

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

Original Application No. 517/2022

In the matter of:

D S Kataria & Ors

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

NDOH:-30.05.2023

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Filed by:



New Delhi:

(Dr. B.M.S. Reddy)

Sr. Environmental Engineer

Dated: 29.05.2023

Delhi Pollution Control Committee

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

Original Application No. 517/2022

In the matter of:

D S Kataria & Ors

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

**COMPLIANCE REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER
DATED 15.03.2023.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 08.09.2023 and was pleased to constitute a Joint Committee of DDA, DPCC and Deputy Commissioner (South West), Delhi to verify the factual position about the issues like heavy vehicle movement and dumping of building/ construction material on the vacant land adjacent to Sector E-2, Vasant Kunj.
2. That in compliance with the order passed by this Hon'ble Tribunal, DPCC filed the Action Taken Report and response through email on 26.12.2022

Bull

and 10.03.2023, which are available on the records of this Hon'ble Tribunal.

3. That, Hon'ble taken up the matter on 15.03.2023 and pleased to direct to file reply/ response.
4. That, DDA has submitted its reply dated 21.03.2023, in view of the joint inspection dated 14.12.2022. In the reply it was mentioned that, DDA has repaired/ constructed footpath and also removed all C & D Waste from road / sweeping and sprinkling of water to prevent dust pollution as recommended by DPCC. Further, installation of barricading to restrict the movement of heavy vehicles pertains to Traffic Police. Copy of the reply submitted by DDA alongwith photographs are enclosed herewith as **ANNEXURE-1 (Colly)**.
5. That, in addition to previous reports, it is most respectfully submitted that DDA has taken a meeting on 11.04.2023 in the office of RWA, Sector E-2, Vasant Kunj between the representatives of DPCC, RWA, & DDA. In the meeting issues like water logging, cleaning of pond, movement of heavy vehicles and sprinkling of water etc. were discussed. Copy of the minutes of meeting dated 11.04.2023 along with photographs are enclosed herewith as **ANNEXURE-2 (Colly)**.
6. That the area/ site was inspected by a joint team on 11.04.2023 by officials of DPCC and DDA alongwith RWA representatives.
7. That, DPCC again issued letter to DDA on 09.5.2023 seeking detailed compliance report wrt the directions dated 23.12.2022 to DPCC at the

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earliest and no reply has been submitted by the DDA. Copy of the letter dated 09.05.2023 is enclosed herewith as ANNEXURE-3.

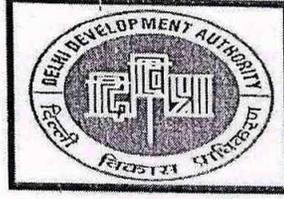
8. This Hon'ble Tribunal is therefore requested to kindly take the present compliance report on record.



(Dr. B.M.S. Reddy)

Sr. Environmental Engineer

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE EXECUTIVE ENGINEER
SOUTHERN PROJECT DIVISION -1, DDA
D-2, VASANT KUNJ, NEW DELHI -110070
EMAIL :- eespd1dda@gmail.com
PHONE NO. 011-26122318



दिल्ली विकास प्राधिकरण,
अधिशायी अभियंता, SPD-1
दि० वि० प्रा०, डी-2, वसंत कुंज, नई दिल्ली -110070
ई मेल:- eespd1dda@gmail.com
दूरभाष संख्या : 011-26122318

क्रमांक: F15(14)AE(P)/SPD-I/DDA/264

दिनांक: 21.03.2023

सेवा में,

**The In-charge (CMC)-IV,
Senior Environmental Engineer,
Delhi Pollution Control Committee,
4th and 5th Floor, ISBT Building,
Kashmere Gate, Delhi -110006.**

Annexure-1 (Colly)

विषय : Compliance of the order of Hon'ble NGT in OA No. 517/2022
सन्दर्भ : In the matter of DS Kataria & Ors Versus Govt. of NCT of Delhi.

With reference to the above cited subject and reference, in this regard, the Hon'ble NGT has constituted a Joint Committee of representation of DDA, revenue Department and DPCC vide order dated 05.12.2022. The committee has inspected the site on dated 21.12.2022 and some observation raised for strictly compliance. Accordingly, this office has repair / constructed the road patch under the jurisdiction of DDA and also removed all C & D Waste from road / footpath. (Photographs enclosed). This office has also started the work of cleaning / sweeping and sprinkling of water to prevent dust pollution as recommended by DPCC to make strictly compliance of Hon'ble NGT order to prevent the dust pollution (Copy of work awarded is enclosed).

Further, it is also clarified that installation of barricading to restrict the movement of Heavy vehicles pertains to Traffic Police.

संलग्न : ऊपरोक्त अनुसार !

