

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

Review Application No. 30/2021

In

Original Application No. 275/2020

IN THE MATTER OF:

Mythily Manoharan

... Applicant

VERSUS

Union of India & Ors

... Respondents

NDOH:- 16.12.2021

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Ajeet
(Ajeeta Dayal Agrawal)
Sr. Environmental Engineer

Date: 1/12/21

Place: Delhi

1

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PRINCIPAL BENCH, NEW DELHI**

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IN THE MATTER OF:

Mythily Manoharan

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**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN TERMS OF THE ORDER DATED
19.08.2021.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 19.08.2021 and was pleased to direct to take action for violation of environmental norms by Radhey Radhey Builders through its proprietor Hemant Modi, at Nasirpur, New Delhi – 110045.
2. That in compliance with the order passed by this Hon'ble Tribunal on 19.08.2021, Delhi Pollution Control Committee had issued letters dated 08.11.2021 to Dy. Commissioner (Dwarka), SDM (Dwarka) and Dy.

Commissioner (Najafgarh), for joint inspection of the site. Copy of the letter dated 08.11.2021 is enclosed herewith as ANNEXURE-I.

3. That, a joint inspection was carried out by officials of Delhi Pollution Control Committee along with South Delhi Municipal Council, SDM (Dwarka) and Delhi Police on 12.11.2021. Following was observed during inspection:

1. The Plot area is approx. 1200m²
2. Site is found vacant
3. No construction material (Dust, Rodi, Bricks & Badarpur etc.) found at the plot
4. As informed by the SDMC officials, the land belong to DDA (Dwarka Project Division -II)
5. As informed by the Chowkidar /local person no occupier was present at site, at the time of inspection.

Copy of the inspection report dated 12.11.2021 alongwith photographs is enclosed herewith as ANNEXURE-II (Colly)

4. In view of the inspection findings, no action is warranted at this juncture. However, a letter was issued to DDA (Dwarka Project Division-II) to secure its land on 29.11.2021. Letter was also written to SDMC, DDA, Local Police and office of the SDM to keep a vigil on the land, so that same may not be used for any of the activity without getting approval. Copy of the letters dated 29.11.2021 are enclosed herewith as **Annexure-III (Colly)**.

3

The present status report may kindly be taken on record.

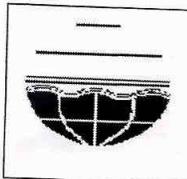

(Ajeeta Dayal Agrawal)
Sr. Environmental Engineer

Date:

Place:

4

By Speed Post



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
visit us at : <http://dpcc.delhigovt.nic.in>

F.No.DPCC/CMC-II/NGT/OA-275/2020/11072-74

Dated: 08/11/2021

To,

Annexure-I

1. The Dy. Commissioner of Police (Dwarka),
Sector-19, Dwarka,
New Delhi-110075
2. The Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office,
Sector-10, Dwarka
New Delhi -110045
3. The Dy. Commissioner (Najafgarh Zone),
South Delhi Municipal Corporation,
Najafgarh, New Delhi- 110043

Sub:- Hon'ble NGT matter w.r.t. Review Application No. 30/2021 in OA No. 275/2020 filed by Mythily Manoharan Vs. Union of India & Ors. Regarding selling business of Dust, Rodi, Bricks, Badarpur, Cement & Sand by Hemant Modi, Proprietor Radhey Radhey Builders adjoining to Pragati Kunj Apartment, DDA Janta Flats opposite SDMC primary school Pocket-6 Nasirpur, Delhi-110045

Sir,

This has reference to orders of Hon'ble NGT dated 19.08.2021 in Review Application No. 30/2021 in OA No. 275/2020 filed by Mythily Manoharan Vs. Union of India & Ors. Regarding selling business of Dust, Rodi, Bricks, Badarpur, Cement & Sand by Hemant Modi, Proprietor Radhey Radhey Builders adjoining to Pragati Kunj Apartment, DDA Janta Flats opposite SDMC primary school Pocket-6 Nasirpur, Delhi-110045.

As directed by Hon'ble NGT, a joint inspection is proposed on **12.11.2021 at 11.30 AM (meeting point at SDM Dwarka Office)** by the representatives of, DPCC, SDM (Dwarka) & SDMC.

