

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

Original Application No. 1065/2024

In the matter of:

Varun Gulati

...Applicant

Versus

Delhi Pollution Control Committee & Ors.

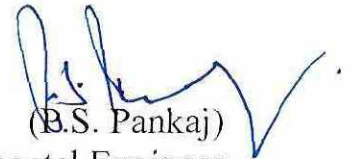
...Respondents

NDOH: 07.11.2024

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Filed by


(B.S. Pankaj)

Sr. Environmental Engineer

Dated: 29th October, 2024

Place: Delhi

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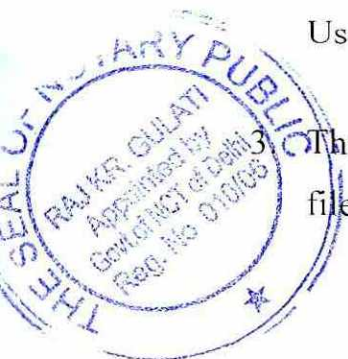
...Respondents

**REPLY BY WAY OF AFFIDAVIT ON BEHALF OF DELHI
POLLUTION CONTROL COMMITTEE (RESPONDENT
NUMBER-1) WITH RESPECT TO THE ORDER DATED
20.08.2024.**

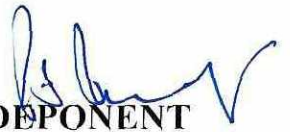
I, P.S. Pankaj, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3th Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That this Hon'ble Tribunal took up this matter on 28.08.2024. The grievance in the original application is regarding implementation of closure directions issued by DPCC for manufacturing of banned Single Used Plastic (SUP) items at Bawana and Narela industrial areas.

3. That, this Hon'ble Tribunal pleased to issue notice to the respondents to file response/reply.



4. That, DPCC had issued directions for closure to the units (respondent number 6 to 40) for manufacturing of banned Single Used Plastic (SUP) items at Bawana and Narela industrial areas.
5. That there are only 34 units involved in this matter as Sl. 12 and Sl No. 40 are one and same.
6. That, in compliance of DPCC directions dated 27.05.2024, Municipal Corporation of Delhi, (factory Licensing Department) submitted report on 18.10.2024, wherein, it was informed that, they have canceled the MCD Factory permission /License (if any) with regard to operation of all the respondents units. Copy of the report of MCD dated 18.10.2024 is annexed herewith as Annexure-I.
7. That, as compliance report with regard to direction dated 27.05.2024 is still awaited, therefore, DPCC issued a reminder to DM (North), SDM (Narela), TPDDL and DSIIDC on 21.10.2024. Copies of the reminder letters dated 21.10.2024 are enclosed herewith as ANNEXURE-II (Colly).
8. In view of the above, the present status report may kindly be taken on record.


DEPONENT

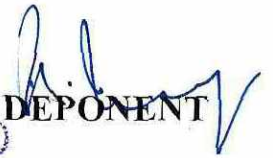
VERIFICATION


I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this 29 ^{OCT 2024} day of October, 2024.



ENTRY No. 3515/24
DATED 29 OCT 2024


DEPONENT

ATTESTED

NOTARY PUBLIC
GOVT OF NCT OF DELHI
29 OCT 2024

Annexure-I**MUNICIPAL CORPORATION OF DELHI**

FACTORY LICENSING DEPARTMENT

21ST Floor, Dr. SPM, Civic Centre
New Delhi-110002.

Email_aofl.edmc@gmail.com

No. FL/MCD/2024-25/D- 262Date: 18/10/2024

To,

✓ The Director IT
24th Floor, Dr. SPM Civic Centre,
New Delhi-110002.

Subject:- Cancellation of MCD Factory permission/License on the directions issued by Delhi Pollution Control Committee.

Please refer to the letter received from the DPCC on the subject for Closure u/s 31 (A) of Air (Prevention & Control of Pollution) Act, 1981, and u/s 33 (A) of Water (Prevention & Control of Pollution) Act, 1974 and u/s 5 of the Environment (Protection) Act, 1986 as amended to date.

Wherein, it is directed to this department to cancel the MCD Factory permission/License (if any) for operation of the following industrial units with immediate effect.