[Signature]
अधिशायी अभियंता,
दक्षिणी परियोजना खंड -1
दि० वि० प्रा०, डी-2, वसंत कुंज

प्रतिलिपि :-

1. मुख्या अभियंता, (दक्षिण पूर्व क्षेत्र), दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
2. अधीक्षण अभियंता, दक्षिणी असैनिक परिमंडल -2, दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
3. सहायक अभियंता-5, दक्षिणी परियोजना खंड -1, दि० वि० प्रा० को सूचनार्थ हेतु।
4. कार्यालय प्रतिलिपि ।
5. रक्षक मिसिल प्रतिलिपि ।

[Signature]
अधिशायी अभियंता,
दक्षिणी परियोजना खंड -1
दि० वि० प्रा०, डी-2, वसंत कुंज



दिल्ली विकास प्राधिकरण
अधिसायी अभियंता कार्यालय
दक्षिणी परियोजना बंद- 1,
बी-2, वसंत कुंज, नई दिल्ली- 110070
फोन नंबर :- 011-26122318
ईमेल :- ddased7@gmail.com

DELHI DEVELOPMENT AUTHORITY
OFFICE OF
THE EXECUTIVE ENGINEER
SOUTHERN PROJECT DIVISION NO.1
DE, VASANT KUNJ,
NEW DELHI-110070
PHONE NO :- 011-26122318
EMAIL ID :- ddased7@gmail.com

संख्या - F50(23)EE/SPD-1/DDA/Award/2022-23/65

दिनांक 21/01/2023

सेवा में

M/s. Shri Bankey Bihari Enterprises,
H.No. 387, New Vikas Nagar,
Loni, Ghaziabad, UP-201102.

विषय - M/o completed scheme under N/A-II, SZ. SH:- Cleaning and sweeping of road
approaching Nangal Dewat & road between E-1 & E-2, Vasant Kunj.

Estimated Cost Rs. 10,78,174/- Tender Amount Rs. 4,64,046/-
Percentage for Clause 12:- @ 56.96% below the estimated cost.

- Ref :- 1. Performance Guarantee (FDR A/c no. 5332539685 Dated 26.12.2022 for ₹
13,921/- (Rs. Thirteen thousand nine hundred and twenty one only) CBI,
submitted by you vide your letter no. NIL dated 26.12.2022.
2. This office letter of intent/Acceptance of your tender issue vide no
F5(10)EE/SPD-1/DDA/1196 dated 19.12.2022.

महोदय,

You are requested to contact **AE-III** of this Division & start the work at once.
Please note that time allowed for carrying out the work as entered in the tender shall
be reckoned from the 10th day after the date of issue of this letter.

You are also requested to attend this office to sign the agreement on stamp paper
(non-judicial) worth RS 100/- (Rs one hundred only) within seven days from the date
of issue of this letter. Please note that if you fail to attend this office of the undersigned
within seven days, the acceptance of the work is liable to be withdrawn, EMD and
performance guarantee shall be forfeited.

Time allowed for execution of the work shall be 365 (Three sixty five) days.

AE-III

अधिसायी अभियंता
द प खंड-1/डीडीए

प्रतिलिपि:-

1. Chief Engineer/South Zone/DDA
2. Superintending Engineer/SCC-2/DDA
3. Sr. A.O. (CAU)/SZ/DDA
4. Sr. A.O. (W) - I/DDA
5. All AE's, AE (P), HC, A.A.O./SPD -1/DDA
6. I.T.O. I.P. Estate, New Delhi.
7. Labour Commissioner, Delhi Admin, 15, Rajpur Road, New Delhi
8. Commissioner, Sales Tax Department, NCT of Delhi, I.T.O. New Delhi.
9. Spare copy for agreement

21/01/23
अधिसायी अभियंता
द प खंड-1/डीडीए



 **GPS Map Camera**

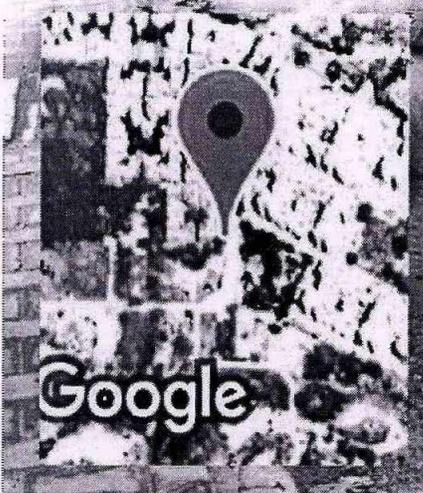
New Delhi, Delhi, India

Flat No 2 Sector E, Pocket 2, Mahipalpur Village,
Vasant Kunj, New Delhi, Delhi 110070, India