You are therefore, requested to depute suitable officers to participate in the joint inspection as mentioned above. For further details, you may contact Mrs. **Ajeeta Dayal Agrawal**, Sr. Env. Engineer (9717593511) or **Mr. N.K. Joshi**, Env. Engineer (9717593527).

Yours sincerely,


(Ajeeta Dayal Agrawal)
Incharge, (CMC-II)

Inspection Report

Date :- 12/11/21

Time - 1:00 PM

Annexure-II

In compliance of Hon'ble NGT order dated 19.08.2021 in Review Application No. 30/2021 in OA No. 275/2020. A joint Inspection was carried out by officials of DPCC along with MCD(SDMC), SDM and Delhi Police on 12.11.2021. Following were observed during Inspection.

- ① The Plot area is approx 1200 m²
- ② Site is found Vacant.
- ③ No construction material (Dust, Rodi, Bricks, Badarpur etc) found at the plot.
- ④ As informed by the SDMC officials, The land belongs to DDA (Dwarka Project Division - II)
- ⑤ As informed by the chowkidar^{local person}, no occupier was present at site, at the time of inspection.

Photographs Enclosed.

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12.11.21
(BHOOP SINGH) (BRIJKISHOR)
Tehsildar (Dwarka) AE (C) M-II/NE2
SDMC


12/11/21
Nikunj malik

NIKUNJ MALIK
JEE, DPCC


Kapil Sharma

IE, DPCC

Attendance Sheet

12.11.2021

(6)

Joint Inspection in Review Application
No. 30/2021 in OA No. 275/2020

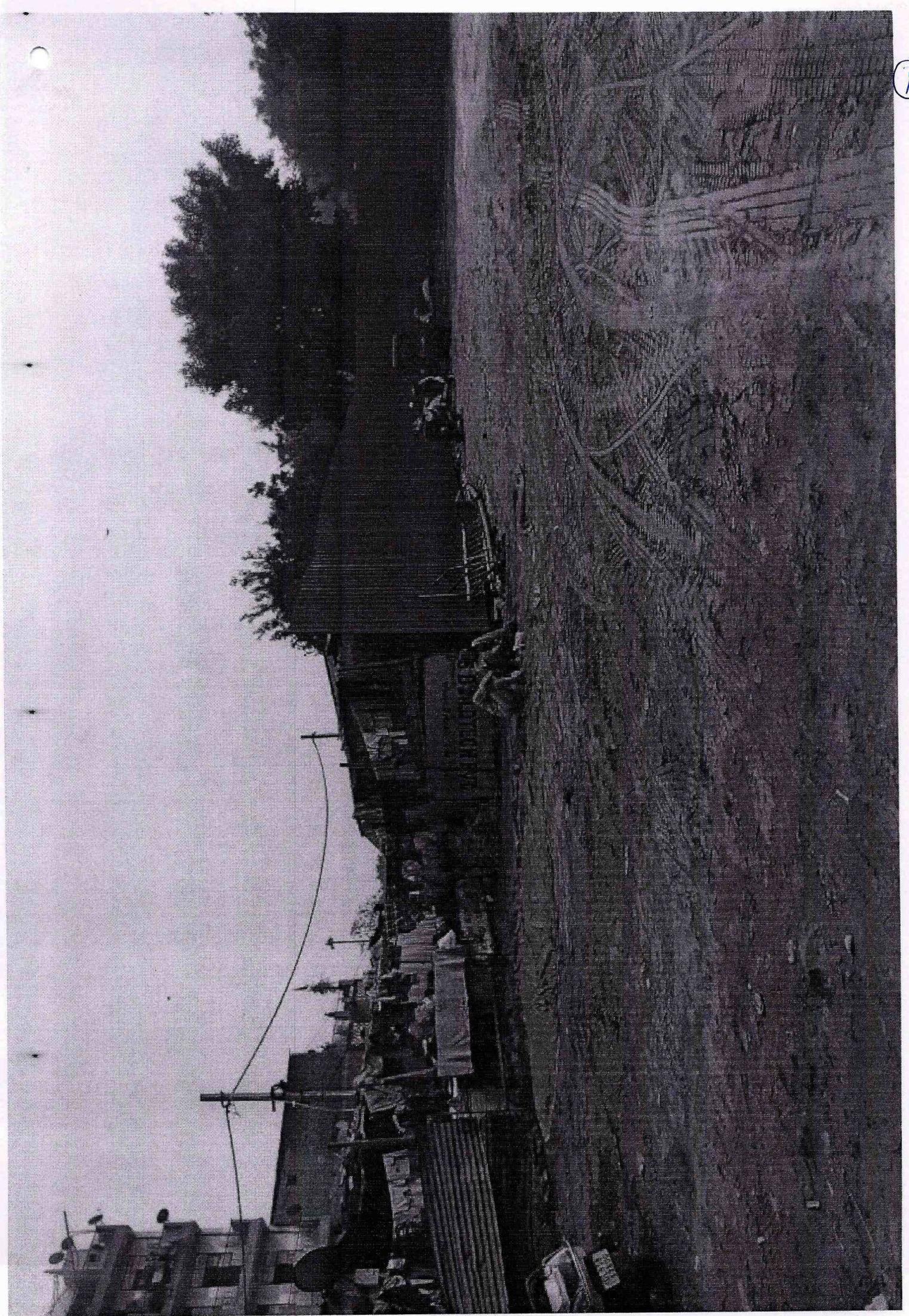
S.No.	Name	Designation	Department	Sign
1	BRIJKISHOR	A E C O	E R C M - II SDMC	
2	BHOOP SINGH	Tehsildar (Dwaraka)	SDM (Dwaraka)	
3	HE NIMAL SINGH	923/SW	DISH - SW P.S. SAGARPOUR	12.11.2021 
4	NIKUNJ MALIK	JEE	DPCC	Nikunj malik 12/11/2021
5	Kapil Sharma	TE	DPCC	 12.11.2021

