

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI  
O. A. NO. 267 OF 2023**

**IN THE MATTER OF:**

**ASHOK KUMAR GUPTA & ORS. .... APPLICANTS**

**VERSUS**

**MINISTRY OF HOUSING AND URBAN AFFAIRS & ANR.. ..... RESPONDENTS**

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Through

  
 PUJA KALRA  
 STANDING COUNSEL MCD  
 CHAMBER-430, BLOCK-I,  
 DELHI HIGH COURT, NEW DELHI.  
 MOB.:-9312839323  
 E MAIL- pujakalra09gmail.com

Place:- New Delhi  
 Dated 18.08.2023

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 267 of 2023**

**IN THE MATTER OF:**

**ASHOK KUMAR GUPTA & ORS. .... APPLICANTS**

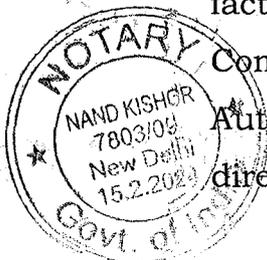
**VERSUS**

**MINISTRY OF HOUSING AND URBAN AFFAIRS & ANR.. RESPONDENTS**

**Sub:-STATUS REPORT ON BEHALF OF MUNICIPAL CORPORATION OF DELHI  
IN COMPLIANCE OF THE ORDER DATED 06.04.2023 PASSED BY THIS  
HON'BLE NATIONAL GREEN TRIBUNAL.**

I, Bhaskar Seal S/o Sh. P. C. Seal, aged about 45 years, posted as Assistant Commissioner, Remunerative Project Cell, 25<sup>th</sup> Floor, Civic Center, New delhi-110002 on the basis of official records maintained by the Respondent/Municipal Corporation of Delhi do hereby solemnly affirm and declare as under:-

1. That I am presently posted as Assistant Commissioner, Remunerative Project Cell/ MCD and am well conversant with the facts and circumstances of the present case on the basis of records made available and as maintained by the Respondent/ MCD and that the deponent is fully authorized and competent to sign, swear and depose this affidavit on behalf of Respondent/MCD.
2. That, It is submitted that an order dated 06.04.2023 was issued by the Hon'ble National Green Tribunal Principal Bench, New Delhi, wherein the Hon'ble Mr. Justice Arun Kumar Tyagi, Judicial Member Hon'ble Dr. Afroz Ahmad, Expert member constituted a Joint committee to verify the factual position and suggest appropriate remedial action and the Joint Committee comprised of representatives of MCD, Delhi Development Authority (DDA) and Delhi Pollution Control Committee (DPCC) and direct the same to



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undertake visit to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The DPCC will be the nodal agency for coordination and compliance.

- 3. In compliance of Hon'ble NGT order dated 06.04.2023 in O. A. No. 267/2023 in the matter of Ashok Kumar Gupta & Ors Vs Ministry of Housing and Urban Affairs & Anr. a joint Committee comprising of officials of DPCC, MCD and DDA visited the site as mentioned in the said order on 27.04.2023 and following observations were made:- (Copy of the minutes of joint committee is annexed as **Annexure R-I (Colly)**).
- 4. As decided by the Joint committee, MCD demarcated the parking area on temporary basis and the some photographs were sent to DPCC officials. Copy of the photographs is annexed as **Annexure R-II (Colly)**.
- 5. As directed by the DPCC vide letter No. F. No. DPCC/CMC-I/NGT/OA No. 267/2023/357 dated 08.06.2023, RP Cell, MCD again sent photographs of temporary barrication vide letter No. AC/RPC/MCD/2023/D-732 dated 15.06.2023. Copy of letter dated 15.06.2023 & photographs is annexed as **Annexure R-III (Colly)**.

*12-08-2023*

**DEPONENT**  
Assistant Commissioner  
Ramunerative Project Cell, MCD

**VERIFICATION:**

*Identify the Exponent/Deponent who has Signed in my Presence*

Verified at New Delhi on this.... day of ..... 2023 that the contents of the above affidavit are true and correct, no part of it is false and noting material has been concealed there from.

