

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

IN

ORIGINAL APPLICATION NO. 102 OF 2026

(I.A. No. 92/2026)

IN THE MATTER OF:

DEEPAK AGARWAL & ORS.

...**APPLICANT(S)**

VERSUS

UNION OF INDIA & ORS.

...**RESPONDENT(S)**

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Date: 19.05.2026

Filed by Advocate Atif Suhrawardy

Place: New Delhi

(On behalf of the Central Pollution Control Board)

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

IN

ORIGINAL APPLICATION NO. 102 OF 2026

(I.A. No. 92/2026)

IN THE MATTER OF:

DEEPAK AGARWAL & ORS.

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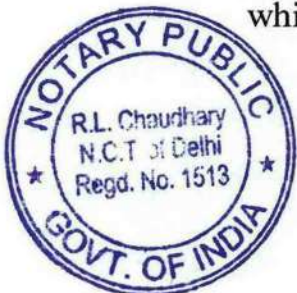
...RESPONDENT(S)

**REPLY ON BEHALF OF RESPONDENT No. 10 i.e. CENTRAL
POLLUTION CONTROL BOARD**

MOST RESPECTFULLY SHOWETH:

1. That, the Hon'ble National Green Tribunal, Principal Bench (PB), New Delhi (hereinafter referred to as "Hon'ble NGT") vide its order dated 10.02.2026 in Original Application No. 102/2026 (PB) has sought the response /reply from the Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. A true copy of the order dated 10.02.2026, passed by this Hon'ble National Green Tribunal, is marked and annexed hereto as **Annexure-I**.

The issues raised by the applicant in the aforesaid original application pertain to the alleged violation of the environmental norms by the private respondents while constructing Central Square Complex, also known as DCM Flatted



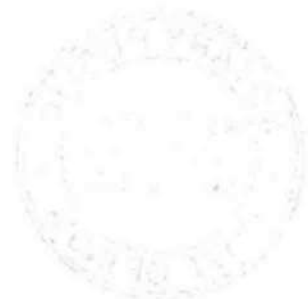
Factory Complex, situated at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-110006.

It is alleged that an unbarricaded excavation crater, approximately 60–80 feet deep and spread over 6–7 acres at the Plaza-4 site, has remained abandoned for 12–18 years, resulting in stagnation of contaminated water, sewage discharge, groundwater pollution, and ecological degradation.

Further allegations include expiry of environmental clearance, illegal felling of trees, and unauthorized operation of bore wells within the project premises.

2. That, at the outset, the answering respondent denies all claims, contentions, allegations and averments against the answering respondent CPCB in the referred petition contrary to anything stated or submitted in this reply. Nothing in the petition may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.

3. That, CPCB has been constituted under The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as " Water Act, 1974"), The Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as " Air Act, 1981") and The Environment (Protection) Act, 1986. Further, the State Pollution Control Boards (hereinafter referred to as "SPCBs") and Pollution Control Committees (hereinafter referred to as "PCCs") have been constituted in States/Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to implement the provisions of these Acts in respect of their Territorial Jurisdictions.



PRELIMINARY SUBMISSIONS: -

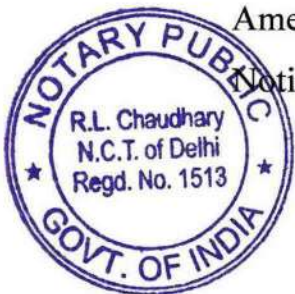
4. That, in context of requirement of Environmental Clearance (hereinafter referred to as "EC"), it is respectfully submitted that, the Clause 2 of the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as EIA Notification, 2006) provides for the Requirements of prior EC and as per the above mentioned clause, the projects or activities which are falling under the category 'A' of the Schedule of the EIA Notification, 2006, the project proponent shall obtain the EC from the Ministry of Environment, Forest and Climate Change (hereinafter referred to as 'MoEF&CC') and the projects which are falling under the 'B' category of the Schedule of the EIA Notification, 2006; the project proponent shall obtain EC from the State Environment Impact Assessment Authority (hereinafter referred to as 'SEIAA') before carrying out the construction works, land preparation, or any expansion or modernization and shall comply the conditions stipulated in Environment Clearance.
5. That, in context of consent required to be obtained by the projects, it is respectfully submitted that, SPCBs/PCCs are the concerned authorities to grant Consent (Consent to Establish/Consent to Operate) under the Water Act, 1974 and the Air Act, 1981 in their respective jurisdiction of State/Union Territory and to ensure the compliance of conditions of consent and prescribed environmental standards.
6. That, in context of generation and management of construction and demolition waste from construction activity, it is respectfully submitted that, Central Government has notified the Environment (Construction and Demolition) Waste Management Rules, 2025 (hereinafter referred as "E(C&D)WM, Rules 2025") in supersession of the Construction and Demolition waste management Rules,



2016 vide G.S.R. 219(E), dated 2nd April 2025, which are effective from 01 April, 2026 for the environmentally sound management of construction and demolition waste in the country, including its segregation, collection, processing, utilization of processed waste, and disposal, and to discourage unscientific disposal, promote scientific waste management, prevent loss of recyclable value. A copy of E(C&D)WM, Rules 2025, is also available on the CPCB website at the link https://cpcb.nic.in/uploads/hwmd/C&D_rules_2025.pdf

As per the rule 9(1) of the E(C&D)WM, Rules 2025, the responsibility of the Waste Generator and producer are given below:

- a. Collect and segregate waste to facilitate reuse and recycling into separate material streams;
 - b. Store the waste and take steps for its recycling, either in-situ processing or off-site processing;
 - c. Transport entire waste to collection point or intermediate waste storage facility or hand over waste to an authorized agency or recycler, as appropriate;
 - d. Take steps to prevent air pollution, littering of waste and avoid public nuisance during collection, segregation, storage of waste;
 - e. Comply with the orders and directions of the local authority, development authority and other implementing and enforcement agencies
7. That, in the context of dust mitigation measures for construction and demolition activities, it is respectfully submitted that the Environment (Protection) Amendment Rules, 2018 were notified by the Central Government vide Notification No. G.S.R. 94(E) dated 25th April, 2018, where Mandatory



Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance are prescribed, which are given below:

- i. No building or infrastructure project requiring Environmental Clearance shall be implemented without an approved Environmental Management Plan, inclusive of dust mitigation measures.
- ii. Roads leading to or at construction sites must be paved and blacktopped (i.e. Metallic roads)
- iii. No excavation of soil shall be carried out without adequate dust mitigation measures in place.
- iv. No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
- v. Wind-breaker of appropriate height i.e. $1/3^*$ of the building height and maximum up to 10 meters shall be provided.
- vi. Water sprinkling system shall be put in place.
- vii. Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

A true copy of the Environment (Protection) Amendment Rules, 2018, was notified by the Central Government vide G.S.R. 94(E) dated 25th April, 2018, and has been annexed and marked as **Annexure-II**.

8. That, CPCB has also prepared 'Guidelines on dust mitigation measures in handling construction material and C&D Wastes (November, 2017)'.

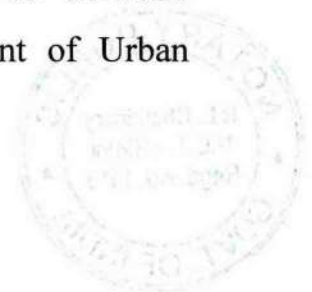


The said Guidelines cover major dust-generating activities, composition of construction material and C&D wastes, major dust-borne material, dust mitigation measures during transportation of construction material and C&D wastes, dust mitigation measures at the site, dust mitigation measures during storage of construction material and C&D wastes etc.