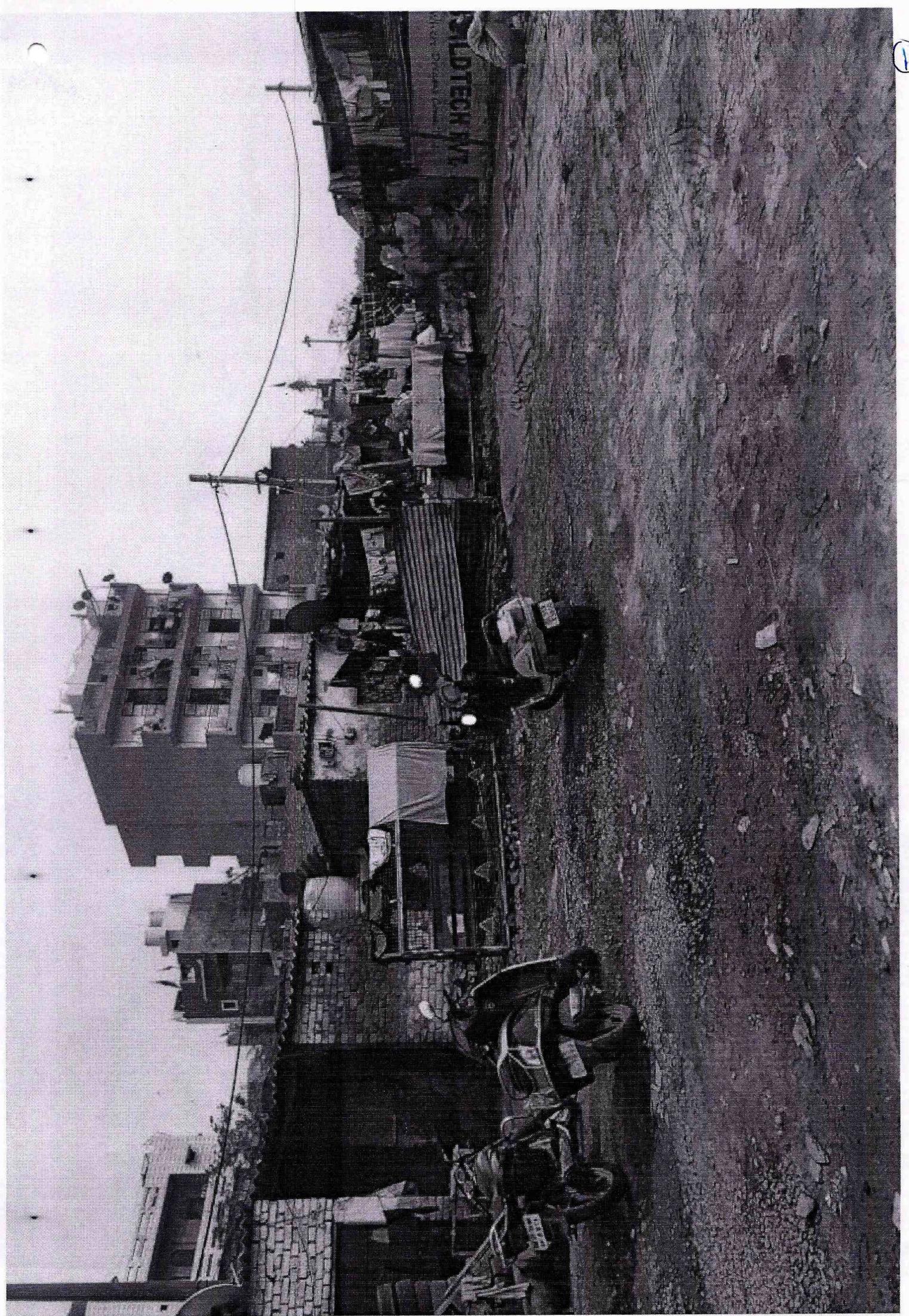


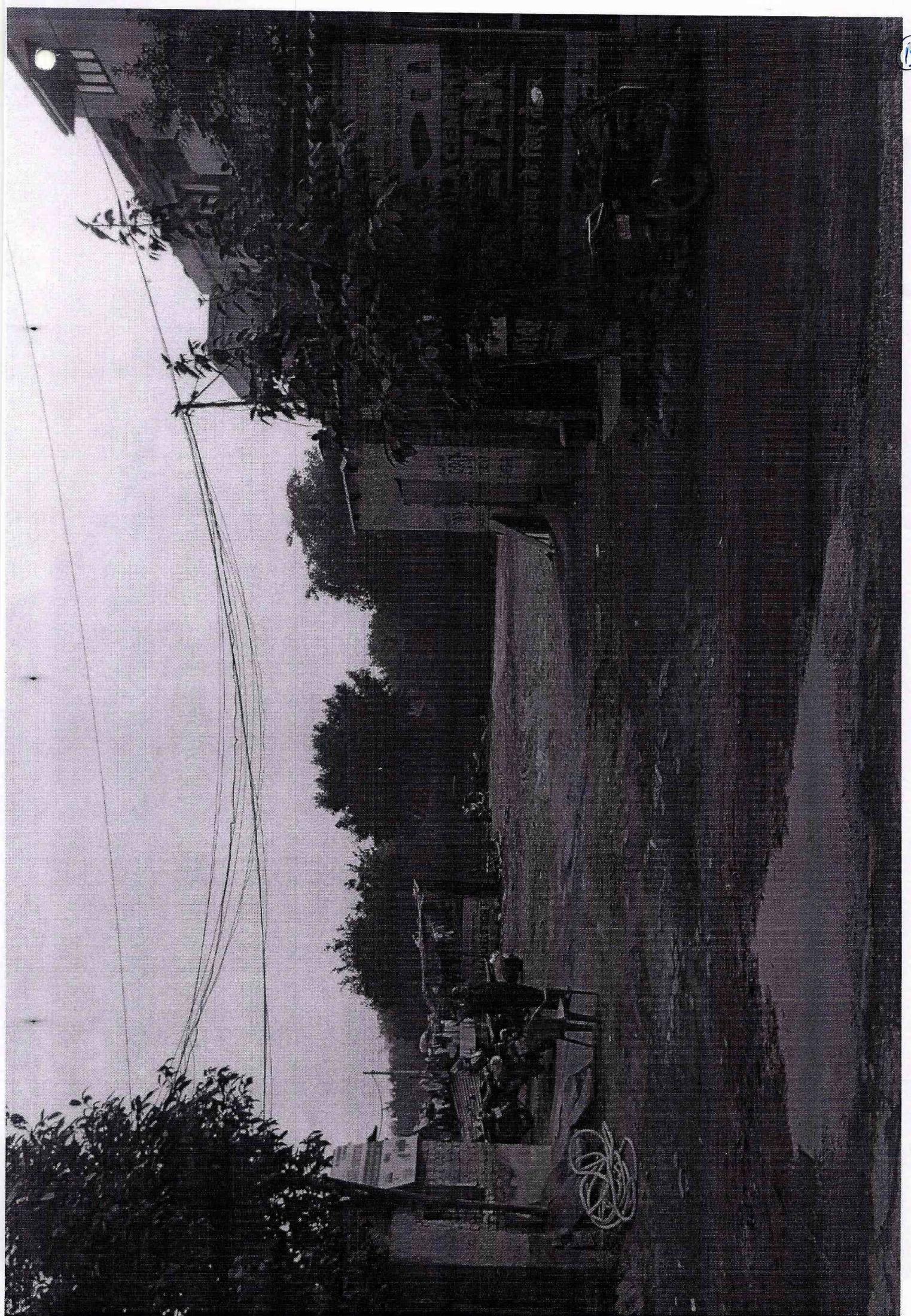
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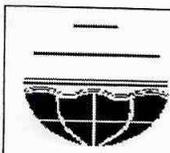