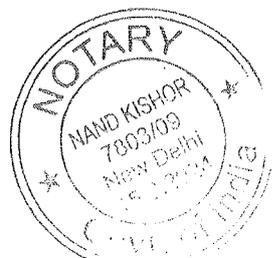
CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT BY ME WHO IS SEEMED PERFECTLY TO UNDERSTAND AND HE HAS

*[Signature]*  
AND HAS

*[Signature]*

*15-08-2023*

**DEPONENT**  
Assistant Commissioner  
Ramunerative Project Cell, MCD



18 AUG 2023

	<p><b>28</b></p> <p><b>DELHI POLLUTION CONTROL COMMITTEE</b></p> <p>DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)</p> <p>5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6</p> <p>visit us at : <a href="http://dpcc.delhi.govt.nct.in">http://dpcc.delhi.govt.nct.in</a></p>	<p>By Speed post</p>  <p>LIFE Lifestyle For Environment</p>
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Annexure-RI  
2022  
27/4

F.No. DPCC/CMC-I/NGT/OA No. 267/2023/ 95

Dated: 27/04/23

To,  
The Admin Officer,  
R.P Cell, MCD,  
25<sup>th</sup> Floor, Dr. S.P Mukherjee,  
Civic Centre, Minto Road,  
Delhi-110002.

Subject: Regarding compliance w.r.t observations made during inspection by Joint Committee dated 27.04.2023.

Sir,

In compliance of Hon'ble NGT order dated 06.04.2023 in OA no.267/2023 in the matter of "Ashok Kumar Gupta & Ors Vs Ministry of Housing and Urban Affairs & Anr", a Joint Committee comprising of officials of DPCC, Municipal Corporation of Delhi (MCD) and Delhi Development Authority (DDA) visited the site at parking DDA Building at Plot No.4 Laxmi Nagar District Centre, as mentioned in the said order on 27.04.2023 and following observations were made:

- As observed by the Joint Committee during inspection, fencing behind designated parking space was found partially broken, however no encroachment was observed. As informed by DDA officials in the Joint Committee, the parking area will be temporarily demarcated & thereafter broken fencing will be repaired by DDA.

Now therefore, you are hereby directed to ensure that parking contractor may not cause any kind of encroachment and submit the Action Taken Report along with photographs within 10 days of date of issuing letter to DPCC.

Yours sincerely,

  
Ajeeta Aggrawal  
Incharge, CMC-I

311  
712  
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In compliance of Hon'ble NGT order dated 06.04.2023 in OA no.267/2023 in the matter of "Ashok Kumar Gupta & Ors Vs Ministry of Housing and Urban Affairs & Anr", a Joint Committee comprising of officials of DPCC, Municipal Corporation of Delhi (MCD) and Delhi Development Authority (DDA) visited the site as mentioned in the said order on 27.04.2023 and following observations were made:

- All the members/ representatives of Joint Committee constituted by Hon'ble NGT in its above order reached at site at scheduled date & time on 27.04.2023. Applicant Sh. Ashok Kumar Gupta (RWA President) is also present during the inspection. Attendance sheet is enclosed herewith.
- As per information provided by DDA, plot No. 4, DDA Building falls under Laxmi Nagar District Centre which has commercial land use as per Zonal Development Plan of Master Plan of Delhi-2021 (copy enclosed).
- The possession of parking site (Cluster Laxmi Nagar) showing Plot No. 4, DDA Building Nirman Vihar showing basement Plot No.4, Nirman Vihar(Laxmi Nagar) and in Plot No.5 & 9, Pragati Mall near Nirman Vihar metro station vide letter no AC/RPC/MCD/2023/D-1738 dated 11.01.2023 has been allotted by MCD to M/s. Monty, C-3/31, Block-C, Nand Nagri, Delhi-110093, Parking Contractor for operation of temporary surface parking to operate the same w.e.f 12.01.2023 for a period of 3 years & extendable for 2 years subjected to satisfactory performance of firm (copy of letter enclosed).
- As observed by the Joint Committee during inspection, fencing behind designated parking space was found partially broken, however no encroachment was observed. The parking area will be temporarily demarcated & thereafter broken fencing will be repaired by DDA (photographs taken during inspection enclosed) and MCD to ensure that parking contractor may not cause any kind of encroachment.
- As informed by applicant, Sh. Ashok Kumar Gupta, the area in question is green area which currently in possession of DDA, however as informed by DDA officials the said land is part of integrated scheme of Laxmi Nagar District Centre, land use of which is commercial.
- The committee has observed that at present there is dry garbage, some broken furniture, fell leaves from surrounding trees etc in the space & in meeting the Joint Committee has asked DDA officials to clear the space within 10 days from joint inspection (i.e 27.04.2023) and photographs of the same will be provided to the Joint Committee.

