

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO.506/2022

In the matter of:-

Tribhuvan Singh

.....Applicant

Vs

Govt. of NCT of Delhi & Ors.

.....Respondents

D.O.H.:31-10-2023

**REPLY ON BEHALF OF DEPUTY COMMISSIONER (SOUTH  
WEST IN THE ABOVE MENTIONED CASE.**

**MOST RESPECTFULLY SHOWETH:-**

1. That the aforesaid matter is pending before this Hon'ble Tribunal and fixed for hearing on 31.10.2023.
2. That on the direction of the Hon'ble NGT, a joint inspection along-with representatives from Delhi Pollution Control Committee (DPCC), Department of Environment, Govt. of NCT of Delhi of M/s Gawar Construction Limited , Kh. No.632 & 635, Village Roshanpura, Najafgarh, New Delhi was successfully carried out on 20.09.2022.



3. That Delhi Pollution Control Committee (DPCC) vide letter dated 09.12.2022 had issued directions for the closure/sealing of the said unit. Accordingly, Sub Divisional Magistrate (Najafgarh) vide Restraint Order dated 28.12.2022 (**Annexure-I**) had restrained the violators from carrying out/doing any activity at the said unit and further directed SHO concerned to ensure necessary compliance.
4. That Delhi Pollution Control Committee (DPCC) vide recovery certificate no.DPCC/CMC-II/NGT/OA-506/202/4298 dated 03.02.2023 had requested SDM (Najafgarh) for the recovery of amount Rs.2,25,000 (Two Lakh Twenty-Five Thousand Only) as Environmental Damage Compensation from M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi-110043.
5. That, on receiving the above said certificate, recovery proceedings were initiated as per the guidelines mentioned/issued by the Hon'ble High Court of Delhi in the matter of Santosh Kumar Jha Vs The Deputy Labour Commissioner (South) in W.P(C) no.8092/2016. A Notice dated 15.02.2023 (**Annexure-II**) was issued to M/s Gawar Construction Limited with a direction to deposit the recovery amount within 07 days and to provide details w.r.t. movable/immovable properties, in case required for further attachments. Reminders dated 28.07.2023 (**Annexure-III**) was also issued.
6. That, representatives from M/s Gawar Construction Limited has submitted a acknowledgment to the O/o SDM (NG) that they had deposited



the recovery amount of Rs.2,25,000/- to the DPCC vide Demand Draft no.013572 dated 11.10.2023 (Annexure-IV).

7. That recovery of the Environmental Damage Compensation amounting Rs.2,25,000/- from M/s Gawar Construction Limited has already been completed as per the information provided by M/s Gawar Construction Limited vide letter dated 13.10.2023.

8. The applicant/undersigned is ready to abide by any condition laid down by this Hon'ble Tribunal.



*(Signature)*  
16/10/23  
**(PRATEEK RAJ,  
SDM (NAJAFGARH))**

**PRATEEK RAJ, DANICS**  
Sub Divisional Magistrate (Najafgarh)  
South-West District, GNCTD  
Tura Mandi, Najafgarh, New Delhi-43



OFFICE OF THE SUB DIVISION MAGISTRATE (NAJAFGARH)  
GOVT. OF NCT OF DELHI  
TUDA MANDI, NAJAFGARH, NEW DELHI-110043

No.F. SDM/NG/STF/2022-23/393-m

Dated: 28/12/22

RESTRAINT ORDER

Whereas, Delhi Pollution Control Committee GNCT, 4<sup>TH</sup> and 5<sup>th</sup> floor, ISBT Building, Kashmere Gate, Delhi has observed gross air pollution violation activities at **M/s Gawar Contraction Limited at Khasra No. 632,635 Rectangle No.-0, Village Roshanpura, Tehsil Najafgarh, Delhi-110043** on joint inspection of the unit on 20.09.2022

Whereas, Delhi Pollution Control Committee GNCT, 4<sup>TH</sup> and 5<sup>th</sup> floor, ISBT Building, Kashmere Gate, Delhi vide letter no. F.No.DPCC/CMC-II/NGT/OA-506/2022/3767-3771 dated 09.12.2022, in exercise of powers conferred upon Delhi Pollution Control Committee, u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981, u/s 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 as amended to date has directed **M/s Gawar Contraction Limited at Khasra No. 632,635 Rectangle No.-0, Village Roshanpura, Tehsil Najafgarh, Delhi-110043** to stop the work immediately.

Whereas, Delhi Pollution Control Committee GNCT of Delhi has further directed SDM (Najafgarh) to ensure closure/sealing of the said unit with immediate effect.