A copy of Guidelines on dust mitigation measures in handling construction material and C&D Wastes (November, 2017) has been marked and enclosed as **Annexure-III.**

A copy of the said guidelines is also available at: <https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTYxXzE1MTE5MzMzNzJfbWVkaWFwaG90bzEyNjcxLnBkZg==>

9. That, in the context of solid waste management, it is respectfully submitted that, Ministry of Environment Forest & Climate Change (MoEF&CC) has notified the Solid Waste Management Rules, 2026 (hereinafter referred as "SWM, Rules 2026") under the Environmental (Protection) Act, 1986 vide Notification No. S.O. 388(E) dated 27.01.2026, which comes into effect from 01.04.2026, in supersession of SWM, Rules, 2016, to ensure environmentally sound management of solid waste in the country. The Rules lay down provisions w.r.t. duties of waste generator besides other provisions. A copy of SWM Rules, 2026, is also available on the CPCB website at the link https://cpcb.nic.in/uploads/MSW/SWM_2026.pdf.
10. That, provisions w.r.t. preparation of State policy and strategy on solid waste management, setting up material recovery facilities (MRFs) or secondary storage facilities, etc. and enforcement of the provisions of the rules are collective responsibility of the State's agency - Department of Urban



Development (UDDs), Urban Local Bodies (ULBs) and concerned SPCB/PCC under Rule 35, 39 & 41 of SWM, Rules, 2026 respectively.

11. That, in the context of plastic waste dumping, it is respectfully submitted that Section 6 of the Plastic Waste Management (Amendment) Rules 2016 (hereinafter referred as "PWM Rules, 2016"), defines the responsibility of local bodies for the development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers. Further, section 8 of the PWM Rules, 2016, defines the responsibility of waste generator that waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time, not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies.
12. That, in context of hazardous waste management it is respectfully submitted that as per Rule 4 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred as "HOWM Rules, 2016"), the occupier shall be responsible for the safe and environmentally sound management of hazardous and other wastes, and any such wastes generated in the establishment shall be sent or sold to an authorised actual user or disposed of in an authorised disposal facility; further, these wastes shall be transported from the occupier's establishment to an authorised actual user or authorised disposal facility in accordance with the provisions of these rules.



Further, as per Rule 6 of the HOWM Rules, 2016, every occupier of the hazardous and other waste is required to obtain authorization for generation and management of hazardous waste from the concerned SPCB/PCC. As per Rule 21 read with Schedule VII, the SPCB/PCC are entrusted duty to monitor the implementation of these Rules and take action for violations.

13. That, in the context of discharge of sewage into the excavated pond, it is respectfully submitted that Section 25(1) of the Water Act, 1974, provides that no person shall, without the previous consent of the SPCB, establish any outlet or discharge sewage into a stream or well or sewer or on land.
14. That, in the context of installation of borewells and extraction of groundwater, it is respectfully submitted that prior permission/No Objection Certificate (NOC) is required from the Central Ground Water Authority (hereinafter referred as "CGWA"), which has been constituted under Section 3(3) of the Environment (Protection) Act, 1986. The said Authority exercises powers under Sections 3 and 5 of the said Act to regulate and control groundwater development and extraction, including issuance of directions and guidelines governing grant of NOCs for groundwater abstraction. In Delhi CGWA had authorized Deputy Commissioner revenue in Delhi as "Authorized Officer" for the purpose of regulation of ground water development and management in the respective revenue areas under the jurisdiction of their districts.
15. That, in the context of issues related to preservation of Tree, it is humbly submitted that the cutting and felling of trees in forest land are governed by the provisions of the Indian Forest Act, 1927, and the Forest (Conservation) Act, 1980. In the context of the cutting and felling of trees in the National Capital Territory of Delhi, the same is governed by the Delhi Preservation of Trees Act,



1994 (DPTA, 1994) and the Delhi Preservation of Trees Rules, 1996, under which the Tree Officer or any Forest Officer not below the rank of Deputy Conservator of Forest is authorized for granting or refusing permission for felling of trees.

16. That, on receiving copy of the Original Application, CPCB has requested Principal Chief Conservator of Forests (PCCF), Delhi and Delhi Pollution Control Committee (DPCC) vide Letter dated April 09, 2026 to examine the matter and ascertain the factual position. The Responses are awaited.

A true copy of the CPCB request to Principal Chief Conservator of Forests (PCCF), Delhi and DPCC vide Letter dated April 09, 2026 has been marked and annexed as **Annexure-IV**.

PARAWISE REPLY: -

17. That, the averments made in Para No. 1 of the original application pertain to the background and description of the Central Square Complex project, including details regarding its development, layout, and usage; Hence, need no comments from this Answering Respondent.
18. That, the averments made in Para No. 2 of the original application are about Applicant. Hence, need no comments from this Answering Respondent.
19. That, the averments made in Para Nos. 3 to 7 of the original application pertain to the internal access, layout, and description of the project site, the condition of the excavation site/crater at Plaza 4 site and allegations relating to abandonment of construction, existence of labour camps, dumping of sewage and municipal waste into the crater, the illegal felling of trees, and the complete absence of any safety measures as stipulated in the EC. In this context, submissions made at



Paragraph Nos.4, 6 to 13 and 15 of this reply are reiterated and not repeated for the sake of brevity.

20. That, the averments made in Para No. 8 of the original application pertain to representations and legal proceedings stated to have been initiated by the Applicant, including the filing of Writ Petition being W.P.(C) No. 8594/2024 pending before the Hon'ble High Court of Delhi, distinction between specific relief sought in the present application and the said Writ Petition. The same being matter of records, hence, requires no comments from this Answering Respondent.
21. That, the averments made in Para No. 9 of the original application pertain to the location of the Applicant's units, which is situated in the vicinity of alleged site - Plaza 4 crater and the alleged exposure due to environmental hazards from that site. In this context, submissions made at Paragraph Nos. 4 to 13 of this reply are reiterated and not repeated for the sake of brevity.
22. That, the averments made in Para No. 10 of the original application are about the roles and identities of the Private Respondents. Hence, need no comments from this Answering Respondent.
23. That, the averments made in Para No. 11 of the original application are about the issues related to Environmental Clearance conditions, project classification, conversion of project type and related news articles which are not pertaining to this answering respondent and hence, need no comments from this Answering Respondent.
24. That, the averments made in Para No. 12, 30 to 35, 42 to 47 of the original application are related to grant of EC by the MoEF&CC, issuance of consent by the "DPCC" and EC extension by the SEIAA, Delhi (hereinafter referred to as



“SEIAA-Delhi”), bank guarantee submission by the Private respondent to DPCC, and other regulatory processes; it also contains statements regarding false claims made by the Private Respondents in respect of project completion and occupancy status. In these context, submissions made at Paragraph Nos. 4 and 5 of this reply are reiterated and not repeated for the sake of brevity.

25. That, the averments made in Para No. 13 of the original application pertain to the alleged excavation carried out at the alleged site, including the period and extent of excavation, its present condition and alleged consequences like environmental degradation, including dumping of waste, sewage discharge, ground water contamination etc. In this context, submissions made at Paragraph Nos. 4 to 13 of this reply are reiterated and not repeated for the sake of brevity.
26. That, the averments made in Para No. 14 of the original application pertain to photographic, satellite, and other documentary evidence relied upon by the Applicant regarding the condition of the Plaza-4 site. In this context, submissions made at Paragraph Nos. 4 to 15 of this reply are reiterated and not repeated for the sake of brevity.
27. That, the averments made in Para Nos. 15 to 19 of the original application are related to incident regarding loss of life due to vehicle falling into an unbarricaded excavation pit at real estate project Noida sector 150, comparative statements drawn between the said incident at Noida sector 150 and the site under reference i.e. Plaza-4, 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-110006 and corresponding news articles, references to observations and proceedings of the Hon’ble NGT in relation to the Noida tragedy. In this context, submissions made at Paragraph Nos. 4,5 and 13 of this reply are reiterated and not repeated for the sake of brevity.



28. That, the averments made in Para No. 20 of the original application pertain to the complaint made by the petitioner to the respondents regarding the discharge water comprising sewage, rain and ground water mixed with garbage leachate, and plastic and hazardous material contamination directly into the waterlogged crater at Plaza 4, in flagrant violation of various provisions of the Water Act, 1974. In this context, submissions made at Paragraph Nos. 4 to 13 and 16 of this reply are reiterated and not repeated for the sake of brevity. Further, it is humbly submitted that the CPCB had received the said representation dated 26.04.2024 from the petitioner and the same was duly forwarded by CPCB to the DPCC vide email dated 10.05.2024 for examination and necessary action, as the matter falls within the jurisdiction of the DPCC.