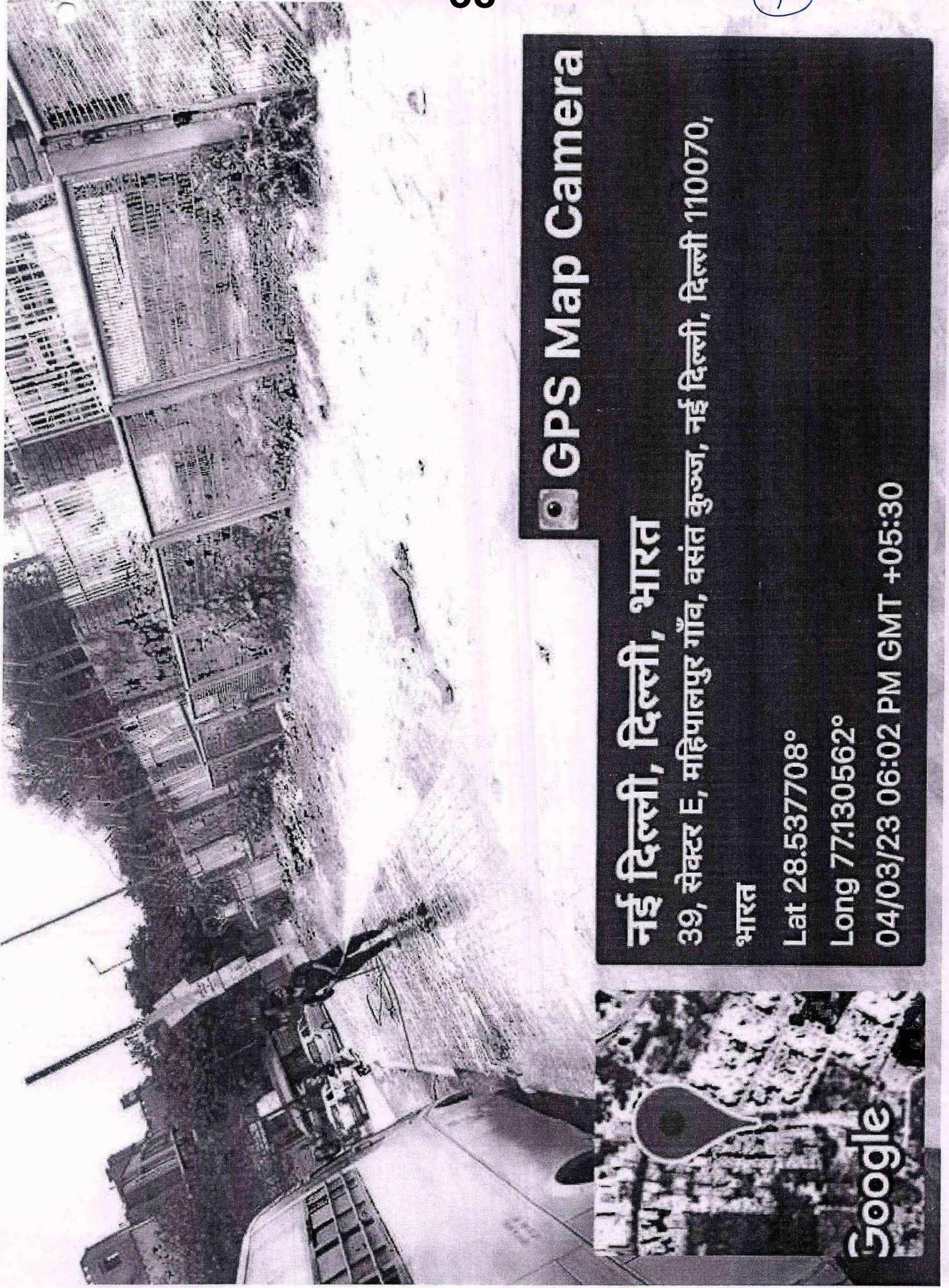
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Long 77.130534°

05/03/23 06:10 PM GMT +05:30



7



 GPS Map Camera

नई दिल्ली, दिल्ली, भारत

39, सेक्टर E, महिपालपुर गाँव, वसंत कुब्ज, नई दिल्ली, दिल्ली 110070,

भारत

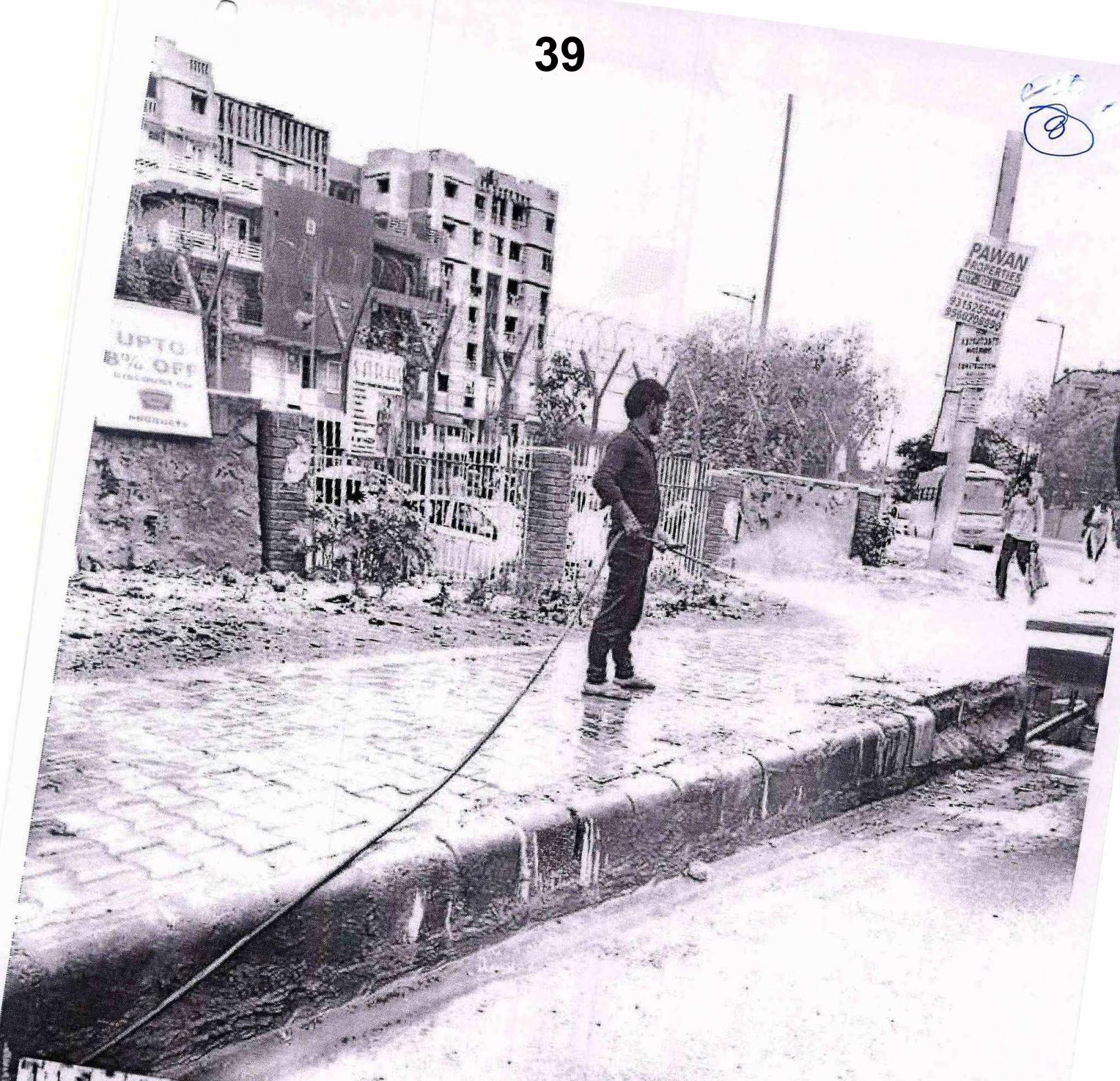
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Long 77.130562°