In compliance of the direction of DPCC GNCT of Delhi, it is hereby ordered that the violators or any other person is restrained from doing/carrying out any activity at **M/s Gawar Contraction Limited at Khasra No. 632, 635 Rectangle No.-0, Village Roshanpura, Tehsil Najafgarh, Delhi-110043** and status quo shall be maintained till further orders.

**Compliance report must be submitted by SHO (P.S CHHAWLA) to the undersigned within 3 days.**



AMIT KALE, IAS  
CHAIRMAN (STF)/SDM (NAJAFGARH)

To,

1. **M/s Gawar Contraction Limited at Khasra No. 632,635 Rectangle No.-0, Village Roshanpura, Tehsil Najafgarh, Delhi-110043**
2. SHO (PS Najafgarh) for necessary compliance.

Copy to:-

1. Delhi Pollution Control Committee GNCT, 4<sup>TH</sup> and 5<sup>th</sup> floor, ISBT Building, Kashmere Gate, Delhi
2. Naib Tehsildar (Najafgarh) for necessary vigil & action.
3. Halqa Patwari concerned to serve the notice to respondents and also paste the same on the site.

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**GOVT. OF NCT OF DELHI  
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (NAJAFGARH)  
TURA MANDI, SDM OFFICE COMPLEX, NAJAFGARH, NEW DELHI-110043**

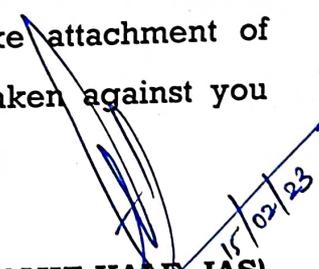
No.SDM/NJF/REC/2023/ 8783

Dated: 15/02/2023

**NOTICE**

Whereas, Delhi Pollution Control Committee (DPCC), Department of Environment, Govt. of NCT of Delhi), 4<sup>th</sup> & 5<sup>th</sup> Floor, ISBT Building, Kashmere Gate, Delhi-110006 vide recovery certificate no.DPCC/CMC-II/NGT/OA-506/202/4298 dated 03.02.2023 has directed the undersigned to recover an amount of **Rs.2,25,000 (Two Lakh Twenty-Five Thousand Only)** as **Environmental Damage Compensation from M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi-110043.**

Now, therefore, the **M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi-110043** is hereby directed to file an affidavit of their assets, income and expenditure within 03 days of the receipt of this notice failing which action as deemed as per law will be initiated against you. You are also directed to be present in person and submit the proof of deposit of above amount in competent court or deposit the requisite amount in the office of undersigned by **22/02/2023** else the proceeding like attachment of movable/immovable properties or arrest etc. would be undertaken against you without any further opportunity.

  
(AMIT KADE, IAS)  
SDM (NAJAFGARH)

Copy To: -

1. SHO, Chhawla New Delhi, for strict compliance and submit the report within 07 days.
2. M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi-110043.

dc.  
  
14.2/23.

GOVT. OF NCT OF DELHI  
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (NAJAFGARH)  
SUB-DIVISION (NAJAFGARH)  
TURA MANDI, NAJAFGARH, NEW DELHI-110043

No.SDM/NJE/REC/2023/50004

Dated: 28/07/23

NOTICE

Whereas, Delhi Pollution Control Committee (DPCC), Department of Environment, Govt. of NCT of Delhi, 4th & 5h Floor, ISBT Building, Kashmere Gate, Delhi-110006 vide recovery certificate no.DPCC/CMC-II/NGT/OA-506/202/4298 dated 03.02.2023 has directed the. undersigned to recover an amount of Rs.2,25,000 (Two Lakh Twenty-Five Thousand Only) as Environmental Damage Compensation from M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi- 110043.

Whereas, a notice of recovery dated 15/05/2023 issued to M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, Village Roshanpura, Tehsil-Najafgarh, Delhi-110043, but no compliance of notice received till date. Now, you are once again hereby directed to file an affidavit of assets, income and expenditure within 03 days of the receipt of this notice failing which action as deemed as per law will be initiated against you. You are also directed to be present in person and submit the proof of deposit of above amount in competent court or deposit the requisite amount in the office of undersigned by 03/08/2023 else the proceeding like sealing of property, attachment of movable/immovahble properties or arrest etc. would be undertaken against you without any further opportunity.



*[Signature]*  
SDM (NAJAFGARH)

**Copy To:-**

1. SHO, Chhawla New Delhi, for strict compliance and submit the report within 07 days.
2. M/s Gawar Construction Limited, Khasra No.632-635, Rectangle No.0, C Scanned ilage Roshanpura, Tehsil-Najafgarh, Delhi-1 10043.

