

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MISC APPLICATION IN DISPOSED OF CASES No. 129/2024
In
Original Application No. 439/2023

IN THE MATTER OF:

BIRENDER SANGWAN

... Applicant

Versus

MINISTRY OF PUBLIC WORKS DEPARTMENTS

... Respondent(s)

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FILED BY:


JYOTI MENDIRATTA
Advocate for GNCTD

19.02.2025

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MISC APPLICATION IN DISPOSED OF CASES No. 129/2024

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...

Respondent(s)

STATUS REPORT ON BEHALF OF PWD, GOVERNMENT OF NCT OF DELHI

MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal vide judgment dated 25.01.2024 was *inter-alia*, pleased to direct:
“23. In view of the above the present application is disposed of with directions to respondents no. 1 to 3 to pay amount of Rs. 1,00,000/- (Rs. One Lakh Only) as environmental compensation for damage caused to environment due to demolition of DDA Park Wall measuring 30.06 meters ..”
2. That in view of the afore-said directions, the DPCC vide Communication dated 01.05.2024, annexed hereto as **Annexure A-1/1**, required the Director, Forensic Science Laboratory, Rohini (“**FSL, Rohini**”) to deposit the Environmental Compensation of Rs. 1,00,000/- with DPCC in compliance of the afore-said order dated 25.01.2024 of this Hon'ble Tribunal.

3. That in reply to the above, FSL, Rohini wrote back to DPCC with a copy to the answering respondent vide communication dated 20.05.2024, annexed hereto as **Annexure A-1/2**, stating that it had no role in flouting the prescribed environment norms and the PWD is answerable for the same.
4. That the answering respondent vide letter dated 14.06.2024 to FSL, Rohini, annexed hereto as **Annexure A-1/3**, clarified that PWD had followed all environment norms during the construction and was thus not liable to pay the said penalty.
5. That it is respectfully submitted that the answering respondent was engaged by and was acting as agent of Forensic Science Laboratory, Rohini in respect of the project in question.
6. That the answering respondent has greatest regard for this Hon'ble Tribunal. There is no deliberate or willful disobedience of the order of this Hon'ble Tribunal. The answering respondent *bonafide* believed that the liability to pay the penalty imposed rests with the FSL, Rohini.



Aishwarya M.
Assistant Engineer

By Speed Post



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>



No. DPCC/CMC-III/NGT/O.A. No. 439/2023/ 2173

Dated: 01-5-24

To,

The Director,
 Forensic Science Laboratory,
 Madhuban Chowk, Bhagwan Mahaveer Marg,
 Sector-14, Rohini, Near Rohini Court,
 Delhi-110085

Subject: Direction to deposit Environmental Damage Compensation (EDC) of Rs. 1,00,000 (Rs. One lakh only) in compliance of Hon'ble NGT order dated 25.01.2024 in the matter of O.A. No. 439/2023 titled as "Birender Sangwan Vs. PWD, Delhi & Ors"

Sir,

This has reference to the Hon'ble NGT order dated 25.01.2024 (copy enclosed) in the matter of O.A. No. 439/2023 titled as "Birender Sangwan Vs. PWD, Delhi & Ors" wherein Hon'ble NGT has disposed off the said case with the following directions:

".....23. In view of the above the present application is disposed of with directions to respondents no. 1 to 3 to pay amount of Rs. 1,00,000/- (Rs. One Lakh Only) as environmental compensation for damage caused to environment due to demolition of DDA Park Wall measuring 30.06 meters and respondents no. 4 to 6 to pay amount of Rs. 3,00,000/- (Rs. Three Lakh Only) for damage caused to environment due to demolition of DDA Park Wall measuring 105.5 meters. Respondents no. 5 and 6 are also directed to reconstruct the DDA Park Wall measuring 105.5 meters as undertaken at their own costs. The DDA is directed to file further Status Report in this regard on such reconstruction of the DDA Park Wall by respondents no. 5 and 6 within one month thereafter by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF, before the Ed. Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before this Bench for further directions....."

Therefore, you are directed to deposit the Environmental Compensation of Rs. 1,00,000/- (Rs. One Lakh Only) by way of D.D in favour of **Delhi Pollution Control Committee** within 15 days of issuance of this letter in compliance of aforementioned order dated 25.01.2024 of of Hon'ble NGT.

This is being issued as per the approval of Competent Authority, DPCC.