04/03/23 06:02 PM GMT +05:30

Google

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Google

GPS Map Camera

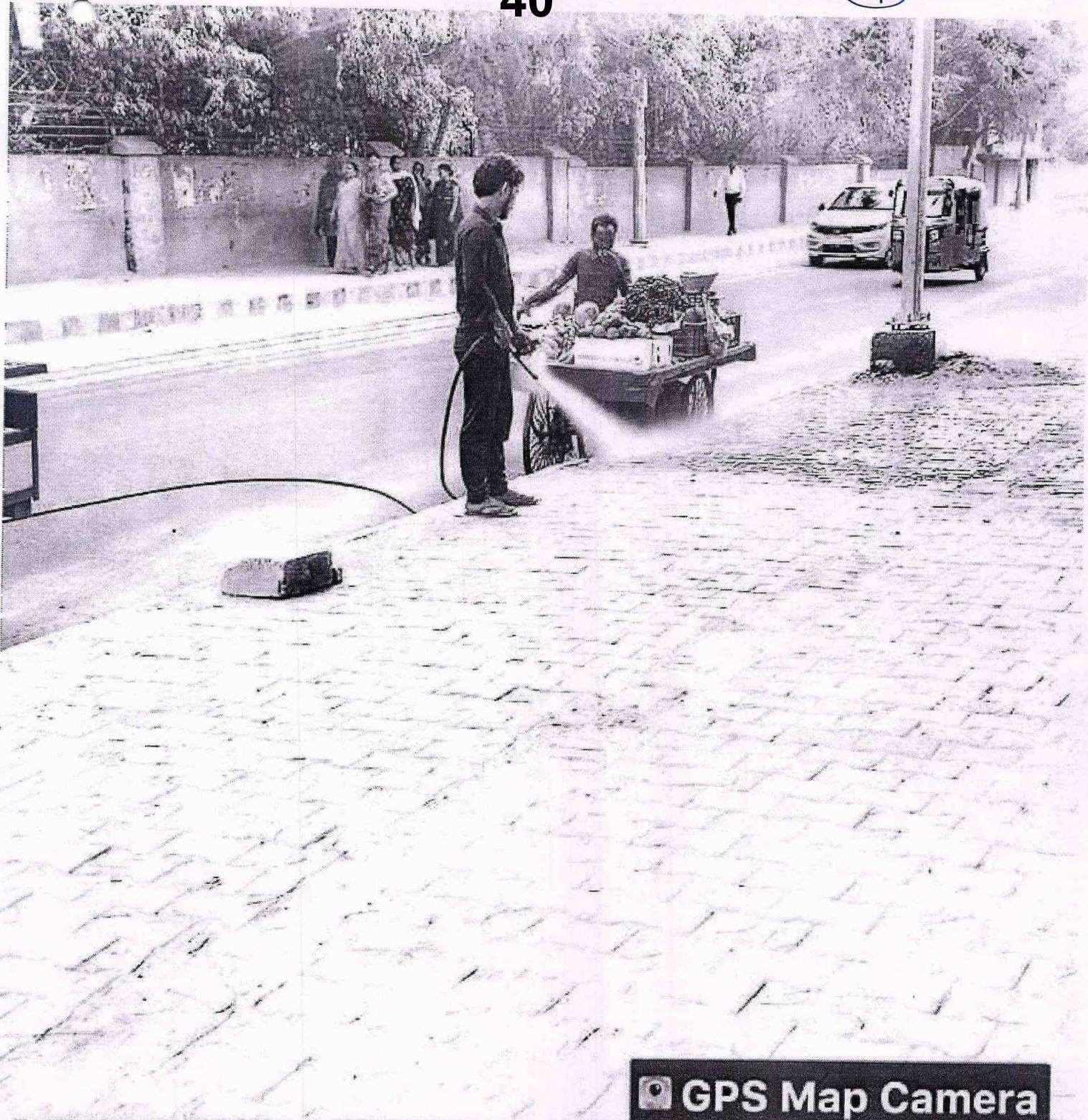
New Delhi, Delhi, भारत

E2, Gate-2, Pocket 2, Sector E, Mahipalpur Village,
Vasant Kunj, New Delhi, Delhi 110070, भारत