A true copy of the representation dated 26.04.2024 and email to DPCC has been marked and annexed as **Annexure-V**.

29. That, the averments made in Para No. 21 of the original application are related to contaminated sewage-mixed water is seeping into the underground water table. In these context, submissions made at Paragraph No. 13 of this reply are reiterated and not repeated for the sake of brevity.

30. That, the averments made in Para Nos. 22 and 23 of the original application are related to a air pollution and public health emergency caused by various environmental degradation happened in violation of Environment related Acts at the site under reference and visit of MCD Health Department officials, action and inaction of the respondents in this matter. In this context, submissions made at Paragraph Nos. 9 to 13 of this reply are reiterated and not repeated for the sake of brevity.



31. That, the averments made in Para No. 24 of the original application are related to the violation of GRAP 3 Regulations at the site under reference and the representation made by the applicant to various authorities. In this context, it is humbly submitted that, upon receipt of the representation dated 10.01.2025 from the applicant, the matter has been forwarded to the DPCC vide email dated 13.01.2025 for examining the matter and taking necessary action as the matter falls within the jurisdiction of the DPCC.

A true copy of the representation dated 10.01.2025 from the applicant annexed as **Annexure-VI.**, the CPCB's email dated 13.01.2025, has been marked and annexed as **Annexure-VII.**

32. That, the averments made in Para Nos. 25 and 26 of the original application are related to dumping and/storing of various waste/materials such as solid waste, plastic waste, construction and demolition waste, and potentially hazardous industrial materials including lubricant barrels on the site under reference and representation made by the applicant. In this context, submissions made at Paragraph Nos. 6 to 12 and 15 of this reply re-iterated and not repeated for the sake of brevity.

33. That, the averments made in Para No. 27 to 29, 48 of the original application are about the illegal cutting of trees and dumping of numerous trees along with piles of waste, plastics and hazardous materials into the crater/swamp. In this context, submissions made at Paragraph Nos. 9 to 12 and 15 of this reply are reiterated and not repeated for the sake of brevity.

34. That, the averments made in Para No. 36 of the original application are about the EC conditions related to the barricade of the construction site. In this context,



submissions made at Paragraph Nos.4 and 7 of this reply are reiterated and not repeated for the sake of brevity.

35. That, the averments made in Para No. 37 of the original application are about illegally installed multiple borewells and groundwater extraction pumps across the entire Complex, including at the Plaza 4 site and an inspection of the site conducted by the Central Groundwater Authority (CGWA). In this context, submissions made at Paragraph No. 14 of this reply are re-iterated and not repeated herein for the sake of brevity.
36. That, the averments made in Para No. 38 of the original application are about Illegal labour camps that have been set up by Private Respondents on approximately 1-2 acres of the Plaza 4 site in inhumane conditions, surrounded by garbage, contaminated swamp, lacking sanitation facilities, and exposed to vector-borne diseases. In this context, submissions made at Paragraph Nos. 9 to 13 of this reply are reiterated and not repeated herein for the sake of brevity.
37. That, the averments made in Para Nos. 39 to 41 of the original application are about allegations regarding misstatements by the project proponent with regard to the grant of possession, issuance of Consent to Operate (CTO), and consent conditions. In this context, submissions made at Paragraph No. 5 of this reply are reiterated and not repeated herein for the sake of brevity.
38. That, the averments made in Para No. 49 of the original application pertain to alleged findings, judicial pronouncements, criminal proceedings, and regulatory actions involving the Private Respondents before various fora, including Hon'ble Courts, Consumer Commissions, and Regulatory Authorities. The said averments are not pertaining to this answering respondent and hence, need no comments from this Answering Respondent.



39. That, the averments made in Para Nos. 50 to 52 of the original application related to allegations of inaction, collusion, and factual disputes, various communications, inspection reports and correspondences involving multiple authorities and private parties. In these context, it is humbly submitted that, upon receiving of the representation dated 10.01.2025 from the applicant, matter has been forwarded to the DPCC vide email dated 13.01.2025 (**Annexure-VII**) for examining the matter and taking necessary action and on receiving copy of the Original Application, the Principal Chief Conservator of Forests (PCCF), Delhi and DPCC has been requested vide Letter dated April 09, 2026 for taking necessary action in the matter (Copies are enclosed at **Annexure-IV**).

40. That, the averments made in Para Nos. 53 to 54 of the original application related to alleged hazardous conditions, environmental violations, waterlogged contaminated swamp, continuous sewage discharge, groundwater contamination, illegally dumped waste, unauthorised bore wells, illegally felled trees and risk assessments at the project site by the applicant, including the estimated number of persons affected. In this context, submissions made at Paragraph Nos 4 to 15 of this reply are reiterated and not repeated herein for the sake of brevity.

41. That, the averments made in Para Nos. 55 to 58 of the original application pertain to the scope and reliefs sought in a Writ Petition being W.P.(C) No. 8594/2024 pending before the Hon'ble High Court of Delhi and the distinction between present application filed before the Hon'ble NGT. The same are matters of record. Hence, need no comments from this Answering Respondent.

42. That, the averments made in Para No. 59 of the original application are related to the petitioner's representation dated 23.01.2026, sent to various respondents,



including CPCB. In this regard, it is humbly submitted that submissions made at Paragraph Nos 4 to 15 of this reply are reiterated and not repeated for the sake of brevity.

43. That, the averments made in Para Nos. I to XIII under the heading "GROUNDS" are the various grounds referred by the applicant for claiming relief from the Hon'ble Tribunal. In this context, submissions made in preceding paras of this reply are reiterated and not repeated herein for the sake of brevity.
44. That, the averments made under the heading "LIMITATION" pertain to submissions and legal contentions of the Applicant regarding limitation and continuing cause of action. Hence, no comments are needed from this Answering Respondent.
45. That, the averments made under the heading "PRAYER" it is humbly submitted that the submissions made in the preceding paragraphs are re-iterated and not repeated for the sake of brevity.
46. That, the answering respondent no. 10 craves leave of the Hon'ble Court to file additional reply, if required, in future.
47. That, in light of the above submissions, this Answering Respondent No. 10 that is CPCB shall abide by any order(s) or direction(s) passed by this Hon'ble Court in the present Petition.



(Sharandeep Singh)

Scientist-E

Central Pollution Control Board



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

IN

ORIGINAL APPLICATION NO. 102 OF 2026

(I.A. No. 92/2026)

IN THE MATTER OF:

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...RESPONDENT(S)

AFFIDAVIT

I, Sharandeep Singh, in the capacity of Scientist-E, having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows:

1. That I, the deponent herein, is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct on the basis of the records maintained during ordinary course of business of CPCB and available records and



documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Sharandeep

DEPONENT

शरनदीप सिंह / Sharandeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

I, Sharandeep Singh, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, the Respondent No. 10 herein, do hereby verify that the contents above are true and correct to the best of my knowledge, information and belief.

19 MAY 2026

Verified at New Delhi on this the Day of May, 2026.



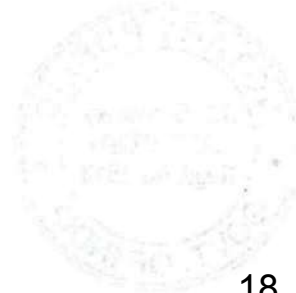
ATTESTED
[Signature]
NOTARY PUBLIC
GOVT. OF INDIA

19 MAY 2026

Sharandeep

DEPONENT

शरनदीप सिंह / Sharandeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



Item No. 38

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 102/2026
(I.A. No. 92/2026)

Deepak Agarwal & Ors.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 10.02.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Anish Verma, Ms. Mukti Ghai & Mr. Hamit Sachdeva, Advs. for
Applicant

ORDER

1. In this original application, Applicant has alleged violation of the environmental norms by the private respondents while constructing Central Square Complex also known as DCM Flatted Factory Complex situated at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-110006.