*Sumit Kumar*  
27/04/2023. one  
Signature of Officials of DPCC

*Sanjay*  
Signature of Officials of MCD

*Vinay*  
Signature of Officials of MCD

*Sanjay*  
Signature of Officials of MCD

*As per meeting on 27/4/23*

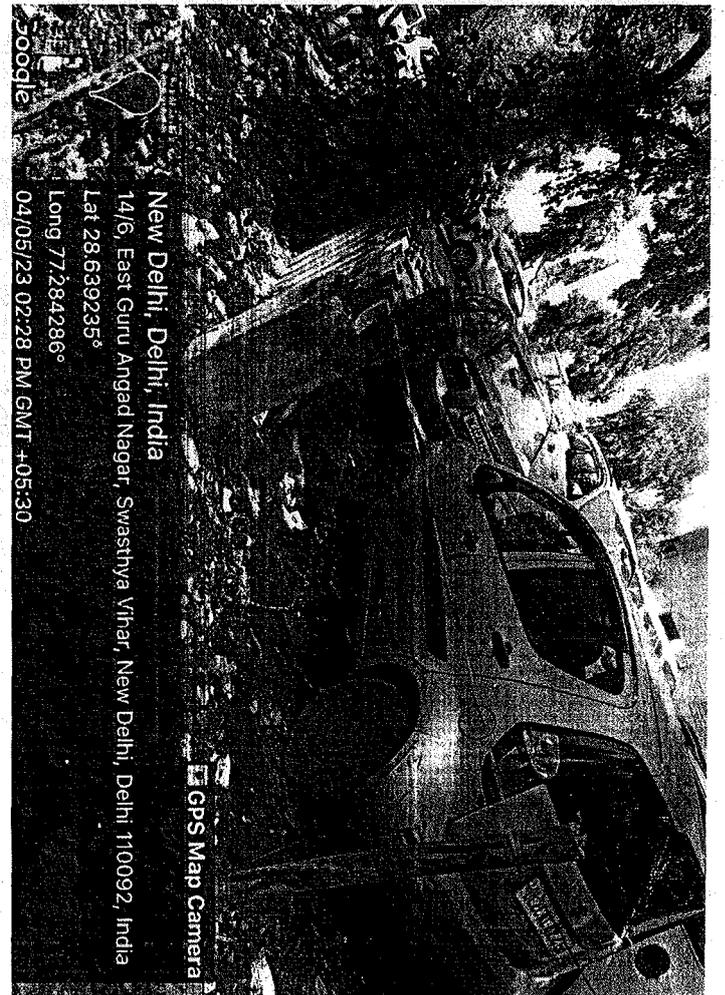
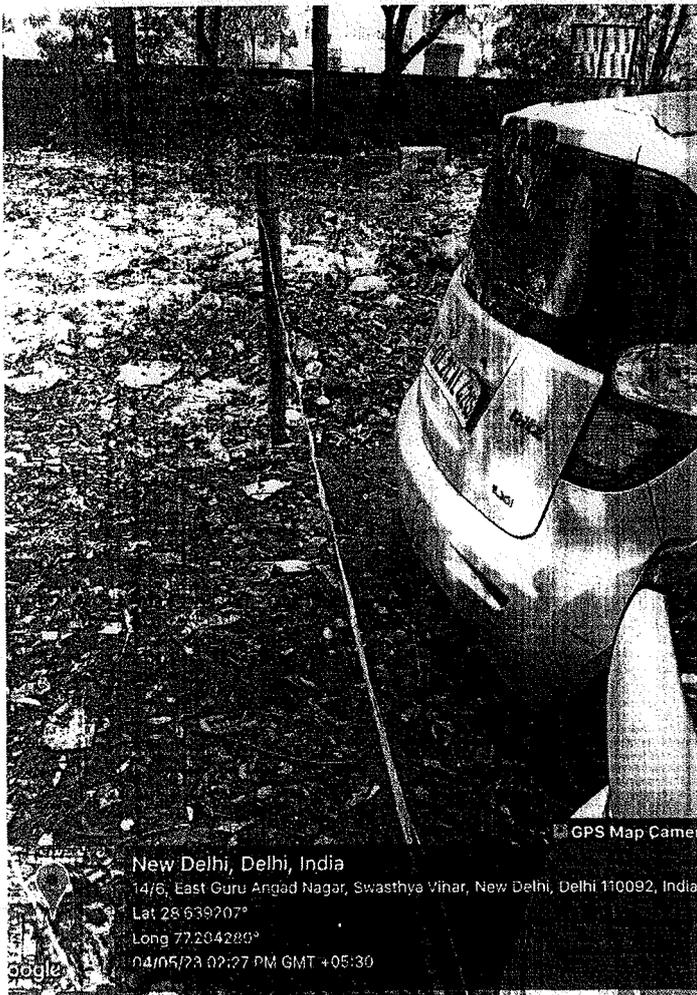
Signature of Officials of DDA  
*Kumar*  
Signature of Officials of DDA