S.No.	DPCC Ref. No.	Name & Address of Unit
1	F.No. DPCC/CMCV/Complaint/2024/150-156 dt. 27.05.2024	M/s V.V. Industries, M-227, Sector-5, Bawana Industrial Area, Delhi-110039
2	F.No. DPCC/CMCV/Complaint/2024/150-156 dt. 27.05.2024	M/s CK Enterprises, I-2172, I Block, DSIDC, Narela Industrial Area, Delhi-110040
3	F.No. DPCC/CMCV/Complaint/2024/157-163 dt. 27.05.2024	M/s Owner/Occupier, N-278, Sector-1, DSIDC Bawana Industrial Area, Delhi- 110039
4	F.No. DPCC/CMCV/Complaint/2024/164-170 dt. 27.05.2024	M/s Owner/Occupier, J-134, Sector-5, DSIIDC Bawana Industrial Area, Delhi- 110039
5	F.No. DPCC/CMCV/Complaint/2024/171-177 dt. 27.05.2024	M/s Owner/Occupier, J-186, Sector-5, DSIIDC Bawana Industrial Area, Delhi- 110039
6	F.No. DPCC/CMCV/Complaint/2024/178-184 dt. 27.05.2024	M/s Owner/Occupier, A-37, A-Block, DSIIDC, Narela Industrial Area, Delhi- 110040
7	F.No. DPCC/CMCV/Complaint/2024/185-191 dt. 27.05.2024	M/s Owner/Occupier, A-67, A-Block, DSIIDC, Narela Industrial Area, Delhi- 110040
8	F.No. DPCC/CMCV/Complaint/2024/192-198 dt. 27.05.2024	M/s Owner/Occupier, A-167, A-Block, DSIIDC, Narela Industrial Area, Delhi- 110040

9	F.No. DPCC/CMCV/Complaint/2024/199-205 dt. 27.05.2024	M/s Owner/Occupier, A-168, A-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
10	F.No. DPCC/CMCV/Complaint/2024/206-212 dt. 27.05.2024	M/s Owner/Occupier, A-230, A-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
11	F.No. DPCC/CMCV/Complaint/2024/2013- 219 dt. 27.05.2024	M/s Owner/Occupier, B-2317, B-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
12	F.No. DPCC/CMCV/Complaint/2024/220-226 dt. 27.05.2024	M/s Owner/Occupier, C-397, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
13	F.No. DPCC/CMCV/Complaint/2024/227-233 dt. 27.05.2024	M/s Owner/Occupier, C-398, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
14	F.No. DPCC/CMCV/Complaint/2024/234-240 dt. 27.05.2024	M/s Owner/Occupier, C-521, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
15	F.No. DPCC/CMCV/Complaint/2024/241-247 dt. 27.05.2024	M/s Owner/Occupier, C-611, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
16	F.No. DPCC/CMCV/Complaint/2024/248-254 dt. 27.05.2024	M/s Owner/Occupier, C-612, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
17	F.No. DPCC/CMCV/Complaint/2024/255-261 dt. 27.05.2024	M/s Owner/Occupier, D-1581, D-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
18	F.No. DPCC/CMCV/Complaint/2024/262-268 dt. 27.05.2024	M/s Owner/Occupier, D-1619, D-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
19	F.No. DPCC/CMCV/Complaint/2024/269-275 dt. 27.05.2024	M/s Owner/Occupier, D-1640, D-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
20	F.No. DPCC/CMCV/Complaint/2024/276-282 dt. 27.05.2024	M/s Owner/Occupier, E-646, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
21	F.No. DPCC/CMCV/Complaint/2024/283-289 dt. 27.05.2024	M/s Owner/Occupier, E-649, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
22	F.No. DPCC/CMCV/Complaint/2024/290-296 dt. 27.05.2024	M/s Owner/Occupier, E-839, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
23	F.No. DPCC/CMCV/Complaint/2024/297-303 dt. 27.05.2024	M/s Owner/Occupier, E-840, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
24	F.No. DPCC/CMCV/Complaint/2024/304-310 dt. 27.05.2024	M/s Owner/Occupier, E-855, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
25	F.No. DPCC/CMCV/Complaint/2024/311-317 dt. 27.05.2024	M/s Owner/Occupier, E-856, E-Block, DSI IDC, Narela Industrial Area, Delhi- 110040