Encl: As above

956/DFSL
10/05/24

9/FM/PSL
10.5.2024

Estate Officer

Ex En (Civil) / PWD

Pl do the needful in respect of
 - Pravin
 10.05.2024

P/OS
9.5.24

SEE, CMC-III



FORENSIC SCIENCE LABORATORY

GOVT. OF NCT OF DELHI
SECTOR-14, ROHINI, MADHUBAN CHOWK DELHI -110085

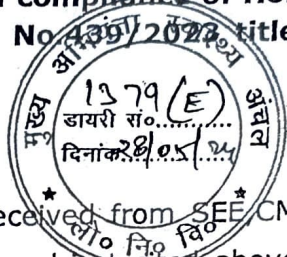
Tel : 27555811, E-mail: fmfsldelhi@gmail.com

No.F.3 (148)/16-17/Part File-II/63

Dated: 20.5.24

To,
✓ The Chief Engineer, PWD
Health Zone, IIInd floor, MSC building
I.P.Estate, New Delhi

Sub:- "Direction to deposit Environmental Damage Compensation (EDC) of Rs.1,00,000/- (Rs.One Lakh Only) in compliance of Hon'ble NGT order dated 25/01/24 in the matter of O.A. No. 439/2022 titled as "Birender Sangwan Vs.PWD, Delhi & Ors".



Sir,

Please find enclosed herewith letter received from SEE CMC-III, from Delhi Pollution Control Committee, regarding the subject cited above. It is Stated that user department i.e. Forensic Science Laboratory has no role in flouting the environment norms prescribed by NGT which is better justified and answerable for PWD itself. Hopefully, necessary approval from concerned authorities has already been taken by PWD.

In this regard, the letter received from Delhi Pollution Control Committee, which is self explanatory, forwarded to you for further necessary action and compliance, with intimation to this office also

This issue with Prior Approval of Director, FSL

slend.
14/06

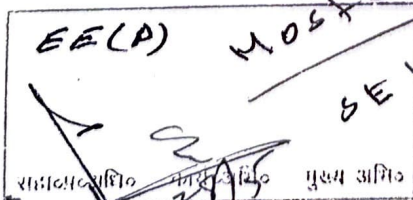
20.5.24

ESTATE OFFICER: FSL
Dated:

No.F.3 (148)/16-17/Part File-II/63
Copy to:

1. Executive Engineer, (Civil), PWD, HPD(N) Dr.BSA Hospital, Rohini Delhi-85
2. SEE, CMC-III, Delhi Pollution Control Committee, Department of Environment, GNCT Delhi, 5th floor ISBT Building Kashmere Gate Delhi 110006

RECEIVED
DELPI



ESTATE OFFICER: FSL



कार्यालय कार्यपालक अभियन्ता
स्वास्थ्य परियोजना मण्डल (उत्तर)

लोक निर्माण विभाग (राष्ट्रीय राजधानी क्षेत्र दिल्ली)

डॉ० बी.एस.ए. अस्पताल परिसर सैक्टर-6, रोहिणी, दिल्ली-110085

फोन: 011-27933270

ई-मेल: eepwddelhihealthnorth@gmail.com



BY SPEED POST/MAIL

Office of the Executive Engineer

Health Project Division (North)

Public Work Department (GNCTD)

Dr. BSA Hospital Complex, Sector-6, Rohini, Delhi-110085

Phone: 011- 27933270

E-mail: eepwddelhihealthnorth@gmail.com

ANNEXURE R-1/3



संख्या 23(73)/कार्य.अभि./स्वा.परि.मं.(उत्तर)/लो.नि.वि./2024/935 दिनांक: 14-06-2024

✓ सेवा में,

The Director

Forensic Science Laboratory

Govt. of NCT of Delhi

Madhuban Chowk, Sector-14

Rohini, Delhi- 110085

विषय: Regarding Direction to deposit Environmental Damage Compensation (EDC) of RS 1,00,000/- (Rs One Lakh Only) in compliance of Hon'ble NGT order dated 25.01.2024 in the matter of O.A No. 439/2023 titled as "Birender Sangwan Vs PWD, Delhi & Ors".

Ref- F.No. 3(148)/16-17 Part File-II dated 20.05.2024

Madam,

With reference to the subject cited above, PWD has followed all environment norms and has not violated any environment norms during the construction. Hence, this office is not responsible for payment of penalty.

(डी० के० शुक्ल)

कार्यपालक अभियन्ता (सि०)

स्वास्थ्य परियोजना मंडल (उत्तर)

लोक निर्माण विभाग

प्रतिलिपि: -

1. सहायक अभियन्ता, स्वास्थ्य परियोजना उपमण्डल (उत्तर)-4, लो.नि.वि, डॉ. बी.एस.ए. अस्पताल परिसर, सैक्टर-6, रोहिणी, दिल्ली-110085।

कार्यपालक अभियन्ता