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By Speed Post



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
visit us at : <http://dpcc.delhigovt.nic.in>

F.No.DPCC/CMC-II/NGT/OA-275/2020/11283

Dated: 29/11/2021

To,

The Chief Engineer,
Dwarka Project Division-II
Delhi Development Authority,
Delhi

Annexure-III

Sub:- Hon'ble NGT matter w.r.t. Review Application No. 30/2021 in OA No. 275/2020 filed by Mythily Manoharan Vs. Union of India & Ors. Regarding selling business of Dust, Rodi, Bricks, Badarpur, Cement & Sand by Hemant Modi, Proprietor Radhey Radhey Builders adjoining to Pragati Kunj Apartment, DDA Janta Flats opposite SDMC primary school Pocket-6 Nasirpur, Delhi-110045

Sir,

This has reference to orders of Hon'ble NGT dated 19.08.2021 in Review Application No. 30/2021 in OA No. 275/2020 filed by Mythily Manoharan Vs. Union of India & Ors. regarding selling business of Dust, Rodi, Bricks, Badarpur, Cement & Sand by Hemant Modi, Proprietor Radhey Radhey Builders adjoining to Pragati Kunj Apartment, DDA Janta Flats opposite SDMC primary school Pocket-6 Nasirpur, Delhi-110045.

As per orders of Hon'ble NGT, a joint inspection of the site was conducted on 12.11.2021 by the officials of DPCC, SDM (Dwarka), SDMC & Delhi Police wherein the site was found vacant. However, it was revealed that said land belongs to DDA.

Since, the above said land belongs to DDA, therefore, DDA is requested to secure the land to prevent any illegal activity on the said land.

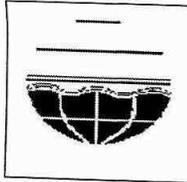
Yours sincerely,


(Ajeeta Dayal Agrawal)
Incharge, (CMC-II)

ok

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By Speed Post



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06

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

F.No.DPCC/CMC-II/NGT/OA-275/2020/11279-82

Dated: 29/11/2021

To,

1. The Dy. Commissioner of Police (South-West), Police Station Building, Vasant Vihar, New Delhi-110057	2. The Sub-Divisional Magistrate (Dwarka), SDM Dwarka Office, Sector-10, Dwarka, New Delhi -110045
3. The Dy. Commissioner (Najafgarh Zone), South Delhi Municipal Corporation, Najafgarh, New Delhi- 110043	4. The Chief Engineer, Dwarka Project Division-II Delhi Development Authority, Delhi

Sub:- Hon'ble NGT matter w.r.t. Review Application No. 30/2021 in OA No. 275/2020 filed by Mythily Manoharan Vs. Union of India & Ors. Regarding selling business of Dust, Rodi, Bricks, Badarpur, Cement & Sand by Hemant Modi, Properitior Radhey Radhey Builders adjoining to Pragati Kunj Apartment, DDA Janta Flats opposite SDMC primary school Pocket-6 Nasirpur, Delhi-110045

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As per orders of Hon'ble NGT, a joint inspection was also conducted on 12.11.2021 by the officials of DPCC, SDM (Dwarka), SDMC & Delhi Police wherein the site was found vacant.

However, you are requested to keep a vigil on the site, so that any illegal activity may not be again started.

Yours sincerely,


(Ajeeta Dayal Agrawal)
Incharge, (CMC-II)