

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

ORIGINAL APPLICATION NO. 365/2021

**IN THE MATTER OF:**

SHAMSHER SINGH

... APPLICANT

VERSUS

GOVT. OF NCT OF DELHI

... RESPONDENTS

**NDOH: - 11.11.2024**

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Filed by:

New Delhi:

Dated 06<sup>th</sup> 11.2024

Delhi Pollution Control Committee

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 365/2021**

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.... RESPONDENTS

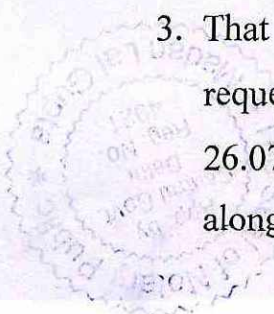
**RESPONSE ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE (RESPONDENT NUMBER-2) IN COMPLIANCE TO THE ORDER DATED 26.07.2024.**

I, Dr. K. S. Jayachandran, Member Secretary, Delhi Pollution Control Committee, 6<sup>th</sup> Floor, C- Wing, Delhi Secretariat, IP Estate, Delhi-110002, do hereby solemnly affirm and state as under:

1. That, I am working as Member Secretary, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.

That this Hon'ble Tribunal took up the above referred matter related to septage management in NCT of Delhi on 26.07.2024. The present affidavit is being filed in compliance to the order passed by this Hon'ble Tribunal dated 26.07.2024.

3. That Delhi Pollution Control Committee vide letter dated 24.10.2024 requested to Delhi Jal Board to provide information w.r.t. order dated 26.07.2024 passed by this Hon'ble Tribunal in the above referred matter along with other information related to septage management in Delhi. Copy



of the letter dated 24.10.2024 issued by DPCC to DJB is enclosed herewith as **Annexure-1**. The Delhi Jal Board has not provided complete information as desired vide aforesaid letter dated 24.10.2024, however submitted the brief of septage collected and treated in the month of September and October, 2024.

4. That following is the brief of Septage (Septic Tank Effluent) collected & treated in September and October, 2024 provided to Delhi Pollution Control Committee by Delhi Jal Board:

Month	No of Vehicles Authorised by DJB	No. of Functional SPSs for collection of septage from vendors	Septage collected & Treated	Cumulative Septage Treated by DJB
September, 2024	164	86	4.50 Crore Litres	218.98 Crore Litres
October, 2024	164	86	3.41 Crore Litres	223.2 Crore Litres

Copy of the emails dated 04.11.2024 of DJB is enclosed herewith as **Annexure-2(Colly.)**.

5. That Delhi Pollution Control Committee vide letter dated 24.10.2024 requested to various implementing agencies (Delhi Police, Municipal Corporation of Delhi, Irrigation and Flood Control Department and Revenue Department) to submit the Action Taken Report w.r.t. Directions issued u/s 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 regarding disposal of untreated septage into river Yamuna or drains leading to river Yamuna issued by DPCC on 27.03.2023. Copy of the letter dated 24.10.2024 issued by DPCC to various implementing agencies is enclosed herewith as **Annexure-3**.

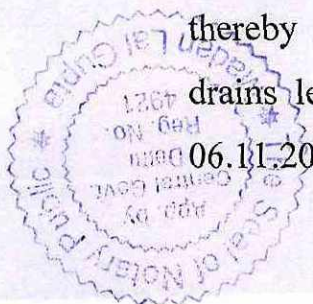


6. That, Action Taken by Revenue Department in the period of 01.04.2023 to 15.10.2024 with respect to the directions dated 27.03.2023 of DPCC is briefed in following table:

S. No	Action	No. of Inspections	No. of Violations observed	EC imposed (Rs.)	EC received (Rs.)	No. of Vehicles confiscated
1	Deposit of Septage by Unauthorized (Unlicensed) Entities	308	5	1,12,000	1,12,000	4
2	Disposal of Septage at places other than the designated places by Authorized Licensee	219	4	2,10,000	2,10,000	2
3	Use of Services of Unlicensed Vendors / Vehicles by Persons for discharging septage	242	7	2,35,000	2,35,000	2
<b>Total</b>		769	16	5,57,000	5,57,000	8

Copy of Action Taken Report provided by Revenue Department vide email dated 06.11.2024 is enclosed as **Annexure-4**.

