

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

Original Application No. 515/2019

**In the matter of:**

President, Budhela Welfare Association ...Applicant

Versus

Govt. of NCT of Delhi. ...Respondents

**NDOH:-04.02.2021**

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Filed by:

(Ajeeta Dayal Agrawal)  
Sr. Environmental Engineer

New Delhi:

Dated: 25.01.2021.

(1)

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**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED  
23.07.2020.**

1. That this Hon'ble Tribunal last took up the above referred matter on 23.07.2020 and directed to file further compliance report in the matter.
2. That earlier, DPCC had filed its action taken report on 21.07.2020 which is available on the records of the This Hon'ble Tribunal and considered by this Hon'ble Tribunal while passing the order dated 23.07.2020.
3. That, the land owning agencies, who are allotting their vacant land for holding the functions were issued directions on 13/12/2019 to include environmental management in their existing policies while allotting open grounds for holding social, cultural, commercial and marriage or any other functions and for the strict compliance.
4. That reminder of the direction was issued on **21/01/2021** to the land owning agencies for submission of Action Taken Report along with the list of the grounds where such functions are allowed. Copies of the reminder letter are attached herewith as **Annexure- 1 (Colly)**.

5. That no compliance report with regard to the directions issued by DPCC have been received till date from any of the land owning agencies.
6. That a D.O. letter has also been written by Pr. Secretray (Env.)-cum-Chairman, DPCC to the heads o land owning agencies on 21/01/2021 for submitting the compliance/ ATR on the directions issued by DPCC on 13/12/2019
7. That random inspections were carried out by officials of DPCC in the month of December, 2020 and January, 2021 in entire Delhi to see the compliance of the directions issued by DPCC dated 13.12.2019. However, nowhere any social, cultural, commercial and marriage or other function was observed.
8. That during the inspections conducted, nowhere in the open grounds for marriages, ETP was found installed except at 4 places in Rajouri Garden where 4 tent houses have installed ETP and have also obtained consent from DPCC. List of the tent houses are enclosed at **Annexure II.**
9. That functions are being allowed with restrictions imposed by DDMA in the territorial jurisdiction of the GNCTD. In the wake of Covid-19 Pandemic the DDMA, GNCTD as per order dated 18.11.2020 gathering is allowed as per the following criteria in marriage related functions in NCT of Delhi, outside the containment zone.
  - a) In closed spaces, maximum of 50% of the Hall capacity will be allowed, with ceiling of 50 persons. Wearing of face masks, maintaining social distancing provision for them
  - b) In open spaces, keeping the size of the ground/space in view, subject to ceiling of 50 persons and with strict observance of social distancing, mandatory wearing of face mask, provision for thermal scanning and hand wash or sanitizer.

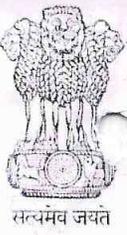
Copy of the DDMA order dated 18.11.2020 is attached herewith as **Annexure- III.**

The present status report may kindly be taken on record.

*Ajeeta*

(Ajeeta Dayal Agrawal)

Sr. Environmental Engineer



संजीव खिरवार

Sanjeev Khirwar, IAS

प्र० सचिव (पर्यावरण, वन एवं वन्य जीव)

चेयरमैन (दिल्ली प्रदूषण नियंत्रण समिति)

Pr. Secretary (Environment, Forest & Wild Life)-Cum-  
Chairman (Delhi Pollution Control Committee)

राष्ट्रीय राजधानी राज्य क्षेत्र दिल्ली सरकार

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

तल-6, विंग-सी, दिल्ली सचिवालय, आई.पी.एस्टेट, नई दिल्ली-110002

LEVEL-6, WING-C, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002

TEL. NO. : 23392108, TEL./FAX NO. : 23392034

D.O. No. F- DPCC/CML-VI/251-255

दिनांक

21-01-2021

Dated

Dear

Gyanesh

Annexure-1 (copy)

As you are aware, in compliance of the Hon'ble NGT order dated 03.12.2019 in the above mentioned matter, a meeting was taken by me on 11.12.2019 with all land owning agencies, for framing the policy/guidelines in respect of holding social, religious and other functions in open park/ground/land of local bodies/DDA. Bases on the decisions taken in the meeting directions were issued to all the stakeholders on 13.12.2019.

In compliance of the above Hon'ble NGT order, DPCC is also required to carry out random inspections and monitoring to check the compliance of the directions by the local bodies. Consequently, your office was requested on 06.07.2019 to provide details of the open parks/grounds/open land where the permission to hold social, religious and other function is given with details of the functions to be held in near future. However, no information has been received till date.