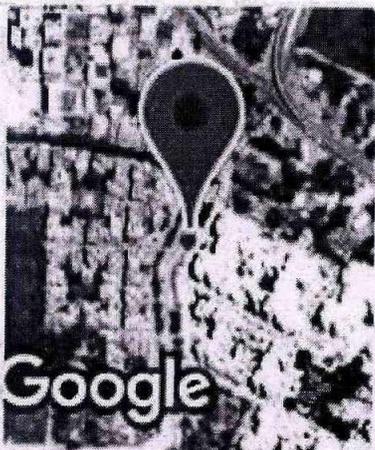
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Long 77.130545°

04/03/23 05:52 PM GMT +05:30



GPS Map Camera



New Delhi, Delhi, भारत

E2, Gate-2, Pocket 2, Sector E, Mahipalpur Village,
Vasant Kunj, New Delhi, Delhi 110070, भारत

Lat 28.538423°

Long 77.130807°

04/03/23 05:45 PM GMT +05:30



GPS Map Camera

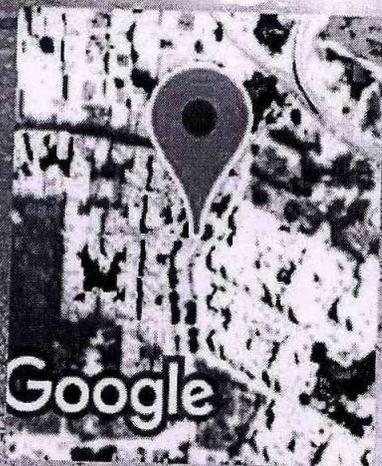
New Delhi, Delhi, भारत

E2, Gate-2, Pocket 2, Sector E, Mahipalpur Village,
Vasant Kunj, New Delhi, Delhi 110070, भारत

Lat 28.538284°

Long 77.130677°

05/03/23 06:06 PM GMT +05:30





क्रमांक: F15(14)AE(P)/SPD-1/DDA/369

दिनांक: 18.04.2023

MINUTES OF MEETING

Annexure-2 (copy)

(DS Kataria & Ors. Versus Govt. of NCT of Delhi)

In Compliance of order issued by Hon'ble NGT Court vide dated 03.03.2023 in the matter of **DS Kataria & Ors. Versus Govt. of NCT of Delhi** for review of action taken status of the work executed by DDA, a meeting was held on 11.04.2023 at 11.00 AM in the office of RWA, Sector E-2, Vasant Kunj between the representatives of DPCC, RWA & DDA in the presence of following:-

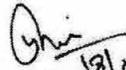
1. Pramod Meena, EE/SPD-1/DDA.
2. Sachin Kumar, AE(C)/SPD-1/DDA.
3. Sarim Zameer, JEE (DPCC).
4. D.S. Kataria, President, RWA, E-2, Vasant Kunj.
5. Sunil Kumar Sharma, Secretary, RWA, E-2, Vasant Kunj.
6. Residents of E-2, Vasant Kunj.

In the above meeting, following grievances of the residents were discussed in the matter of **DS Kataria & Ors. Versus Govt. of NCT of Delhi** i.e. OA No. 17/2022 and OA No. 517/2022 :-

SL. NO.	GRIEVANCES RAISED	ACTION TAKEN BY DDA
1.	During rainy season, the E-2 pocket is facing water logging issue, therefore, an artificial ditch created adjoining to Pkt. E-2 to resolve the issue of water logging, but the sewerage / drain water continuously enter in said area from unauthorized nallah of K-2 Block, Village Mahipalpur, which creates unhygienic conditions.	The water proofing work of existing RR wall of Pocket E-2 was already completed by the then staff in October-2022 and the same was submitted in the Hon'ble Court. As per direction of DPCC, this office has also floated a tender for RCC wall to prevent the unhygienic water comes in the said land.
2.	The cleaning of pond is not done on regular basis.	The pond was already cleaned in the year -2022 by then staff of DDA and the same was submitted before the Hon'ble Court and as per request of RWA and DPCC. Furthermore, this office has already started the work for cleaning of pond.

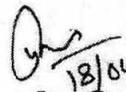
3.	The Heavy vehicles / trucks are continuously passing through E-1 & E-2 Road, which causes dust and sound pollution. Therefore, a height barrier is to be installed on E-1 & E-2 road to restrict the entry of heavy vehicles. However, this road was constructed by DDA exclusively for E-1 & E-2 pocket only. There are also securities issues in late night hours.	The issue of barricading pertains to Traffic Police, Delhi.
4.	DDA has stopped daily sprinkling of water on the road of E-1 & E-2	The work for sprinkling of water was completed in the month of March-2023 & as per direction of DPCC, this office will again float a tender for the same as soon as possible.