26	F.No. DPCC/CMCV/Complaint/2024/318-324 dt. 27.05.2024	M/s Owner/Occupier, F-1489, F-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
27	F.No. DPCC/CMCV/Complaint/2024/325-331 dt. 27.05.2024	M/s Owner/Occupier, F-1490, F-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
28	F.No. DPCC/CMCV/Complaint/2024/332-338 dt. 27.05.2024	M/s Owner/Occupier, F-1498, F-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
29	F.No. DPCC/CMCV/Complaint/2024/339-345 dt. 27.05.2024	M/s Owner/Occupier, F-1714, F-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
30	F.No. DPCC/CMCV/Complaint/2024/346-352 dt. 27.05.2024	M/s Owner/Occupier, F-1785, F-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
31	F.No. DPCC/CMCV/Complaint/2024/353-359 dt. 27.05.2024	M/s Owner/Occupier, H-1262, H-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
32	F.No. DPCC/CMCV/Complaint/2024/360-366 dt. 27.05.2024	M/s Owner/Occupier, H-1383, H-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
33	F.No. DPCC/CMCV/Complaint/2024/367-373 dt. 27.05.2024	M/s Owner/Occupier, H-1446, H-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
34	F.No. DPCC/CMCV/Complaint/2024/374-380 dt. 27.05.2024	M/s Owner/Occupier, H-1471, H-Block, DSI IDC, Narela Industrial Area, Delhi- 110040
35	F.No. DPCC/CMCV/Complaint/2024/381-387 dt. 27.05.2024	M/s Owner/Occupier, C-565, C-Block, DSI IDC, Narela Industrial Area, Delhi- 110040

In view of the above, you are hereby requested to cancel the Factory License issued to above mentioned premises, if any, and inform status accordingly to this department within 03 days from issue of this letter.


Administrative Officer
Factory Licensing Department

Akhilesh Kumar



Administrative Officer

Factory Licensing Department
Municipal Corporation of Delhi
Civic Center, New Delhi-110002

Copy to:-

1. The SEE, (CMC-V), DPCC 4th Floor, ISBT Building, Kashmere Gate, Delhi.
2. Addl. Commissioner (FL) for kind information please.
3. Deputy Commissioner (FL).
4. The Senior Technical Director, NIC

Annexure-II (Copy)By Speed Post
NGT Matter
By Speed Post

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE 1ST FLOOR, E-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES, DELHI-110054 Visit us at : http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC-V/Complaint/2024/ 105-106

Dated: 21/10/24

1. The District Magistrate (North),
Alipur,
Delhi-110036,
2. The Sub-Divisional Magistrate (Narela)
M.P.C.C Building, Naya Bans,
Delhi 110082

Sub.: Seeking compliance w.r.t. Direction under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 as amended to date.

Sir,

This has reference to the Directions issued on 27.05.2024 (copy enclosed) on the subject referred above, wherein directions were issued to 35-40 units to ensure effective closure of the alleged units. In view of order passed by Hon'ble NGT on 20.08.2024 in O.A. No. 1065/2024 in the matter of Varun Gulati v/s Delhi Pollution Control Committee & Ors. issued by NGT subsequent to the aforesaid directions (copy of Hon'ble NGT order dated 20.08.2024 is enclosed herewith) and submit a compliance report to this office to enable this office to apprise the same to the Hon'ble NGT also.

In this regard, it is to inform you that neither any response nor any compliance report has been received in this office so far.

In view of above, it is again reiterated to take necessary action against the alleged at the earliest and provide compliance report accordingly, so that compliance report may be filed in Hon'ble NGT, within stipulated time.



This issues with the approval of Competent Authority of Delhi Pollution Control Committee.

Encl.: As above.