Action taken report on the directions issued on 13.12.2019 has also still not been received in DPCC till date despite issuing a reminder on 08.07.2020 & 12.01.2021. By way of this letter, therefore, I would request you to direct the concerned officers for providing the details of open parks/grounds/ open lands and the Acton taken Report on the directions issued on 13.12.2019 at the earliest.

With regards

Yours sincerely

(Sanjeev Khirwar)

Sh. Gyanesh Bharti, IAS  
Commissioner, North Delhi Municipal Corporation  
Civic centre, Jawahar Lal Nehru Marg,  
Minto Road, New Delhi-110002

GREEN DELHI-CLEAN DELHI



SAY NO TO CRACKER



संजीव खिरवार

Sanjeev Khirwar, IAS

प्र० सचिव (पर्यावरण, वन एवं वन्य जीव)  
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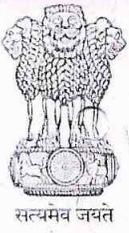
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Civic centre, Jawahar Lal Nehru Marg,  
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Chairman (Delhi Pollution Control Committee)

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(Sanjeev Khirwar)

Sh. Anuraj Jain, IAS

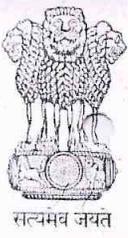
Vice Chairman, Delhi Development Authority,

Vikas Sadan, INA, New Delhi-110023.

GREEN DELHI-CLEAN DELHI



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संजीव खिरवार  
Sanjeev Khirwar, IAS

प्र० सचिव (पर्यावरण, वन एवं वन्य जीव)  
चेयरमैन (दिल्ली प्रदूषण नियंत्रण समिति)

Pr. Secretary (Environment, Forest & Wild Life)-Cum-  
Chairman (Delhi Pollution Control Committee)

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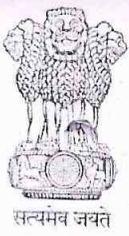
(Sanjeev Khirwar)

Sh. Dharmendra, IAS  
Chairman, New Delhi Municipal Council/  
Palika Kendra, Parliament Street  
New Delhi-110001

GREEN DELHI-CLEAN DELHI



SAY NO TO CRACKER



संजीव खिरवार  
Sanjeev Khirwar, IAS

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चेयरमैन (दिल्ली प्रदूषण नियंत्रण समिति)

Pr. Secretary (Environment, Forest & Wild Life)-Cum-  
Chairman (Delhi Pollution Control Committee)

राष्ट्रीय राजधानी राज्य क्षेत्र दिल्ली सरकार

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LEVEL-6, WING-C, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002

TEL. NO. : 23392108, TEL./FAX NO. : 23392034

D.O. No. F. DPCC/CMC-VI/251-255

दिनांक 21-01-2021

Dated

Dear Dilraj,

As you are aware, in compliance of the Hon'ble NGT order dated 03.12.2019 in the above mentioned matter, a meeting was taken by me on 11.12.2019 with all land owning agencies, for framing the policy/guidelines in respect of holding social, religious and other functions in open park/ground/land of local bodies/DDA. Bases on the decisions taken in the meeting directions were issued to all the stakeholders on 13.12.2019.

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With regards

Yours sincerely

(Sanjeev Khirwar)

21/1/2021

Smt. Dilraj Kaur, IAS  
Commissioner, East Delhi Municipal Corporation  
Udyog Sadan, Patparganj Indl. Area,  
New Delhi-110092

GREEN DELHI-CLEAN DELHI



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**LIST OF TENT HOUSES WHO HAVE INSTALLED ETP AND HAVE TAKEN  
CONSENT FROM DPCC**

1. Deepali Designs and Exhibits (P) Ltd., Chunk - C, District Centre, Shivaji Enclave, Raja Garden, New Delhi-110027.
2. Kawatra Tent and Caterers (P) Ltd., Chunk - D, District Centre, Shivaji Enclave, Raja Garden, New Delhi-110027.
3. Kohli Tents (P) Ltd., Chunk - E, DUSIB Land, Raja Garden, New Delhi-110027.
4. Kohli Tents (P) Ltd., Chunk - B, Shivaji Place, Raja Garden, New Delhi-110027

GOVERNMENT OF NCT OF DELHI  
DELHI DISASTER MANAGEMENT AUTHORITY

Annexure-III (10)

F.No.: 1.(545)/DDMA (HQ)/Closing market/COVID-19/2020/ 1981

Dated: 18/11/20

ORDER

Whereas, the Delhi Disaster Management Authority (DDMA) is satisfied that the NCT of Delhi is threatened with the spread of COVID-19 epidemic, which has already been declared as a pandemic by the World Health Organization, and has considered it necessary to take effective measures to prevent its spread in NCT of Delhi;