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**GAWAR**  
CONSTRUCTION LIMITED

**GAWAR CONSTRUCTION LIMITED**  
SF-01, JMD Galleria,  
Sector-48, Sohna Road,  
Gurugram - 122001 (Haryana)  
Mob.: +91-7303504555  
Ph.: (0124) 4854000  
Fax : (0124) 4854001/02  
Web.: www.gawar.in  
E-mail : gcl@gawar.in

8/13/10/2023  
(ENQUIRY COUNTER)  
DELHI POLLUTION CONTROL COMMITTEE  
DEPARTMENT OF ENVIRONMENT  
GOVT. OF NCT OF DELHI  
4TH FLOOR, ISBT BUILDING,  
KASHMERE GATE, DELHI-110009

An ISO 9001:2015 Certified Company  
CIN : U70109HR2008PLC037773

Ref. No.: GAWAR-E5/JV/UER-2/PKG-3/2023/1112

Date: 13.10.2023

To,  
Ms. Ajeeta Dayal Agrawal  
~~Incharge, EIA Cell~~  
Delhi Pollution Control Committee,  
5th Floor ISBT Building, Kashmere Gate,  
Delhi-110006

To,  
Delhi Pollution Control Board  
Incharge, EIA Cell  
2nd Floor, C- Block  
Vikas Bhawan II, Civil lines  
Delhi-110054

**Sub:** Development of 6-Lane Urban Extension Road-II (UER-II) - NH-334M, Package-3 from Nangloi Najafgarh Road, Km. 28+450 to Dwarka Sector-24 Road, Km. 38+111 in the state of Delhi on EPC mode. Reg: Compliance of Show Cause Notice for imposition of Environmental Damage Compensation and Direction for imposition of Environmental Damage Compensation.

- Ref:** (i) DPCC notice no. DPCC/CMC-II/NGT/OA-506/2022/3718-19 dated 24.11.2022  
(ii) DPCC notice no. DPCC/CMC-II/NGT/OA-506/2022/3720-21 dated 24.11.2022  
(iii) DPCC notice no. DPCC/CMC-II/NGT/OA-506/2022/3765-3766 dated 09.12.2022  
(iv) DPCC notice no. DPCC/CMC-II/NGT/OA-506/2022/3767-3771 dated 09.12.2022  
(v) EPC Contractor letter no. 690 dated 26.12.2022

Respected Sir,

With reference to DPCC notice no. DPCC/CMC-II/NGT/OA-506/2022/3720-21 on dated 24.11.2022 and DPCC/CMC-II/NGT/OA-506/2022/3718-19 dated 24.11.2022 vide which DPCC has issued a show cause notice. In this regard, EPC Contractor of the project submitted here that the same has been complied by their letter no. GAWAR-E5/JV/UER-2/PKG-3/2022/690 dated 26-12-2022 with all the observations. Further, DPCC had issued a penalty against environmental damage which wasn't received by EPC Contractor so could not deposit the penalty on time.

Now, the same is obtained from department and hereby submitting the penalty imposed by DPCC in the form of a Demand Draft of Bank HDFC BANK LTD bearing DD no. 013572 dated 11-10-2023 of rupees 2,25,000/-. Please find enclosed the same in lien of the penalty and close the matter accordingly.

The Contractor is obliged for your continued support and co-operation for this project.  
Thanking you,

With regards,  
For Gawar-E5 Joint Venture

Vikas Nagar  
Authorized Signatory

Enclosed: As above original Demand Draft to DPCC and copy to NHAI

CC: (i) Project Director, NHAI-PIU, Dwarka for information please.

(ii) Team Leader M/s URS Scott Wilson India Pvt. Ltd. In association with M/s CPT P.

for information please.

Wear the mask, wash your hands  
(01662) 246117, 250361 Fax: (01662) 248885  
Social distancing. Stop to spread the COVID-19



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11102023  
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**ON DEMAND PAY DELHI POLLUTION CONTROL COMMITTEE**

रुपयें  
Rupees

**TWO LAKH TWENTY FIVE THOUSAND ONLY**

₹ 2,25,000.00

Order

**GAWAR CONSTRUCTION LIMITED**  
BADSHAHPUR

GURGAON - 122001

REF. No. 109813012800

*Handwritten Signature*  
AUTHORISED SIGNATORIES  
PUNJAB BANK

FOR VALUE RECEIVED

⑈013572⑈ 110240138⑈ 999990⑈ 15