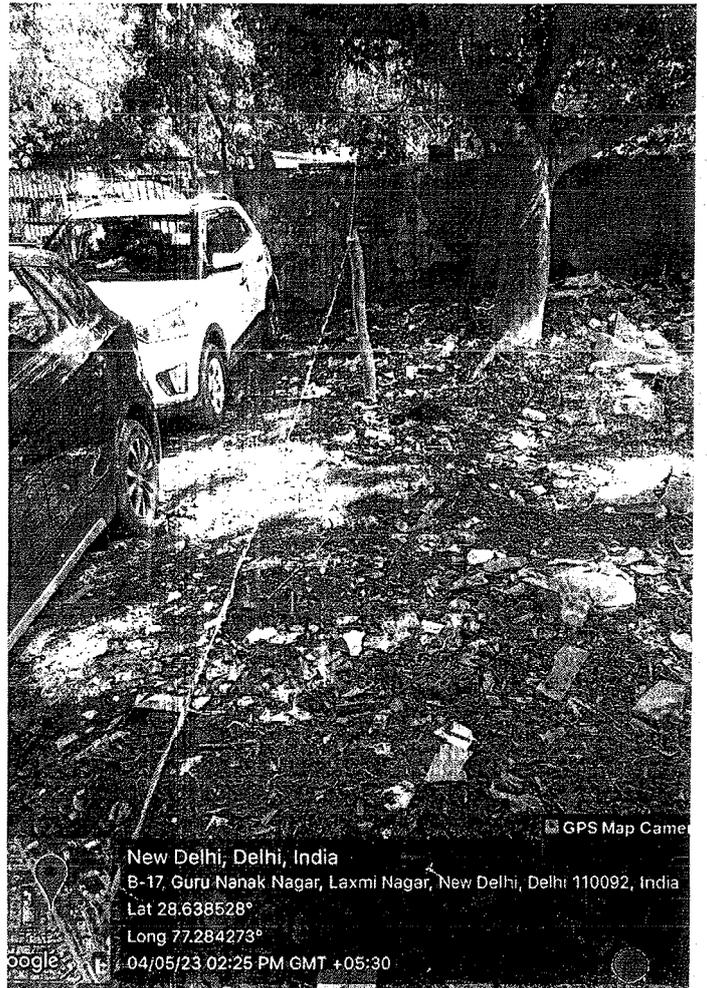
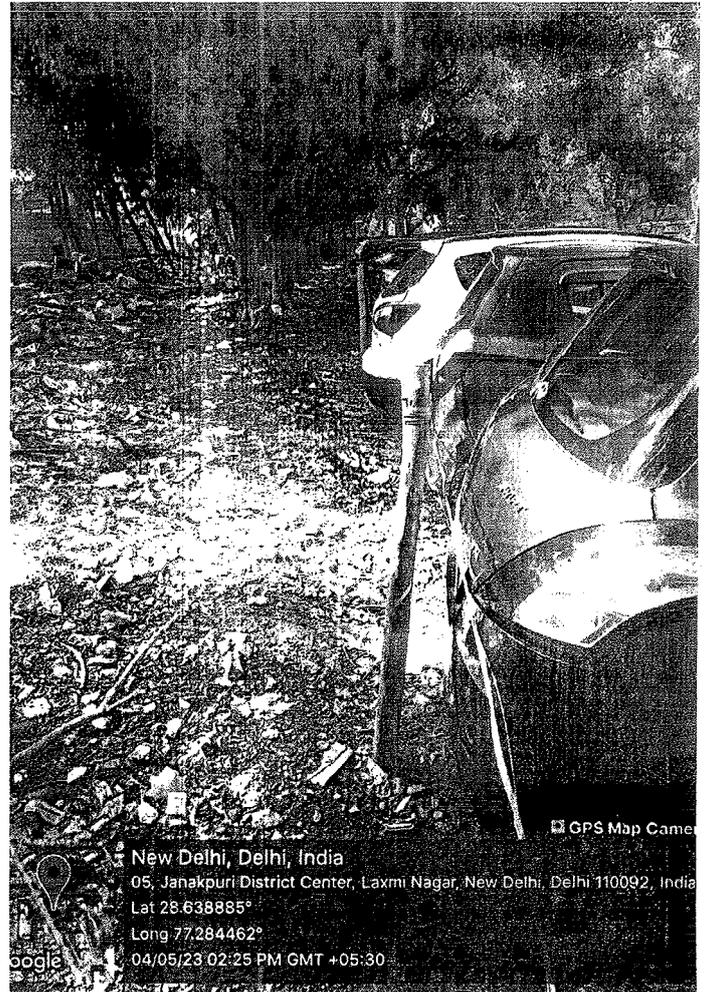
*BK*  
Signature of Officials of DDA