And whereas, Delhi Disaster Management Authority has issued various orders/instructions from time to time to all authorities concerned to take all required measures to appropriately deal with the situation;

And whereas, Ministry of Home Affairs (MHA), Govt. of India, vide Order No. 40-3/2020-DM-I (A) dated 30.09.2020 annexed with guidelines for Re-opening, which inter-alia permitted State/UT to allow gatherings beyond the limit of 100 persons in social/academic/sports/entertainment/cultural/religious/political functions and other congregations, in areas outside the Containment Zones, after 15.10.2020 subject to the certain conditions;

And whereas, Ministry of Home Affairs, Govt. of India, vide Order No. 40-3/2020-DM-I (A) dated 27.10.2020 has further ordered that guidelines for re-opening issued vide MHA's order of even number dated 30.09.2020, will remain in force upto 30.11.2020;

And whereas, DDMA has issued order No. 338 dated 31.10.2020 wherein, inter alia, following number of persons were allowed in marriage related gatherings only in the NCT of Delhi outside the Containment Zones subject to compliance of certain conditions/ SOP:

- a. In closed spaces, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 200 persons. Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of hand wash or sanitizer will be mandatory.
- b. In open spaces, keeping the size of the ground/space in view, and with strict observance of social distancing, mandatory wearing of face masks, provision for thermal scanning and hand wash or sanitizer.

And whereas, the situation of COVID-19 in Delhi has been reviewed and in view of the sudden surge in the number of COVID-19 cases in Delhi, which has further been aggravated due to rising pollution levels owing to various factors and therefore, it has been decided that the ceiling of maximum persons in marriage related gatherings in NCT of Delhi outside the Containment Zones may be reduced to 50 persons only.

Now, therefore, in exercise of powers conferred under section 22 of the Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, DDMA, GNCTD hereby directs that henceforth number of persons allowed in marriage related gatherings in NCT of Delhi, outside the Containment Zones, shall be subject to following conditions:

- 11
- a. In closed spaces, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 50 persons. Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of hand wash or sanitizer will continue to be mandatory.
  - b. In open spaces, keeping the size of the ground/space in view, subject to a ceiling of 50 persons and with strict observance of social distancing, mandatory wearing of face masks, provision for thermal scanning and hand wash or sanitizer.

**All conditions/protocols, except number of persons allowed, as stipulated in SOP as appended to the DDMA order dated 31.10.2020 (copy enclosed) shall continue to apply in all marriage related gatherings in NCT of Delhi.**

All District Magistrates of Delhi & their counterpart District Deputy Commissioners of Police and all authorities concerned shall ensure strict compliance of this order and shall adequately inform and sensitize the field functionaries about these instructions for strict compliance, in letter and spirit.

  
18.XI.20  
(Vijay Dev)  
Chief Secretary, Delhi

F.No.: 1.(545)/DDMA (HQ)/Closing market/COVID-19/2020/

Dated:

Copy for compliance to:

1. All Additional Chief Secretaries/Principal Secretaries/Secretaries/HODs of Government of NCT of Delhi.
2. Commissioner of Police, Delhi
3. Chairman, New Delhi Municipal Council.
4. Pr. Secretary (I&P) for wide publicity in NCT of Delhi
5. Commissioner (South DMC/East DMC/North DMC).
6. Commissioner (Excise), GNCTD.
7. CEO, Delhi Cantonment Board.
8. All District Magistrates of Delhi
9. All District DCPs of Delhi

Copy for kind information to:-

1. Secretary to Hon'ble Lt. Governor, Delhi.
2. Addl. Secretary to Hon'ble Chief Minister, GNCTD.
3. Secretary to Hon'ble Dy. Chief Minister, GNCTD.
4. Secretary to Hon'ble Minister of Health, GNCTD.
5. Secretary to Hon'ble Minister of Revenue, GNCTD.
6. Secretary to Hon'ble Minister of Labour, GNCTD.
7. Secretary to Hon'ble Minister of Social Welfare, GNCTD.
8. Secretary to Hon'ble Minister of Food & Supply, GNCTD.
9. Addl. Chief Secretary (Services)/ State Nodal Officer, GNCTD.
10. Addl. Chief Secretary (UD), GNCTD.
11. Pr. Secretary (Home), GNCTD.
12. Pr. Secretary (Health), GNCTD.
13. Pr. Secretary (Revenue)-cum-Divisional Commissioner, GNCTD.
14. All members of State Executive Committee, DDMA, GNCTD.
15. System Analyst, O/o Divisional Commissioner, Delhi for uploading of the order on website –  
ddma.delhigovt.nic.in.
16. Guard file.