7. That, DPCC has issued a Show Cause Notice on 06.11.2024 to DJB for imposition of Environmental Compensation for not providing sewerage network in unauthorized colonies and JJ clusters in time-bound manner thereby resulting in disposal of untreated Septage into river Yamuna or drains leading to river Yamuna. Copy of the Show Cause Notice dated 06.11.2024 issued to DJB is enclosed herewith as **Annexure-5**.



8. That this response is being filed in compliance to the order dated 26.07.2024 passed by this Hon'ble Tribunal.

  
DEPONENT

VERIFICATION:

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this 6<sup>th</sup> day of November, 2024.

  
DEPONENT



  
**ATTESTED**  
NOTARY PUBLIC  
DELHI INDIA

8 NOV 2024

726

1585

	<b>DELHI POLLUTION CONTROL COMMITTEE</b> <b>DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI</b> <b>3<sup>rd</sup> FLOOR, BLOCK-1, DMRC IT PARK BUILDING, SHASTRI</b> <b>PARK, DELHI-110053</b> visit us at : <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a>	
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F. No.- DPCC/CMC-II/NGT(365/2021)/ 31691 - 3170

Dated: 24/10/2024

To,

**Chief Executive Officer,**  
Delhi Jal Board, Varunalaya Ph-II,  
Jhandewalan, Delhi-110005.

**Sub: Order Dated 26.07.2024 of Hon'ble National Green Tribunal in OA No. 365/2021 in the matter of "Shamsher Singh Vs. Govt. of NCT of Delhi".**

Madam,

Please find enclosed herewith Order Dated 26.07.2024 of Hon'ble National Green Tribunal in OA No. 365/2021 in the matter of "Shamsher Singh Vs. Govt. of NCT of Delhi".

Following is the operative portion of the said order:

5. *With regard to these un-authorized colonies indicated above, no information has been provided pertaining to quantity of sewage generated, collection system, treatment systems and disposal of the same including the waste water quality standards. It is also not clear if sewage generated from these unauthorized colonies is being collected and transported by tankers as no such information has also been provided.*

6. *We fail to understand the inaction by DPCC for such continued violations by DJB. The counsel for DPCC indicated that he has no information with regard to any punitive action taken against DJB for such in-action.*

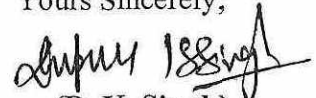
7. *Learned Counsels appearing for DJB and DPCC seek time to file response on the above issues.*

In view of the above, DJB is requested to provide status of following by 30.10.2024 at following email: [wmc2dpcc2023@gmail.com](mailto:wmc2dpcc2023@gmail.com)

- Sewerage Network in Unauthorized Colonies,
- Status of connection of JJ Clusters to sewerage network,
- Status of Proposed Decentralised STPs (DSTPs)
- Status of septage collection and treatment (No. of Vehicles Authorised by DJB, No. of Functional SPSs for collection of septage from vendors, Septage Collected & Treated in September, 2024 & Cumulative Septage Treated by DJB since 21.11.2018 Till 25.10.2024)

DJB is also requested to provide information w.r.t. Para 5 of the above order dated 26.07.2024 of Hon'ble Tribunal including quantity of sewage generated, collection system, treatment systems in 1799 Un-authorized Colonies and disposal of the same including the waste water quality standards.

Yours Sincerely,

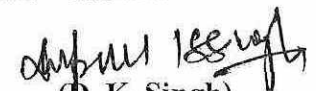
  
(D. K. Singh)

Addl. Director, WMC- II

Enclosure: As above

Copy to:

- Staff Officer to Chief Secretary, GNCTD, 5th Level, Delhi Secretariat, Delhi - 110002.