2. The Applicant has alleged that there is an unbarricaded excavation crater approximately 60–80 feet deep, spanning 6–7 acres, which has been left exposed and abandoned by the Private Respondents for over 12 to 18 years at the Plaza 4 site within the complex. The Applicant alleges that this crater has become a contaminated swamp breeding disease, polluting groundwater, and degrading the ecology. The allegation of the Applicant is that there is continuous sewage discharge into the crater and inspite of the complaint no action has been taken. In respect of violation of other environmental norms, the allegation of the Applicant is that the environmental clearance issued to the project proponent has expired, there



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 49]

नई दिल्ली, बृहस्पतिवार, जनवरी 25, 2018/माघ 5, 1939

No. 49]

NEW DELHI, THURSDAY, JANUARY 25, 2018/MAGHA 5, 1939

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 25 जनवरी, 2018

सा.का.नि. 94(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए, एतद्वारा निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का नाम पर्यावरण (संरक्षण) संशोधन नियम, 2018 है।
(2) ये राजपत्र में इनके प्रकाशन की तारीख को प्रवृत्त होंगे।
 2. पर्यावरण (संरक्षण) नियम, 1986 में, अनुसूची-1 में, क्रम संख्या 105 और उससे सम्बन्धित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम संख्याएं और प्रविष्टियां अन्तःस्थापित की जाएंगी, अर्थात् :—
- “106. पर्यावरणीय स्वीकृति की अपेक्षा वाली परियोजनाओं से संबंधित निर्माण एवं विध्वंस क्रियाकलापों के लिए धूल उपशमन उपायों का आज्ञापक कार्यान्वयन :
- (i) पर्यावरणीय स्वीकृति की अपेक्षा वाली कोई भी भवन अथवा अवसंरचना परियोजना धूल उपशमन उपायों सहित अनुमोदित पर्यावरणीय प्रबंधन योजना के बिना कार्यान्वित नहीं की जाएगी।
 - (ii) निर्माण स्थलों पर या वहां तक जाने वाली सड़के खड्गजा और ब्लैकटॉप (अर्थात् मेटेलिक सड़के) होनी चाहिए।
 - (iii) पर्याप्त धूल उपशमन उपायों के बिना मिट्टी की खुदाई नहीं की जाएगी।
 - (iv) कोई भी मिट्टी या रेत या निर्माण और विध्वंस अपशिष्ट या धूल वाली कोई अन्य निर्माण सामग्री बिना ढके नहीं छोड़ी जाएगी।
 - (v) समुचित ऊंचाई अर्थात् भवन की ऊंचाई की 1/3 और अधिकतम 10 मीटर तक के विंड-ब्रेकर की व्यवस्था की जाएगी।
 - (vi) जल छिड़काव प्रणाली की व्यवस्था की जाएगी।
 - (vii) निर्माण स्थल पर जनता को आसानी से दिखाई देने के लिए धूल उपशमन उपायों का स्पष्ट तौर पर प्रदर्शन किया जाएगा।

107. सभी निर्माण एवं विध्वंस क्रियाकलापों के लिए धूल उपशमन उपायों का अनिवार्य कार्यान्वयन :

- (i) खुले क्षेत्र में भवन सामग्रियों की घिसाई तथा कटाई को प्रतिबंधित किया जाएगा।
- (ii) निर्माण सामग्री तथा अपशिष्ट का भंडारण केवल निर्धारित क्षेत्र के अंदर किया जाएगा और निर्माण सामग्री तथा अपशिष्ट को सड़क के किनारे भंडारण को प्रतिबंधित किया जाएगा।
- (iii) निर्माण सामग्री तथा अपशिष्ट ढोने वाले बिना ढके हुए किसी भी वाहन की अनुमति नहीं दी जाएगी।
- (iv) निर्माण तथा विध्वंस अपशिष्ट प्रसंस्करण और निपटान स्थल का अभिनिर्धारण किया जाएगा और स्थल पर अपेक्षित धूल उपशमन उपाय अधिसूचित किए जाएंगे।

नोट : उपरोक्त क्रम संख्यांक 106 और 107 उन नगरों और शहरों के लिए लागू होंगे जहां धूलकण 10/ धूलकण 2.5 राष्ट्रीय परिवेशी वायु गुणवत्ता मानकों में निर्धारित सीमाओं से अधिक हों।”

[फा. सं. न्यू-16017/172/2017-सीपीए]

रितेश कुमार सिंह, संयुक्त सचिव

नोट : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (i) में का.आ. सं. 844(अ), तारीख 19 नवम्बर, 1986 द्वारा प्रकाशित किए गए थे और तत्पश्चात् उनमें निम्नलिखित अधिसूचनाओं द्वारा संशोधन किए गए थे, अर्थात् :-

का.आ. 433(अ), तारीख 18 अप्रैल, 1987; सा.का.नि. 176(अ), तारीख 2 अप्रैल, 1996; सा.का.नि. 97(अ), तारीख 18 फरवरी, 2009; सा.का.नि. 149(अ), तारीख 4 मार्च, 2009; सा.का.नि. 543(अ), तारीख 22 जुलाई, 2009; सा.का.नि. 739(अ), तारीख 9 सितम्बर, 2010; सा.का.नि. 809(अ), तारीख 4 अक्टूबर, 2010; सा.का.नि. 215(अ), तारीख 15 मार्च, 2011; सा.का.नि. 221(अ), तारीख 18 मार्च, 2011; सा.का.नि. 354(अ), तारीख 2 मई, 2011; सा.का.नि. 424(अ), तारीख 1 जून, 2011; सा.का.नि. 446(अ), तारीख 13 जून, 2011; सा.का.नि. 152(अ), तारीख 16 मार्च, 2012; सा.का.नि. 266(अ), तारीख 30 मार्च, 2012; सा.का.नि. 277(अ), तारीख 31 मार्च, 2012; सा.का.नि. 820(अ), तारीख 9 नवम्बर, 2012; सा.का.नि. 176(अ), तारीख 18 मार्च, 2013; सा.का.नि. 535(अ), तारीख 7 अगस्त, 2013; सा.का.नि. 771(अ), तारीख 11 दिसम्बर, 2013; सा.का.नि. 2(अ), तारीख 2 जनवरी, 2014; सा.का.नि. 229(अ), तारीख 28 मार्च, 2014; सा.का.नि. 232(अ), तारीख 31 मार्च, 2014; सा.का.नि. 325(अ), तारीख 7 मई, 2014; सा.का.नि. 612(अ), तारीख 25 अगस्त, 2014; सा.का.नि. 789(अ), तारीख 11 नवम्बर, 2014; का.आ. 3305(अ), तारीख 7 दिसम्बर, 2015; का.आ. 4(अ), तारीख 1 जनवरी, 2016; सा.का.नि. 35(अ), तारीख 14 जनवरी, 2016; सा.का.नि. 281(अ), तारीख 7 मार्च, 2016; सा.का.नि. 496(अ), तारीख 9 मई, 2016; सा.का.नि. 497(अ), तारीख 10 मई, 2016; सा.का.नि. 978(अ), तारीख 10 अक्टूबर, 2016; सा.का.नि. 1016(अ), तारीख 28 अक्टूबर, 2016 और अंतिम बार अधिसूचना संख्यांक सा.का.नि. 1265(अ), तारीख 13 अक्टूबर, 2017 द्वारा संशोधित किए गए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**NOTIFICATION**

New Delhi, the 25th January, 2018

G.S.R. 94(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely: -

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in Schedule-I, after serial number 105 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely: -

“106. Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance:

- (i) No building or infrastructure project requiring Environmental Clearance shall be implemented without approved Environmental Management Plan inclusive of dust mitigation measures.

- (ii) Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).
- (iii) No excavation of soil shall be carried out without adequate dust mitigation measures in place.
- (iv) No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.
- (v) Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.
- (vi) Water sprinkling system shall be put in place.
- (vii) Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.