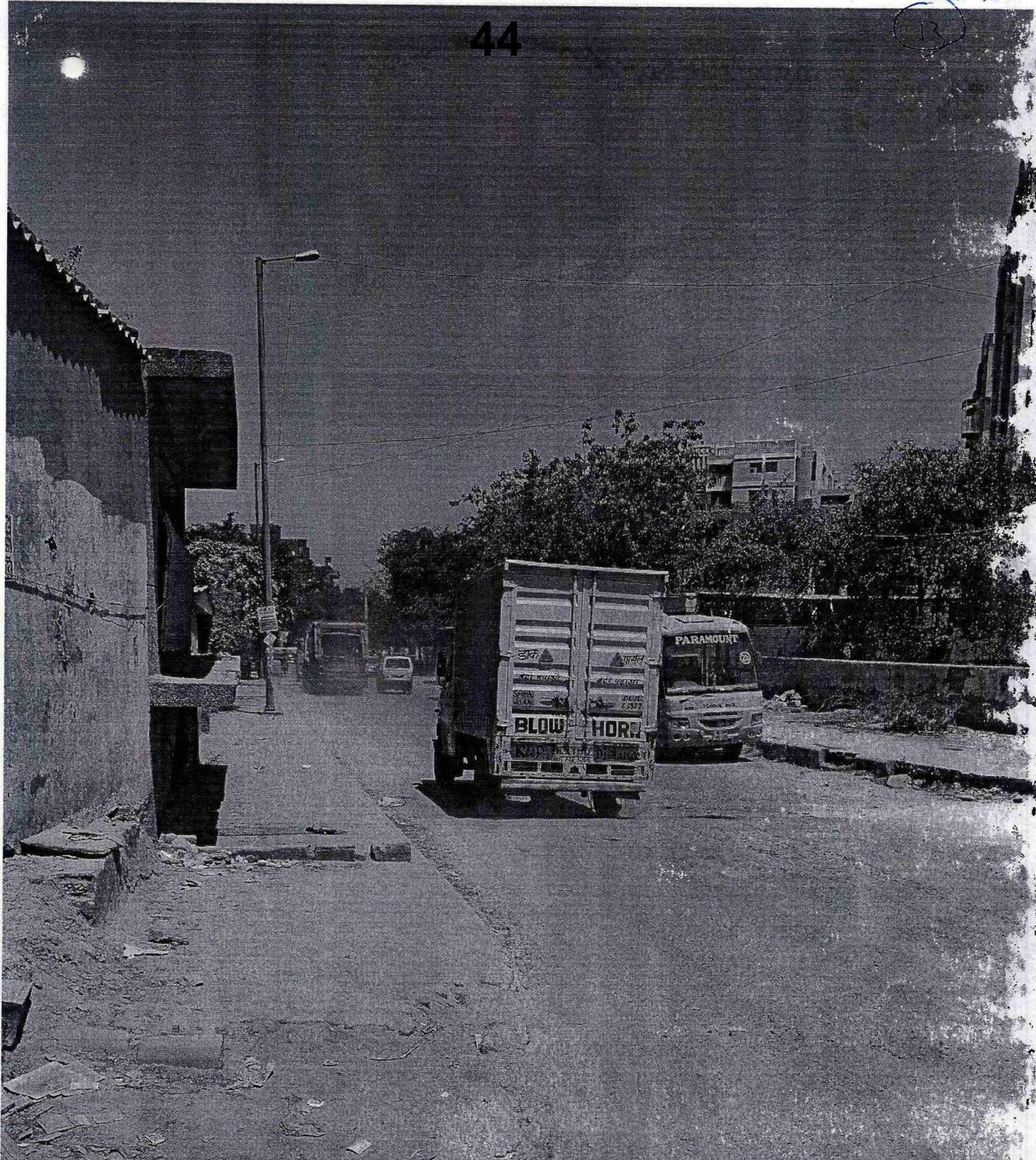
12


 18/04/23
 अधिशासी अभियंता,
 दक्षिणी परियोजना खंड -1
 दि० वि० प्रा०, डी-2, वसंत कुंज
 OIC

प्रतिलिपि :-

1. मुख्य अभियंता, (दक्षिण पूर्व क्षेत्र), दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
2. अधीक्षण अभियंता, (मुख्य कार्यालय व योजना) दक्षिणी पूर्व क्षेत्र, दि० वि० प्रा०, को कृपया सूचनार्थ हेतु।
3. अधीक्षण अभियंता, दक्षिणी असैनिक परिमंडल -2, दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
4. अध्यक्ष, RWA, E-2, वसंत कुंज, नई दिल्ली -110070 को कृपया सूचनार्थ हेतु।
5. सहायक अभियंता-III दक्षिणी परियोजना खंड -1, दि० वि० प्रा० को आवश्यक कार्यवाही हेतु।
6. कार्यालय प्रतिलिपि।
7. रक्षक मिसिल प्रतिलिपि।


 18/04/23
 अधिशासी अभियंता,
 दक्षिणी परियोजना खंड -1
 दि० वि० प्रा०, डी-2, वसंत कुंज
 OIC