  
(D. K. Singh)

Addl. Director, WMC- II

727

ANNEXURE-2 (copy)



wmc2 dpcc &lt;wmc2dpcc2023@gmail.com&gt;

**Fwd: Order dtd 26/7/2024 of Hon'ble NGT in OA No 365/2021**

1 message

(6)

**Additional Chief Engineer** <acep.7djb@gmail.com>  
To: wmc2dpcc2023@gmail.com

Mon, Nov 4, 2024 at 2:57 PM


----- Forwarded message -----

From: **Komal Prasad Sharma** <eesdw8@gmail.com>  
Date: Mon, 4 Nov 2024 at 12:12 PM  
Subject: Order dtd 26/7/2024 of Hon'ble NGT in OA No 365/2021  
To: Additional Chief Engineer <acep.7djb@gmail.com>  
Cc: cesdwnw <cesdwnwdjb@gmail.com>

Dear Sir,

Reference to your email dtd 01/011/2024 regarding the above cited subject the details of point No (IV) status of septage collection is as under:-

1. Total No. of authorised vehicles is 164(10 Nos licenses for 5 years and 154 Nos licenses for 6 months).
2. Total No of functional SPS is 86 nos.
3. Septage collected and treated in Sept 2024 is 4,50,27,000 Ltr.
4. Total Septage collected till date is 218,78,03,634 Ltr.

 Delhi Jal Board 154 nos Septage Vehicles License List.pdf

Thanks &amp; Regards,

(Komal Prasad Sharma )  
Executive Engg.(SDW)-VIII,  
Delhi Jal Board,  
20 MGD Sewage Treatment Plant  
Sec-16D, Pappankalan (Dwarka)  
New Delhi-110075

**5 attachments**

-  **5 YEARS LICENSE.xlsx**  
14K
-  **Monthly septage report sps wise SEP-24.xlsx**  
74K
-  **Monthly septage report dist wise SEP-24.xlsx**  
27K
-  **86-sps\_list.pdf**  
520K
-  **Delhi Jal Board 154 nos Septage Vehicles License List\_compressed.pdf**  
3172K

728

7



wmc2 dpcc <wmc2dpcc2023@gmail.com>

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## ATR monthly report for October 2024

1 message

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**Komal Prasad Sharma** <eesdw8@gmail.com>

Mon, Nov 4, 2024 at 11:35 AM

To: wmc2dpcc2023@gmail.com


Cc: cesdwnw <cesdwnwdjb@gmail.com>, sesdw3 <sesdw3@gmail.com>, dcnorth@nic.in

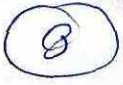
PFA

Thanks & Regards,

(Komal Prasad Sharma )  
Executive Engg.(SDW)-VIII,  
Delhi Jal Board,  
20 MGD Sewage Treatment Plant  
Sec-16D, Pappankalan (Dwarka)  
New Delhi-110075

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 **Jal Shakti ATR October 2024.pdf**  
4223K





**Sewage & Faecal Sludge Management (Septage Management)**

**dpcc.wmc2.delhi@gmail.com**

**Month: October 2024**

Agency	Number of vehicles authorized by DJB (As on date)	Number of Functional SPSs for collection septage from vender	Septage Collected and Treated in <u>OCTOBER 2024</u>	Cumulative Septage treated by DJB (As on 27/10/2024)
DJB <b>729</b>	164	86 Nos	3.41Croreltrs	223.2 Croreltrs

  
K P SHARMA  
EE (SDW) VIII  


	<p style="text-align: center;"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI</b>  <b>3<sup>rd</sup> FLOOR, BLOCK-1, DMRC IT PARK BUILDING, SHASTRI PARK,</b>  <b>DELHI-110053</b>  visit us at : <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a></p>	
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F. No.- DPCC/CMC-II/NGT(365/2021)/3171-3176

Dated: 24/10/2024

**Sub: Action Taken Report w.r.t. Directions u/s 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 Dated 27.03.2023 issued by DPCC for Disposal of Untreated Septage into river Yamuna or Drains leading to river Yamuna.**

**Sir/Madam,**

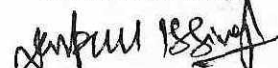
This has reference to the Order dated 26.07.2024 in OA No. 365/2021 in the matter of "Shamsher Singh Vs. Govt. of NCT of Delhi" and Directions u/s 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 regarding disposal of untreated Septage into river Yamuna or drains leading to river Yamuna issued by DPCC (Copy enclosed).