*AD (HUT) / HD-15*  
Signature of Officials of DDA

*AD (HUT), Secy*  
Signature of Officials of DDA

*AD / HD-1 / DDA*  
Signature of Officials of DDA







**MUNICIPAL CORPORATION OF DELHI**  
**OFFICE OF THE ASSISTANT COMMISSIONER**  
**REMUNRATIVE PROJECT CELL DEPARTMENT**  
**(25<sup>TH</sup> Floor), Civic Centre, New Delhi-110002**



No.AC/RPC/MCD/2023/D- 732

Dated: 15 06.2023

To,

Sh. P.S. Pankaj, Incharge, , CMC-I,  
Delhi Pollution Control, Committee,  
Department of Environment (Govt. of NCT of Delhi)  
5<sup>th</sup> Floor, ISBT building, Kashmere Gate, Delhi-6.

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**Sub:- Regarding compliance w.r.t observations made during inspection by Joint Committee dated 27.04.2023.**

1. With reference to your letter No. F. No. DPCC/CMC-I/NGT/OA No. 267/2023/95 dated 27.04.2023, it is informed that the compliance report has already been sent to officers of DPCC (members/chairman of Joint Committee) along with photographs through whatsapp on 29.04.2023.
2. In compliance of order dated 27.04.2023 issued by DPCC, the RP Cell, MCD has demarcated of parking area. Photographs are enclosed herewith.

*Vineet Kumar*  
**Administrative Officer**  
**RP Cell/ MCD**

Administrative Officer  
R.P. Cell/MCD