107. Mandatory Implementation of Dust Mitigation Measures for all Construction and Demolition Activities:

- (i) Grinding and cutting of building materials in open area shall be prohibited.
- (ii) Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.
- (iii) No uncovered vehicles carrying construction material and waste shall be permitted.
- (iv) Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site.

Note : The serial numbers 106 and 107 above shall apply to cities and towns where value of particulate matter 10/ particulate matter 2.5 exceeds the prescribed limits in National Ambient Air Quality Standards.”

[F. No. Q-16017/172/2017-CPA]

RITESH KUMAR SINGH, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number S.O. 844(E), dated the 19th November, 1986 and subsequently amended *vide* the following notifications, namely:—

S.O. 433(E), dated the 18th April, 1987; G.S.R. 176(E), dated the 2nd April, 1996; G.S.R. 97 (E), dated the 18th February, 2009; G.S.R. 149(E), dated the 4th March, 2009; G.S.R. 543(E), dated the 22nd July, 2009; G.S.R. 739(E), dated the 9th September, 2010; G.S.R. 809(E), dated the 4th October, 2010; G.S.R. 215(E), dated the 15th March, 2011; G.S.R. 221(E), dated the 18th March, 2011; G.S.R. 354(E), dated the 2nd May, 2011; G.S.R. 424(E), dated the 1st June, 2011; G.S.R. 446(E), dated the 13th June, 2011; G.S.R. 152(E), dated the 16th March, 2012; G.S.R. 266(E), dated the 30th March, 2012; G.S.R. 277 (E), dated the 31st March, 2012; G.S.R. 820 (E), dated the 9th November, 2012; G.S.R. 176(E), dated the 18th March, 2013; G.S.R. 535(E), dated the 7th August, 2013; G.S.R. 771(E), dated the 11th December, 2013; G.S.R. 2 (E), dated the 2nd January, 2014; G.S.R. 229 (E), dated the 28th March, 2014; G.S.R. 232 (E), dated the 31st March, 2014; G.S.R. 325 (E), dated the 7th May, 2014; G.S.R. 612(E), dated the 25th August, 2014; G.S.R. 789 (E), dated the 11th November, 2014; S.O. 3305 (E), dated the 7th December, 2015; S.O. 4(E), dated the 1st January, 2016; G.S.R. 35(E), dated the 14th January, 2016; G.S.R. 281(E), dated the 7th March, 2016; G.S.R. 496(E), dated the 9th May, 2016; G.S.R. 497(E), dated the 10th May, 2016; G.S.R. 978(E), dated the 10th October, 2016; G.S.R. 1016(E), dated the 28th October, 2016 and lastly amended *vide* notification GSR 1265(E) dated the 13th October, 2017.

Guidelines on DUST mitigation measures in handling Construction material and C&D wastes



November 2017



CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment, Forest & Climate Change, Govt. of India)

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Guidelines on DUST mitigation measures in handling Construction material and C&D wastes

DUST – environmental pollutant generated during handling of Construction material and C&D wastes.

The concerns of controlling dust / fine particles generated during handling of Construction material and C&D wastes on site include:

- Dust emissions are an environmental nuisance both on-site and off-site.
- Dust during handling (loading / unloading) release a wide range of particle sizes and material types that can cause serious health problems ranging from eye irritation, nose, mouth to affecting the respiratory system.
- The larger heavier particles settle out of the air quickly and are hazard to the operators of plant and equipment (on-site) and to those in the immediate vicinity (off-site). The finer particles (usually invisible) are transported further can cause health hazards (off-site).



Introduction to Guidelines

Unlike other rules that have been revised namely those addressing key urban wastes such as MSW, plastic wastes, BMW, however the Construction and Demolition (C&D) Waste Management Rules, 2016 are NEW rules that were notified on 29th March, 2016 by the Ministry of Environment, Forest and Climate Change (MoEF&CC). In compliance of Rule 10 sub-rule 1(a) of C & D Waste Management Rules, 2016 the '*GUIDELINES ON ENVIRONMENTAL MANAGEMENT OF C&D WASTES (March 2017)*' were prepared under the guidance of the Committee for implementation of C&D Waste Management Rules 2016. In compliance of Rule 10 sub-rule 1(a) of C & D Waste Management Rules, 2016, the focus was on Schedule III w.r.t. environmental concerns in C&D waste management facilities.

The present report i.e. *Guidelines on DUST mitigation measures in handling Construction and Demolition material / wastes* addresses DUST abatement measures arising measures during handling of Construction material and C&D wastes on-site and off-site.



This report has also been prepared under the guidance of the Committee (**Annexure A**) for implementation of C & D Waste Management Rules 2016. The areas covered include the following:

1. Major DUST generating activities
2. Composition of Construction and Demolition wastes / material
3. Major dust borne material
4. Dust management in C&D Waste Management Facilities
5. Dust management during transportation
6. Dust control measures during storage

7. Dust control measures at site
8. Other dust mitigation measures
9. NGT Order w.r.t. Compensation on Construction related works for DELHI

DUST management in C&D Waste Processing Facilities

The Swachh Bharat Mission (under MoUD) envisages processing of 100% solid waste generated in cities / towns by 2nd October, 2019 as a key objective, the wastes include Construction & Demolition (C&D) wastes. Ministry of Urban Development (MoUD) vide its circular dated 28th June, 2012 directs all states to set up Construction & Demolition Waste recycling / processing facilities in cities with population of over ONE million (10 lakhs).

The Construction and Demolition (C&D) Waste Management Rules, 2016 apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organization or authority generating construction and demolition waste such as building materials, debris, rubble.

In March 2017, 'GUIDELINES ON ENVIRONMENTAL MANAGEMENT OF C&D WASTES' were prepared under the guidance of the Committee for implementation of C&D Waste Management Rules 2016. The focus was on the environmental concerns in C&D waste processing facilities with attention on Schedule III. Timelines for implementation of C&D Waste Management Rules 2016 focus on establishment of C&D waste management facilities as provided under Schedule III as given hereunder.

Timelines for implementation of C&D Waste Management Rules 2016

Schedule III [See Rule 13]

Compliance Criteria	Cities with population of \geqone million	Cities with population of 0.5-01 million	Cities with population of $<$ 0.5 million
Formulation of policy by State Government	12 months	12 months	12 months
Identification of sites for collection & processing facility	18 months	18 months	18 months
Commissioning and implementation of the facility	18 months	24 months	36 months
Monitoring by SPCBs	3 times a year / in 4 months	2 times a year / once in 6 months	2 times a year / Once in 6 months

The two main environmental concerns highlighted under the Guidelines were DUST and NOISE. In SECTION VIII of the Guidelines, DUST management was discussed covering the following areas:

- i. DUST – environmental pollutant in C & D waste operations

- ii. Guidelines for DUST mitigation in C & D operations
 - a. Dust Noise abatement - Dust from loading / unloading operations
 - b. Dust abatement - due to vehicle movement
 - c. Dust abatement – due to machinery used in C & D operations
 - d. Compliance of National Ambient Air Quality Standards (NAAQS)
- iii. Other dust abatement measures and safety issues
 - a. Water requirement
 - b. Use of treated waste water (preferably) in sprinklers for dust suppression
 - c. Waste water management
 - d. Residual waste disposal
 - e. Diesel use
 - f. Plantation / greenery
 - g. Emergency facilities
 - h. Protective gear
 - i. Training / Awareness program

The Guidelines are presently on display in CPCB's website at:

http://cpcb.nic.in/upload/NewItems/NewItem_228_Final_C&D_March_2017.pdf



Air Quality Index (AQI) w.r.t DUST (PM₁₀ & PM_{2.5})

Air Quality Index (AQI) is a tool for effective communication of air quality status to people in terms, which are easy to understand. It transforms complex air quality data of various pollutants into a single number (index value), nomenclature and colour (see - http://cpcb.nic.in/FINAL-REPORT_AQI_.pdf)

There are SIX AQI categories, namely GOOD, SATISFACTORY, MODERATELY POLLUTED, POOR, VERY POOR, and SEVERE. Each of these categories is decided based on ambient concentration values of air pollutants and their likely health impacts (known as health break-points). The index has SIX colours schemes indicating the six categories. AQ sub-index and health breakpoints are evolved for eight pollutants which include **PM₁₀**, **PM_{2.5}** besides, NO₂, SO₂, CO, O₃, NH₃, and Pb for which short-term (upto 24-hours) National Ambient Air Quality Standards are prescribed. The worst sub-index determines the overall AQI. AQI categories and health breakpoints for **PM₁₀** and **PM_{2.5}** are given below.