Vide said Directions dated 27.03.2024, MCD, IFCD, DJB & All District Magistrates were directed to impose penalty (Environmental Compensation) for various types of violations, authorising officers from these department to take action against violators and deposit the collected compensation amount to DPCC in the Account No. 40071442347 of SBI, ISBT Kashmere Gate, Delhi. Monthly Action Taken Reports of Inspections conducted, Environmental Compensation imposed and Environmental Compensation received was to be submitted by the authorized officers to Member Secretary, Delhi Pollution Control Committee by 7th of every month.

As per the said Order dated 28.07.2024 of Hon'ble Tribunal, DPCC is to file its response before Hon'ble Tribunal and Next Date of Hearing is 11.11.2024.

In view of the above, it is requested to submit the Action Taken Report/Information (for the period of 01.04.2023 to 15.10.2024) in the enclosed format by 30.10.2024 at following E-mail ID: [wmc2dpcc2023@gmail.com](mailto:wmc2dpcc2023@gmail.com).

Yours Sincerely,

  
(D. K. Singh)

Addl. Director, WMC- II

**Enclosure:** As above

**To,**

1. **The Commissioner of Police**, Delhi Police Headquarters, Jai Singh Road, New Delhi-110001
2. **Addl. Chief Secretary**, Irrigation & Flood Control Deptt., Govt. of NCT of Delhi, L.M. Bundh, Shastri Nagar, Delhi-31.
3. **Commissioner**, Municipal Corporation of Delhi, 9th Floor, Dr. S.P.M. Civic Center, JLN Marg New Delhi 110002.
4. **Chief Executive Officer**, Delhi Jal Board, Varunalaya Ph-II, Jhandewalan, Delhi-05.
5. **District Magistrate (Headquarter)**, Revenue Department, 5 Sham Nath Marg, Delhi, 110054 (With request to send the compiled information in respect of all the 11 Revenue District in the enclosed format to DPCC)

**Copy to:**

1. Staff Officer to Chief Secretary, GNCTD, 5th Level, Delhi Secretariat, Delhi - 110002.

  
(D. K. Singh)

Addl. Director, WMC- II

731



wmc2 dpcc <wmc2dpcc2023@gmail.com>

10

**Septage Report for the Month of October 2024**

1 message

**Sharad Kumar** <sdm5dchq@gmail.com>  
To: wmc2 dpcc <wmc2dpcc2023@gmail.com>

Wed, Nov 6, 2024 at 2:07 PM

Sir/Madam,

Please find enclosed herewith an attachment for information and appropriate action in the matter accordingly.

SDM-V (HQ)  
O/o Divisional Commissioner  
(Revenue Department, GNCTD)

 **Book1.xlsx**  
10K

(11)

Monthly Action Taken Report w.r.t. Directions u/s 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 issued by DPCC on 27.03.2023 regarding disposal of untreated Septage into river Yamuna or drains leading to river Yamuna. In this regard, It is therefore, requested to submit the Action Taken Report/Information (for the period of 01.04.2023 to 15.10.2024) in the enclosed format by 30.10.2024 at following E-mail id: wmc2dpcc.delhi@gmail.com under intimation to Revenue HQ.