GPS Map Camera

New Delhi, Delhi, India

Flat No 2 Sector E, Pocket 2, Mahipalpur Village, Vasant Kunj

New Delhi, Delhi 110070, India

Lat 28.536916°

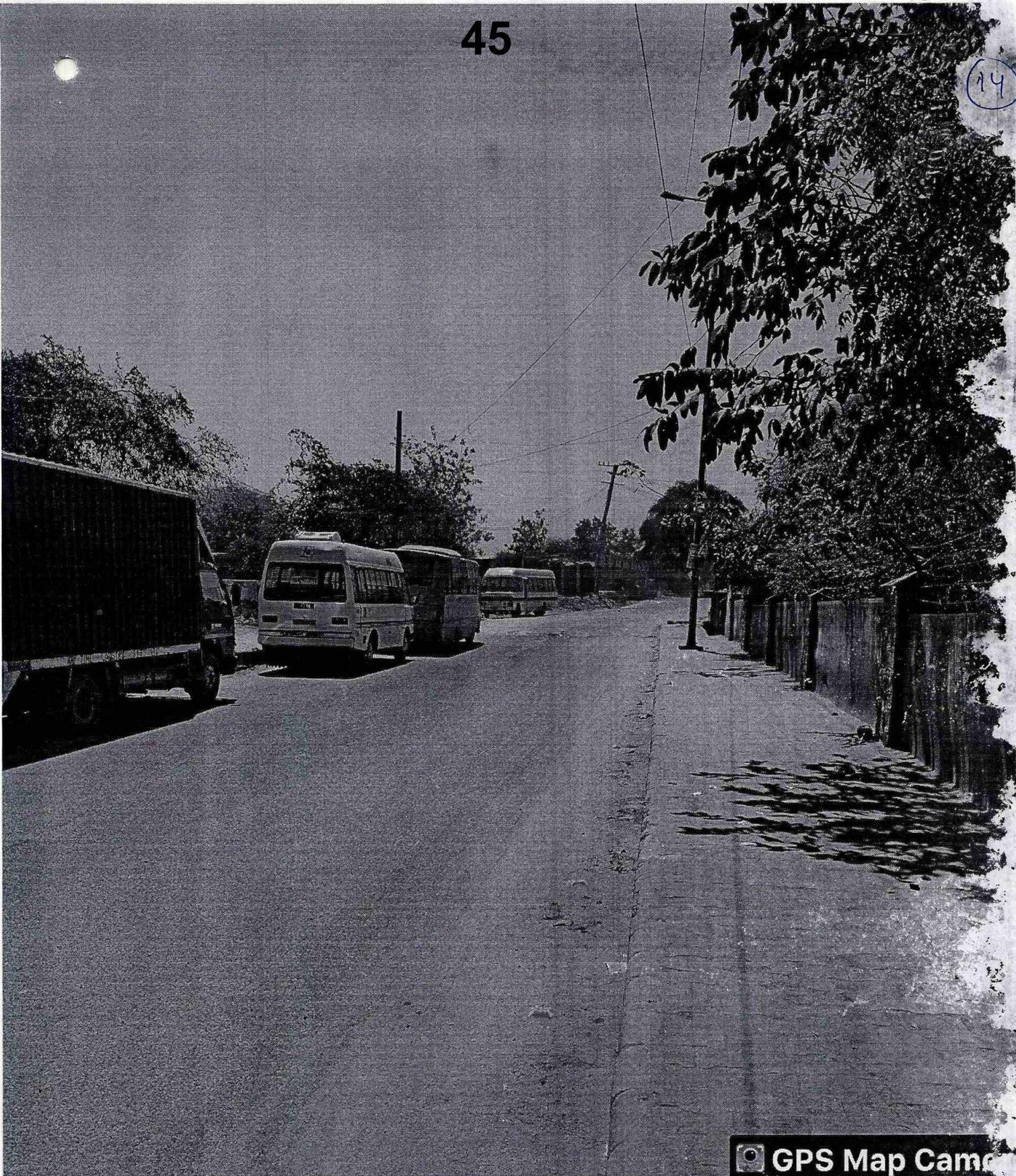
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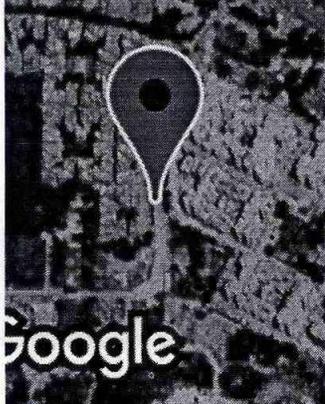


