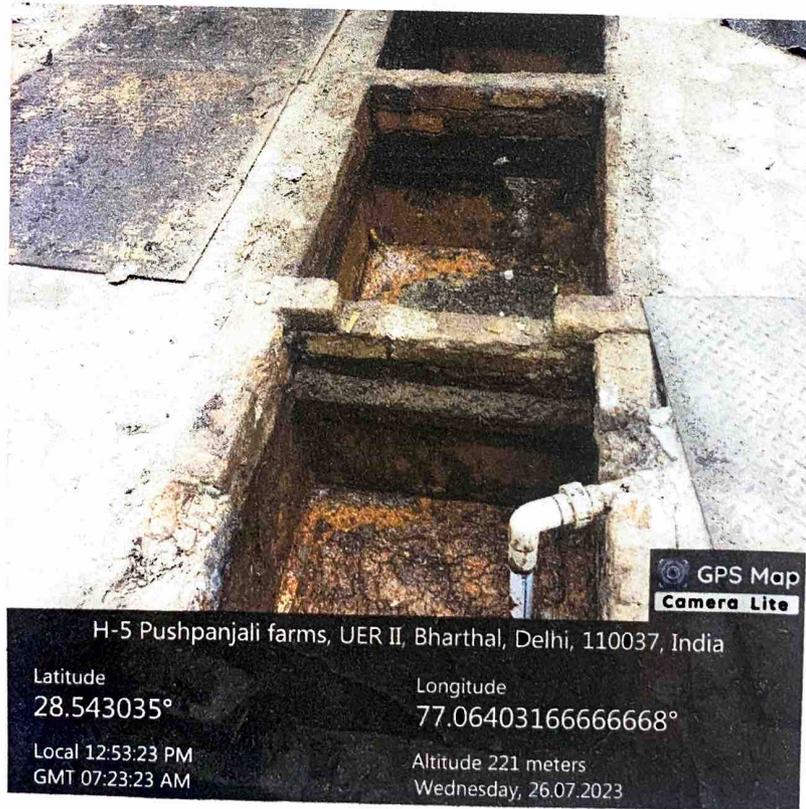
Latitude
28.542935000000003°

Longitude
77.06402°

Local 12:54:55 PM
GMT 07:24:55 AM

Altitude 221 meters
Wednesday, 26.07.2023







G3V7+PM5, H-1 Rd, Block H, DLF Phase 1, Pushpanjali Farms, Gurugram, Delhi, 122002, India

Latitude
28.544143°

Longitude
77.0642398°

Local 12:53:09 PM
GMT 07:23:09 AM

Altitude 221 meters
Wednesday, 26.07.2023

GPS Map
Camera Lite



H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

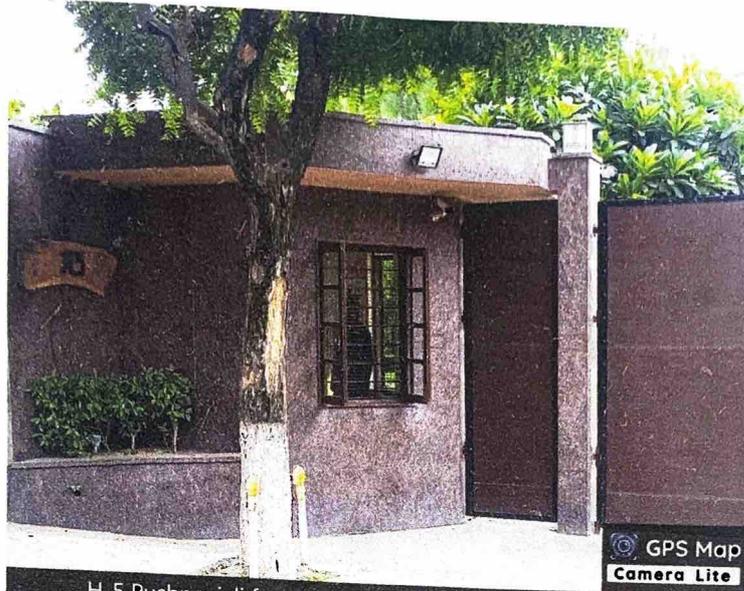
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Longitude
77.06408166666667°

Local 12:54:05 PM
GMT 07:24:05 AM

Altitude 221 meters
Wednesday, 26.07.2023

GPS Map
Camera Lite



H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude	Longitude
28.54230166666667°	77.06409833333333°
Local 01:20:18 PM	Altitude 220 meters
GMT 07:50:18 AM	Wednesday, 26.07.2023



H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude	Longitude
28.542773333333336°	77.06410833333332°
Local 01:19:22 PM	Altitude 221 meters
GMT 07:49:22 AM	Wednesday, 26.07.2023



GPS Map
Camera Lite

H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude
28.54276333333333°

Longitude
77.06412833333334°

Local 01:18:21 PM
GMT 07:48:21 AM

Altitude 220 meters
Wednesday, 26.07.2023



GPS Map
Camera Lite

H-5 Pushpanjali farms, UER II, Bharthal, Delhi, 110037, India

Latitude
28.542786666666665°

Longitude
77.06417499999999°

Local 01:18:34 PM
GMT 07:48:34 AM

Altitude 221 meters
Wednesday, 26.07.2023