S. No.	Action	No. of Inspections	No. of Violations observed	EC Imposed	EC Received	No. of Vehicles confiscated
1	Deposit of Septage by Unauthorized (Unlicensed) Entities	308	5	1,12,000	1,12,000	4
2	Disposal of Septage at places other than the designated places by Authorized Licensee	219	4	2,10,000	2,10,000	2
3	Use of Services of Unlicensed Vendors / Vehicles by Persons for discharging septage	242	7	2,35,000	2,35,000	2
	Total	769	16	557000	557000	8

Source-Report is compiled on the basis of the reports received from All 11 Revenue Districts

By Speed Post

	<b>DELHI POLLUTION CONTROL COMMITTEE</b> <b>DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI</b> <b>3<sup>rd</sup> FLOOR, BLOCK-1, DMRC IT PARK BUILDING, SHASTRI</b> <b>PARK, DELHI-110053</b> <b>visit us at : <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a></b>	 <b>LIFE</b> Lifestyle for Environment
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F. No. DPCC/CMC-II/NGT(365/2021)/3245-46

Dated: 06/11/2024

**Subject: Show Cause Notice for imposition of Environmental Compensation for not providing sewerage NETWORK in unauthorized colonies and JJ clusters in time-bound manner thereby resulting in disposal of untreated Septage into river Yamuna or drains leading to river Yamuna.**

Whereas, Central Pollution Control Board (CPCB) is the State Board for all the union Territories to exercise powers and performs functions under the Water (Prevention and Control of Pollution) Act, 1974, as amended to date.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention and Control of Pollution) Act, 1974 in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide notification Dated 15.03.1991.

And whereas, Hon'ble National Green Tribunal (NGT) is monitoring various activities causing pollution in River Ganga and its tributaries through O.A. No. 200 of 2014 - M. C. Mehta Vs. Union of India & Ors. and connected matters and has completely prohibited disposing of any kind of waste into the river Ganga vide orders dated 11.04.2017 and 13.07.2017.

And whereas, Government of India has also introduced National Faecal Sludge & Septage Management (FSSM) Policy in 2017 to emphasize the importance of treating the faecal sludge from on-site sanitation system.

And whereas You, Delhi Jal Board, having its Head Office at Varunalaya Phase-II, Jhandewalan, Karol Bagh, Delhi-110005 are responsible for septage management in entire Delhi including providing sewerage network in Unauthorized Colonies and JJ Clusters.

And whereas, Urban Development Department of Government of NCT of Delhi had issued Notification regarding regulations for collection, transportation and disposal of waste of septic tanks and related matters titled as "Delhi Water Board Septage Management Regulations, 2018" on 12.11.2018. Under this regulations licenses are being given by DJB to the vendors for collection and transportation of Septage to the vehicles.

And whereas, NGT in OA No. 365 of 2021 titled as "Shamsher Singh Vs. Govt. of NCT of Delhi" after recording dissatisfaction on the compliance of the Delhi Water Board Septage Management Regulation, 2018 has constituted a joint Committee headed by Justice S.P. Garg, former Judge, Delhi High Court with nominees of CPCB, DPCC and Chief Engineer, DJB.

And whereas, NGT vide order dated 21.12.2022 in the aforesaid matter has accepted the suggestions and recommendations of the aforementioned committee. Further Hon'ble NGT pleased to direct that, *"Further, we find it necessary to issue clarification/direction under Section 15 (4) read with Section 33 of the NGT Act on the issue of preexisting jurisdiction of the DPCC under the Water and Air Acts to levy compensation for violation of water quality and air quality norms and jurisdiction of Delhi Police in the light of suggestion of the Committee. ... This is necessary having regard to inadequacy of compliance*

mechanism under the Regulations, as found by the Committee and its adverse impact on recipient environment and public health.”

And whereas, DPCC in exercise of the powers conferred under section 33 (A) of the Water Act, 1974 and keeping in view to curb pollution in River Yamuna in Delhi, issued directions on 27.03.2023 interalia mentioning:

1. (a) penalty for deposit of septage by unauthorized (unlicensed) entities shall be Rs. 50,000/- plus confiscation of vehicle.
- (b) Penalty for disposal of Septage at place other than the designated places by authorized licensee shall be Rs. 50,000/- per violation.
- (c) Penalty on a person who uses the services of unlicensed vendors/ vehicle for discharging the septage shall be Rs. 10,000/- per violation.
2. An officer not lower than the rank of Nayab Tehsildar in DM offices & Sub Inspector in Delhi Police, Sanitary Inspector, in MCD and JE in DJB and I&FCD shall be competent to impose penalty.