Table: IND-AQI w.r.t. PM₁₀ and PM_{2.5}
(See - http://cpcb.nic.in/About_AQI.pdf)

AQI category	AQI Category Colour scheme	AQI Range µg/m ³		Break point 24 - hourly	
		PM ₁₀	PM _{2.5}	PM ₁₀	PM _{2.5}
I.	Good	0 – 50	0-30	50	30
II.	Satisfactory	51 – 100	31-60	100	60
III.	Moderate	101 – 250	61-90	250	90
IV.	Poor	251- 350	91-120	350	120
V.	Very Poor	351 – 430	121-250	430	250
VI.	Severe	430 ⁺	250 ⁺	430 ⁺	250 ⁺

Graded Response Action Plan (GRAP) for Delhi & NCR addresses DUST control (particulate matter) measures

In pursuant to the Hon'ble Supreme Court's order dated December 02, 2016 in the matter of M. C. Mehta vs. Union of India regarding air quality in National Capital Region of Delhi, the Ministry of Environment, Forests & Climate Change (MoEF&CC) notified for implementation of GRAP through Environment Pollution (Prevention & Control) Authority vide S.O. 118 (E) dated January 12, 2017. The Graded Response Action Plan is displayed at- http://cpcb.nic.in/final_graded_table.pdf.

As per National Air Quality Index, FOUR different Air Quality Index (AQI) categories were identified i.e. MODERATE & POOR, VERY POOR, SEVERE and SEVERE⁺ (this new category of 'Emergency' has been added). The PM levels (PM₁₀ and PM_{2.5}) are summarized in Table below:

Table: GRAP addresses ambient air quality w.r.t. particulate matter (dust)

Air Quality Index (AQI) categories	Ambient PM _{2.5} / PM ₁₀ concentration values (µg/m ³)	Concentration values (µg/m ³)	
		PM _{2.5}	PM ₁₀
Severe ⁺ or Emergency	ambient PM _{2.5} or PM ₁₀ concentration values of 300µg/m ³ or 500 µg/m ³ respectively persist for 48 hours or more	300µg/m ³ respectively & persisting for 48 hours or more	of 500 µg/m ³ respectively & persisting for 48 hours or more
Severe	ambient PM _{2.5} or PM ₁₀ concentration value is more than 250 µg/m ³ or 430µg/m ³ respectively)	more than 250 µg/m ³	more than 430µg/m ³
Very Poor	ambient PM _{2.5} or PM ₁₀ concentration value is between 121-250µg/m ³ or 351-430 µg/m ³ respectively)	concentration value is between 121-250µg/m ³	concentration value is between 351-430 µg/m ³
Moderate to poor	ambient PM _{2.5} or PM ₁₀ concentration value is between 61-120 µg/m ³ or 101-350 µg/m ³ respectively	concentration value is between 61-120 µg/m ³	concentration value is between 101-350 µg/m ³

National Ambient Air Quality Standards - includes PM₁₀ and PM_{2.5}

The basis of development of standards is to provide a rational for protecting public health from adverse effects of air pollutants, to eliminate or reduce exposure to hazardous air pollutants, and to guide national/local authorities for pollution control decisions. CPCB revised and notified in year 2009 the National Ambient Air Quality Standards (NAAQS) (<http://www.cpcb.nic.in>) for TWELVE parameters viz. carbon monoxide (CO) nitrogen dioxide (NO₂), sulphur dioxide (SO₂), particulate matter (PM) of less than 2.5 microns size (PM_{2.5}), PM of less than 10 microns size (PM₁₀), Ozone (O₃), Lead (Pb), Ammonia (NH₃), Benzo(a)Pyrene (BaP), Benzene (C₆H₆), Arsenic (As), and Nickel

(Ni)]. The first eight parameters include PM (**PM₁₀** and **PM_{2.5}**), have short-term (1/8/24 hours) and annual standards (except for CO and O₃) and rest four parameters have only annual standards. The standards are laid down in Schedule VII of the Environment (Protection) Rules, 1986 and are given in Table below.

**Table: National Ambient Air Quality Standards (NAAQS, 2009)
w.r.t. PM₁₀ and PM_{2.5}**

Pollutant	PM by size	Time weighted Average	Concentration ($\mu\text{g}/\text{m}^3$) in Ambient Air		
			Industrial, Residential, Rural & Other Area	Ecologically Sensitive Area (notified by Central Govt.)	Methods of measurement
Particulate Matter - PM ₁₀	< 10 μm	Annual*	60	60	- Gravimetric - TOEM - Beta attenuation
		24-hrs**	100	100	
Particulate Matter - PM _{2.5}	< 2.5 μm	Annual*	40	40	- Gravimetric - TOEM - Beta attenuation
		24-hrs**	60	60	

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 1 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time; they may exceed the limits but not on two consecutive days of monitoring.

Note - Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigations.

Major DUST generating activities during in handling Construction material and C&D wastes

Major activities generating DUST during handling (loading / unloading) C & D wastes / material are summarized below:

Dust generating sources	Major activity
a) Demolition of existing / old dilapidated structures	Generation
b) Renovation of existing buildings / concrete structures	(on-site)
c) Construction of new infrastructure (buildings, bridges etc)	
d) Storage of construction material	Storage
e) Storage of C&D wastes	(on-site or off-site)
f) Transportation of C&D wastes and construction material	Transportation (on-site or off-site)

Composition of Construction material and C&D wastes

1. Construction and Demolition wastes

As per Rule 3 (c) "construction and demolition waste" means *waste comprising of building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure.*

Composition of demolition wastes is project specific and varies depending on age of building being demolished / renovated or the type of buildings being constructed. Under Rule 4 sub-rule (3) of the C & D Waste Management Rules, 2016 the segregation by bulk C & D waste shall be done into four streams such as:

- i. Concrete
- ii. Soil
- iii. Steel, wood and plastics
- iv. Bricks & mortar

Wastes like surplus and damaged products and materials arising in the course of construction work or used temporarily during the course of on-site activities come under C&D wastes.

Key characteristics of C&D wastes include:

a) Demolition waste characteristics: In India, when old buildings are demolished the major demolition waste is soil, sand and gravel accounting for bricks (26%) & masonry (32%), Concretes (28%), metal (6%), wood (3%) others (5%).

b) The major constituents are concrete, soil, bricks, wood, asphalt and metal. Brick & masonry, soil, sand & gravel account for over 60% of total waste. (Source - Municipal Corporation of Delhi, Burari facility).

2. Construction material

Common construction material includes bricks, cement, sand / gravel, soil (earth) and stone aggregates of various sizes.



Major dust borne material in handling Construction material and C&D wastes

The major dust borne material generated during construction / demolition and renovation activities are soil, sand, gravel and cement.



Dust abatement measures during transportation of Construction material and C&D wastes

The C&D wastes and construction material are stored / transported generally without proper coverage and necessary precautionary measures thereby contributing to dust to the ambient air.

Common dust management measures reported regarding transportation of C&D wastes / construction material include the following:

1. Transport routes for carrying construction material / C&D wastes to be identified – preferably to avoid residential, schools / institutional and hospital areas.
2. Transport material that are easily wind borne need to be covered by a sheet made of either jute , tarpaulin, plastic or any other effective material.
3. Trucks / lorries should not be overloaded to avoid overflow of material (C&D wastes / construction material) during transportation.

4. As the transport vehicles move generally during night time, the transport permit should also indicate the material / waste being transported, quantity being transported and place of loading and unloading destinations.

5. As most cities propose to have one C&D waste facility, the locations of all temporary / intermediate C&D wastes



storage dumpsites to be placed in public domain for stakeholders by the concerned department.