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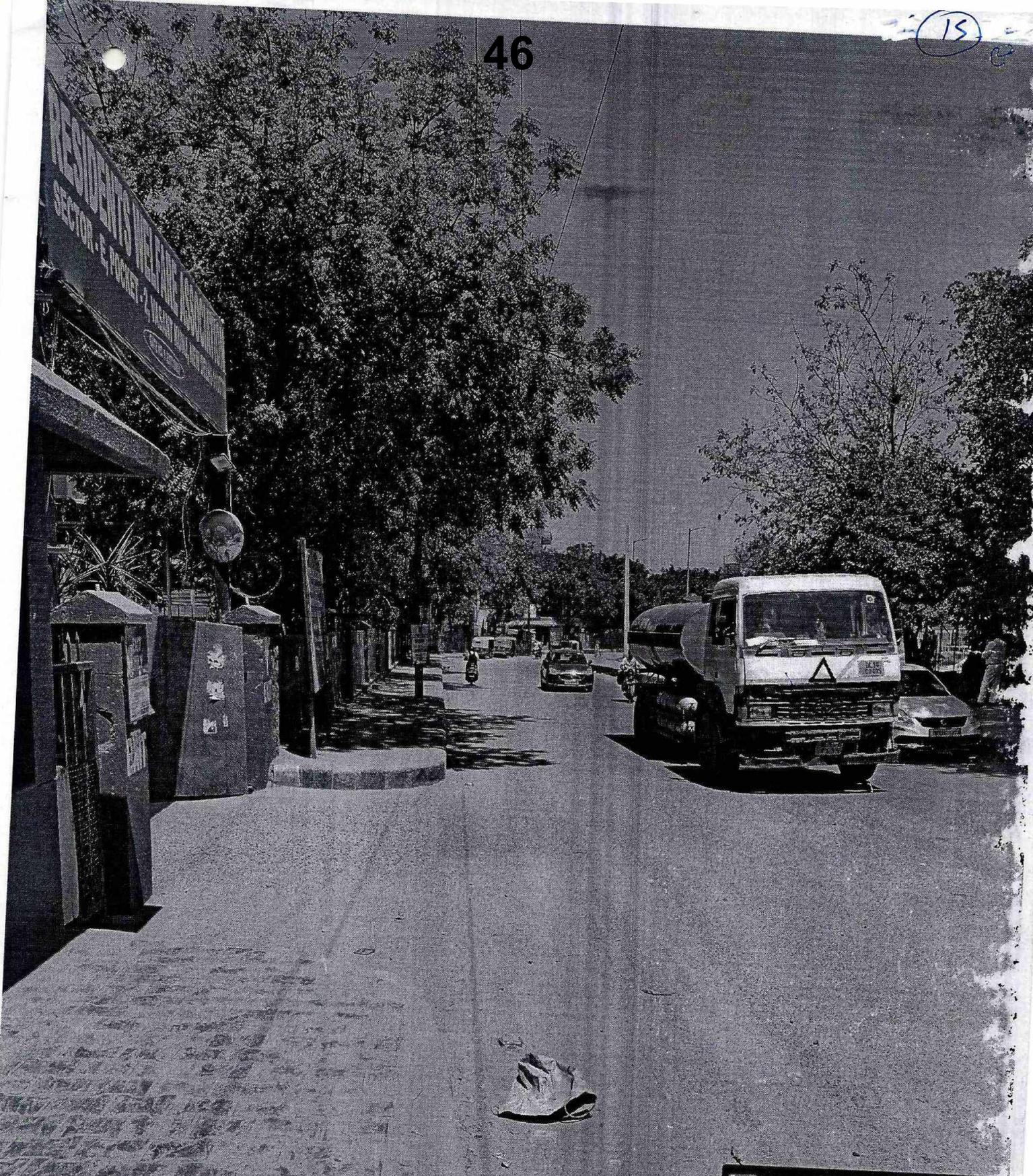
GPS Map Cam



New Delhi, Delhi, India
39, Sector E, Mahipalpur Village, Vasant Kunj, New Delhi,
Delhi 110070, India
Lat 28.53731°
Long 77.130561°
11/04/23 11:43 AM GMT +05:30

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GPS Map Camera

New Delhi, Delhi, India

39, Sector E, Mahipalpur Village, Vasant Kunj, New Delhi,
Delhi 110070, India

Lat 28.537363°

Long 77.130588°

11/04/23 11:43 AM GMT +05:30





DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF
DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE,
DELHI-6

visit us at : <http://dpcc.delhigovt.nic.in>



F.No.: DPCC/CMC-IV/2023-24/154-156

Dated : 09/05/2023

To,
Superintendent Engineer (HQ)
SPD-1, DDA, Nelson Mandela Road
Near Masoodpur Village
New Delhi-110070

Annexure-3

Subject: Compliance of Directions u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of Environmental (Protection) Act, 1986 read with Construction and Demolition Waste Rules, 2016 issued vide .No DPCC/CMC-IV/2022/159/1775-79 dt. 23/12/2022 in the matter of OA-517/2022 "D.S Kataria & Ors Vs GNCTD".

Sir,

With reference to aforementioned subject, directions u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 and u/s 5 of Environmental (Protection) Act, 1986 read with Construction and Demolition Waste Rules, 2016 were issued to DDA which are as under:

1. DDA shall take necessary action to prevent Road Dust emissions by blacktopping the Road and provision of adequate sprinkling on the roadside.
2. DDA shall take immediate steps for removal of illegal dumping of C&D waste from the site and to take strict measures so that illegal dumping may not take place in future.
3. DDA may install barricade to restrict movement of Traffic in consultation of traffic police and local administration.

Subsequent to the hearing/order of Hon'ble NGT on 15.3.2023, the area/site was inspected by a joint team on 11.04.2023 by officials of DPCC and DDA along with RWA , E-2 Vasant Kunj, Delhi and found heavy dust pollution in the vicinity of the area which implies that daily sprinkling of the surface is not being done by DDA.

By way of this letter, you are hereby requested to send a detailed compliance report to DPCC at the earliest regarding aforesaid directions so that Hon'ble NGT may be apprised about status on the ground.

OLL

Houry

Incharge, CMC-IV

Copy to: - Vice Chairman, DDA, Vikas Sadan, New Delhi-110023.