And whereas, Urban Development Department, GNCTD has issued “Delhi Water Board Septage Management (Amendment) Regulation, 2024” on 13.03.2024 including following amendments in the existing Regulations :

1. (a) Penalty for deposit of septage by unauthorized (unlicensed) entities shall be Rs. 50,000/- plus confiscation of vehicle.
- (b) Penalty for disposal of Septage at places other than the designated places by authorized licensee shall be Rs. 50,000/- per violation.
- (c) Penalty on a person who uses the services of unlicensed vendors/vehicles for discharging the septage shall be Rs. 10,000/- per violation.
2. An officer not lower than the rank of Naib Tehsildar in DM offices, JE in DJB/I&FC, Sub Inspector in Delhi Police and Sanitary Inspector in CD shall be competent to impose penalty.

**Installation of GPS System** - Each Vehicle used for transportation of septage shall be fitted with GPS device and access rights of the movement data shall be given to the Delhi Jal Board for tracking of such vehicles.

And whereas, Hon'ble NGT vide order dated 26.07.2024 in OA 365/2021 directed as follows:

“.....

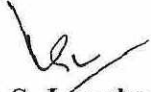
5. With regard to these un-authorized colonies indicated above, no information has been provided pertaining to quantity of sewage generated, collection system, treatment systems and disposal of the same including the waste water quality standards. It is also not clear if sewage generated from these unauthorized colonies is being collected and transported by tankers as no such information has also been provided.
6. We fail to understand the inaction by DPCC for such continued violations by DJB. The counsel for DPCC indicated that he has no information with regard to any punitive action taken against DJB for such in-action.”

And whereas, DPCC vide letter dated 24.10.2024 requested DJB to provide complete details in respect of septage management in Delhi and Para 5 of the NGT order dated 26.07.2024 including quantity of sewage generated, collection system, treatment system in 1799 un-authorized Colonies and disposal of the same including waste water quality standards. However, complete information has not been received and only the monthly details of septage collected and treated has been received.

Now therefore, in view of the above, by way of this Show Cause Notice you (the addressee) are hereby required to Show Cause as to why Environmental Compensation for gap in generation and treatment should not be imposed on Delhi Jal Board for failing to provide sewerage connection in unauthorized colonies and JJ clusters in time-bound manner thereby resulting in disposal of untreated Septage into river Yamuna or drains leading to river Yamuna. You are directed to submit your reply and a detailed action plan with timelines and responsible personnel, alongwith following information within 15 days from the date of issuance of this notice and softcopy of the response be sent through email: [wmc2dpcc2023@gmail.com](mailto:wmc2dpcc2023@gmail.com) to DPCC.

- i. Action plan with timelines for providing sewerage network in all Unauthorized Colonies and JJ Clusters.
- ii. Sewage generation from the Unauthorized Colonies and JJ Clusters w.e.f 21.11.2018.
- iii. Septage collected and treated since 21.11.2018.
- iv. Gap i.e. Total Sewage generated from Unauthorized Colonies and JJ Clusters w.e.f 21.11.2018 minus Total Septage / Sewage collected and treated in STPs of DJB.
- v. Quantity of Septage generated from sources other than Unauthorized colonies and JJ Clusters which remained untreated.

Failure to respond this notice may invite necessary action without any further reference in this matter.


  
(Dr. K. S. Jayachandran)  
Member Secretary, DPCC

To,

**Member Drainage,**  
Delhi Jal Board, Varunalaya Ph-II,  
Jhandewalan, Delhi-110005

Copy to:

1. The Chief Executive Officer, Delhi Jal Board, Varunalaya Ph-II, Jhandewalan, Delhi-110005.

  
(Dr. K. S. Jayachandran)  
Member Secretary, DPCC