6. The unloading activities at temporary / intermediate C&D waste dumpsites to ensure that dust borne particles are damped either by water spray or aligning the waste disposal in such a way that minimizes dust dispersal (wind breakers).
7. The unloading activities of construction material at site / off site to ensure that dispersal of dust borne particles are minimized by either location of dumpsite or using water sprinklers or covered by a sheet made of either jute, tarpaulin, plastic or any other effective material.
8. Roads surfaces to be well maintained so that transport vehicles are not subjected to jerks resulting in ejection of C&D wastes / construction material on roads.
9. In many cases the transportation route may cover several kms, wet damping would be a major challenge, regular sweeping (or vacuum sweeping) would assist in reducing re-suspension of dust due to movement of vehicles, particularly in cities.

Dust control measures - Storage of Construction material and C&D wastes

As mentioned in the previous section, management (transportation & storage) of C&D wastes and construction material generally lack dust abatement measures thereby contributing to dust to the ambient air. The dust control measures w.r.t. storage of construction material include:

All areas for storing C&D wastes / construction material to be demarcated and preferably barricaded particularly those materials that have potential to be dust borne.

i. Off-site :

Contractors / builders / sellers / related stakeholders prohibited from storing / dumping C&D wastes / construction material on metalled (pucca) roads as it obstructs traffic flow - a case of encroachment inviting penalties.



Pedestrians, vehicles and construction material compete for road space

ii. On-site :

a. Locations of storage / dumping wastes within site are to be such that dust dispersal during handling (loading / unloading) is minimum.

b. The Contractors / builders associated in construction works to ensure quantity of construction material available at site synchronizes with its utilization so that the storage period is minimal



Scene of excavated earth / soil for laying of underground pipes / cables along roadsides – unrestored areas generates dust

thereby reducing dust dispersal.

c. Sites of demolition activities to be cordoned off and adequate measures to reduce dispersal of dust beyond site limits.

iii. Dust borne particles into the air can be reduced by addressing :

a. Sand/ gravel: Sand and other fine aggregates be stored in demarcated areas and given a covering.

- b. Cement: Cement bags to be stored an enclosed areas; loose cement to be stored in silos.
- c. Other fine material: preferably to be kept in sealed bags.

Dust control measures at site - construction / demolition / renovation activity

Dust control measures at site - construction / demolition activity to include:

- i. Raise barricade along the perimeter depending on the nature of adjoining regions.
- ii. Mount dust barrier sheet ex tarpaulin / plastic on scaffolding around the construction / demolition building – particularly side facing residential areas.
- iii. Selective mechanization (deployment of construction / demolition) of handling material / wastes helps in better management and reduction of dust generation at site.

NGT directions w.r.t. Compensation on Construction related works for DELHI

National Green Tribunal in OA 21 of 2014 titled “Vardhaman Kaushik Vs Union of India & Ors.” regarding Air Pollution **in DELHI** vide its order dated 10.04.2015 has imposed compensation on construction related works as under:(XVII) (b) *“If any person, owner and or builder is found to be violating any of the conditions stated in this order and or for their non-compliance such person, owner, builder shall be liable to pay compensation of Rs. 50,000/- per default in relation to construction activity at its site and Rs. 5,000/- for each violation during carriage and transportation of construction material, debris through trucks or other vehicles, in terms of section 15 of the NGT Act on the principle of polluter pay....”* Measures taken by Delhi Govt. available at web-link:

<http://www.delhi.gov.in/wps/wcm/connect/538125004cb89776bec6bf2446aafa27/PPT+on+AIR+%26+DUST+POLLUTION+.pdf?MOD=AJPERES&lmod=-1632379739&CACHEID=538125004cb89776bec6bf2446aafa27>

Other State governments can address dust control measures on similar lines taking into account the regional influences to bring out guidelines as initiated by the Delhi Government.



Overview of dust abatement measures in handling construction of C&D material / wastes

The environmental concerns during handling (loading / unloading) of Construction material and C&D wastes include:

- a. Generation of dust emissions impact environmental quality both on- site and off-site.
- b. Dust generated during handling (loading / unloading) release a wide range of particle sizes and material types that can *affect health and* cause problems ranging from eye, nose and throat irritation besides affect the respiratory system.
- c. The larger heavier particles settle out of the air quickly and are hazardous to the workers and construction equipment (on-site) and to those in the immediate vicinity. The finer particles (usually invisible) are transported further can cause health hazards (off-site).

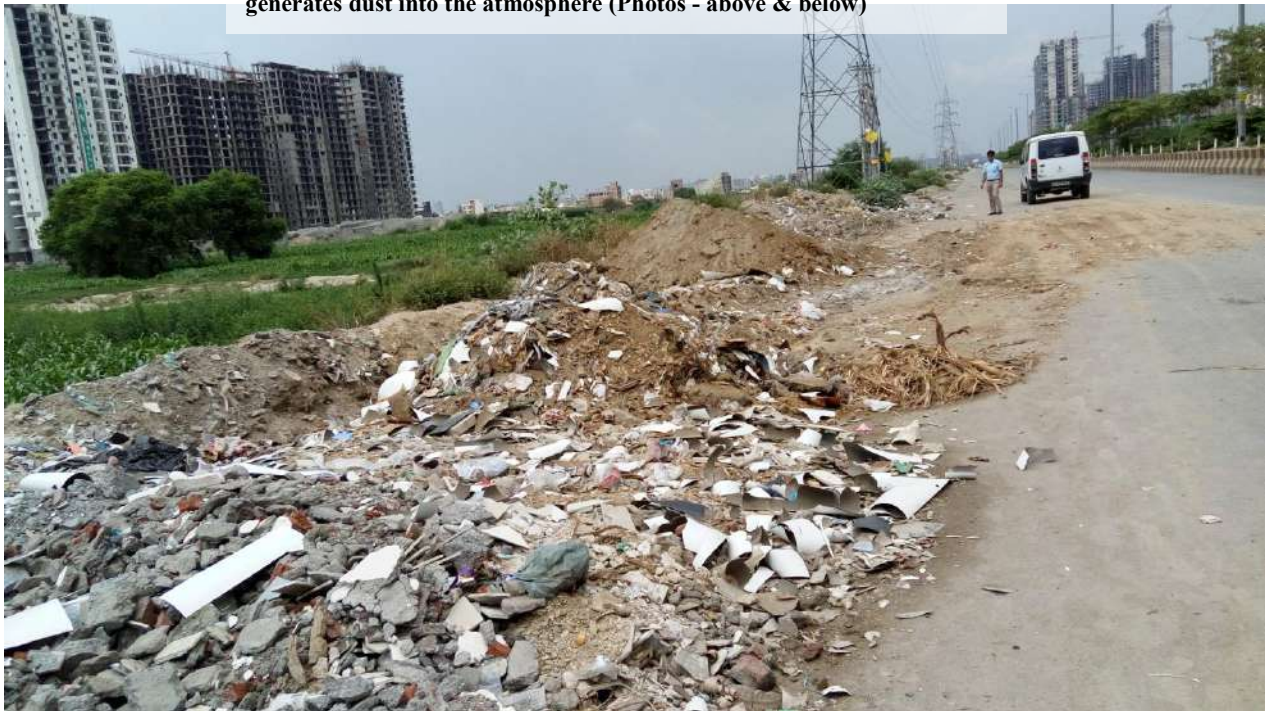
GRAP & AQI focus on dust reduction (includes PM_{10} and $PM_{2.5}$), overview of dust abatement measures in handling of C&D material / wastes include:

1. Sprinkling of water / fine spray from nozzles to suppress dust re-suspension at site.
2. C&D wastes or construction material whether stored or transported (Lorries / tractors) to be preferably covered depending on the dust that is generated.

3. Areas where loading / unloading (fugitive dust) activities to be demarcated and located such that dust dispersal is minimized.