Incharge, CMC-V

d/c

By Speed Post
NGT Matter
By Speed Post

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE 1ST FLOOR, E-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES, DELHI-110054 Visit us at : http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC-V/Complaint/2024/ 107

Dated: 21/10/24

The Deputy Commissioner (FL) (North),
Factory Licensing Department,
Municipal Corporation of Delhi, 14th Floor,
Civic Centre, Minto Road, Delhi-110002

Sub.: Seeking compliance w.r.t. Direction under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 as amended to date.

Sir,

This has reference to the Directions issued on 27.05.2024 (copy enclosed) on the subject referred above, wherein directions were issued to 35-40 units to ensure cancel the permission/license for the operations of the alleged units. In view of order passed by Hon'ble NGT on 20.08.2024 in O.A. No. 1065/2024 in the matter of Varun Gulati v/s Delhi Pollution Control Committee & Ors. issued by NGT subsequent to the aforesaid directions (copy of Hon'ble NGT order dated 20.08.2024 is enclosed herewith) and submit a compliance report to this office to enable this office to apprise the same to the Hon'ble NGT also.

In this regard, it is to inform you that neither any response nor any compliance report has been received in this office so far.

In view of above, it is again reiterated to take necessary action against the alleged at the earliest and provide compliance report accordingly, so that compliance report may be filed in Hon'ble NGT, within stipulated time.

This issues with the approval of Competent Authority of Delhi Pollution Control Committee.



Encl.: As above.


Incharge, CMC-V

etc



By Speed Post
NGT Matter
By Speed Post

	DELHI POLLUTION CONTROL COMMITTEE 1 ST FLOOR, E-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES, DELHI-110054 Visit us at : http://dpcc.delhigovt.nic.in	
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F. No. DPCC/CMC-V/Complaint/2024/ 1000

Dated: 21/10/24

The General Manager (Commercial)
Tata Power Delhi Distribution Limited,
Grid Sub Station Building, Hudson Lane,
Kingsway Camp, Delhi-110009

Sub.: Seeking compliance w.r.t. Direction under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 as amended to date.

Sir,

This has reference to the Directions issued on 27.05.2024 (copy enclosed) on the subject referred above, wherein directions were issued to 35-40 units to ensure disconnection of electricity supply of the alleged units. In view of order passed by Hon'ble NGT on 20.08.2024 in O.A. No. 1065/2024 in the matter of Varun Gulati v/s Delhi Pollution Control Committee & Ors. issued by NGT subsequent to the aforesaid directions (copy of Hon'ble NGT order dated 20.08.2024 is enclosed herewith) and submit a compliance report to this office to enable this office to apprise the same to the Hon'ble NGT also.

In this regard, it is to inform you that neither any response nor any compliance report has been received in this office so far.

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This issues with the approval of Competent Authority of Delhi Pollution Control Committee.

Encl.: As above.




Incharge, CMC-V

9

By Speed Post

NGT Matter

By Speed Post

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE 1ST FLOOR, E-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES, DELHI-110054 Visit us at : http://dpcc.delhigovt.nic.in</p>	
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E. No. DPCC/CMC-V/Complaint/2024/ 1039.

Dated: 2.11.24

The General manager- 1,
 N-36, DSIIDC, Bombay Life building,
 Connaught Circus, new Delhi-110001

Sub.: Seeking compliance w.r.t. Direction under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 as amended to date.

Sir,

This has reference to the Directions issued on 27.05.2024 (copy enclosed) on the subject referred above, wherein directions were issued to 35-40 units to ensure disconnection of water supply connection of the alleged units. In view of order passed by Hon'ble NGT on 20.08.2024 in O.A. No. 1065/2024 in the matter of Varun Gulati v/s Delhi Pollution Control Committee & Ors. issued by NGT subsequent to the aforesaid directions (copy of Hon'ble NGT order dated 20.08.2024 is enclosed herewith) and submit a compliance report to this office to enable this office to apprise the same to the Hon'ble NGT also.

In this regard, it is to inform you that neither any response nor any compliance report has been received in this office so far.

In view of above, it is again reiterated to take necessary action against the alleged at the earliest and provide compliance report accordingly, so that compliance report may be filed in Hon'ble NGT, within stipulated time.

This issues with the approval of Competent Authority of Delhi Pollution Control Committee.

Encl.: As above.


 Incharge, CMC-V