Indiscriminate dumping of C&D waste along roadsides (illegal activity) generates dust into the atmosphere (Photos - above & below)



4. Operations of equipment / machineries include transporting (conveyor belt) crushing / hammering etc deployed at site generate dust - these areas need to be bounded (enclosed) and use of water sprinklers suppress dust emissions.
5. Gensets (DG sets) be well maintained to ensure low emissions.
6. The transport vehicles engaged be well maintained (PUC compliance).

7. Routes of transport vehicles within construction site be damped by water (preferably treated waste water) sprinklers.
8. Dry sweeping of work areas to be prohibited.
9. For construction activities simultaneous development of green buffer would assist in arresting dispersal of dust (preferably shrubs & trees that have low uptake of water).
10. Workers to be provided necessary safety equipment - Workers at construction / demolition, Loading / unloading activities are provided with face mask to prevent inhalation of fine dust.
11. All builders / contractors engaged in construction & demolition activities to submit an undertaking to the concerned government department on measures adopted to control dust.
12. Use of covering sheets (plastic, tarpaulin etc) on:
 - a. Construction material heaps that are easily air borne
 - b. C&D debris that are dumped at temporary storage sites
 - c. Adequate covering on construction works, particularly side facing residential areas
13. Use of water sprinklers is commonly recommended as a dust mitigation measure, however there water is a precious commodity and its use needs to be rationalized. It is thereby important to adopt alternate measures that are effective ex location of loading / unloading sites, build higher barricades to arrest dust generated at ground levels and adopt covering (jute, plastic, tarpaulin etc) of construction material / wastes.
14. Sale of construction material from road-sides to be prohibited.
15. Dumping (unloading) and storage of construction material for use in on-going projects on public road-sides is prohibited.
16. Dumping (unloading) and disposal of C&D wastes on non-designated sites (ex road-sides, vacant plots, water bodies, drains etc) be prohibited.
17. Demand for construction material at site to synchronizes with its utilization, so that the storage period of un-used construction is minimal thereby reducing dust dispersal.
18. Construction projects to be encouraged to utilize products manufactured from C&D waste processing – this step improves organized collection of C&D wastes, stops indiscriminate dumping of C&D wastes thereby reducing dust load escaping into the atmosphere during dry weather.



Construction material awaiting utilization (left) & indiscriminate dumping of C&D wastes (right) – contributes to particulate matter (dust) in ambient air

19. Inclusion of condition(s) by concerned agencies for adoption of dust mitigation measures in approvals / permits / consent provisions / environmental clearances for construction projects.
20. There is a need to highlight the environmental concerns & disseminate information on the matter.

All contractors associated in construction works and C&D waste handling need to display a board at the site indicating dust control measures being adopted, a sample display is given below for guidance:

- a. *Dust affects health* cause problems ranging from eye, nose and throat irritation besides the respiratory system
- b. *This project site adopts dust reduction measures*
- c. *All light (potential to be wind blown) construction material is covered or put in sealed bags*
- d. *Loading / unloading areas are barricaded*
- e. *Water sprinkling for dust reduction is being practiced*
- f. *Adequate covering material shall be used to reduce dust generation*
- g. *Workers health & safety is our concern*
- h. *Staff at site have been apprised of CPCB's Guidelines on DUST reduction w.r.t. handling of C&D wastes & construction material.*

REFERENCES:

1. Graded Response Action Plan (see - http://cpcb.nic.in/final_graded_table.pdf)
2. National Ambient Air Quality Standards (2009) (see -<http://www.cpcb.nic.in>)
3. Air Quality Index (AQI) (See - http://cpcb.nic.in/FINAL-REPORT_AQI_.pdf and http://cpcb.nic.in/About_AQI.pdf)
4. CPCB's Guidelines on Environmental Management of C&D Wastes (March 2017) (See - http://cpcb.nic.in/upload/NewItems/NewItem_228_Final_C&D_March_2017.pdf)
5. Measures taken by Delhi Govt w.r.t. on Construction related works for DELHI at web-link: <http://www.delhi.gov.in/wps/wcm/connect/538125004cb89776bec6bf2446aafa27/PPT+on+AIR+%26+DUST+POLLUTION+.pdf?MOD=AJPERES&lmod=-1632379739&CACHEID=538125004cb89776bec6bf2446aafa27>

ANNEXURE A

Committee for implementation of “C & D Waste Management Rules 2016”

Member Secretary, Central Pollution Control Board (CPCB)	A. Sudhakar
Ministry of Environment, Forest & Climate Change (MoEF&CC)	Amardeep Raju
Central Road Research Institute (CSIR-CRRI)	Dr. Sudhir Mathur
Central Public Works Department (CPWD)	M. C. Gautam C. H. Ramaraju
Bureau of Indian Standards (BIS)	Divya. S
Municipal Corporation Delhi (MCD) - Urban Local Body	Pradeep Khandelwal
Building Materials & Technology Promotion Council (BMTPC)	S. K. Agarwal J. K. Prasad
Infrastructure Leasing & Financial Services Ltd. (IL&FS) Environment	Arun Kumar Sharma
National Council for Cement and Building Materials (NCB) - Centre for Construction Development & Research	Amit Trivedi
Indian Road Congress (IRC)	D. Sam Singh Nayagam
Urban Pollution Control Division (UPCD), CPCB	Mita Sharma
Supported by UPCD staff	K. N. Dash Dr. Palash Mal



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Annexure-IV

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

File No. CM-13011/45/2026-LAW-HO-CPCB-HO

April 09, 2026

To,

The Principal Chief Conservator of Forests (PCCF),
Department of Forests and Wildlife, Government of NCT of Delhi,
A-Block, 2nd Floor, Vikas Bhawan, I.P. Estate, New Delhi - 110002

Subject: Illegal felling of trees at the Central Square Complex (DCM Flatted Factory Complex Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-110006.

Ref.: Hon'ble NGT (PB) order dated 10.02.2026 in Original Application No. 102/2026 (I.A. No. 92/2026) in the matter of Deepak Agarwal & Ors. vs. Union of India & Ors.

Madam/ Sir,

This is in reference to the order passed by the Hon'ble National Green Tribunal (NGT) in the above-mentioned matter (copy enclosed), wherein issue of illegal felling of trees at the Central Square Complex also known as DCM Flatted Factory Complex situated at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-110006 is raised by applicant.

The Central Pollution Control Board (CPCB) has been impleaded as Respondent No. 10 in the above-mentioned matter pending before the Hon'ble Tribunal. In this regard, CPCB is required to file its response before the Hon'ble Tribunal within the stipulated time.

In view of the above, it is requested that the matter may kindly be examined and the factual position, along with relevant documents/information, may be furnished to CPCB.

Encl.: As above

Yours faithfully,

(Sharandeep Singh)

Additional Director & Head-UPC-I

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

File No. CM-13011/45/2026-LAW-HO-CPCB-HO

April 09, 2026

To,

The Member Secretary,
Delhi Pollution Control Committee,
6th Floor, C-Wing, Delhi Secretariat,
I.P. Estate, Delhi-110002

Subject: Request to provide factual position on the allegation in the matter of Deepak Agarwal & Ors. vs. Union of India & Ors. (Original Application No. 102/2026 (I.A. No. 92/2026).

Madam/ Sir,

This is with reference to the order passed by the Hon'ble National Green Tribunal (NGT) in the above-mentioned matter (copy enclosed), wherein the applicant has raised allegations regarding violation of environmental norms by the private respondents during the construction of Central Square Complex, also known as DCM Flatted Factory Complex, situated at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi – 110006.

The Central Pollution Control Board (CPCB) has been impleaded as Respondent No. 10 in the above-mentioned matter pending before the Hon'ble Tribunal. In this regard, CPCB is required to file its response before the Hon'ble Tribunal within the stipulated time.

In view of the above, it is requested that the matter may kindly be examined and the factual position, along with relevant documents/information, may be furnished to CPCB.

Encl.: As above

Yours faithfully,

(Sharandeep Singh)

Additional Director & Head-UPC-I

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

Email

Public Complaints

Public Complaints

From : Public Complaints <prc.cpcb@nic.in>
Subject : Public Complaints

Fri, May 10, 2024 11:55 AM
 7 attachments

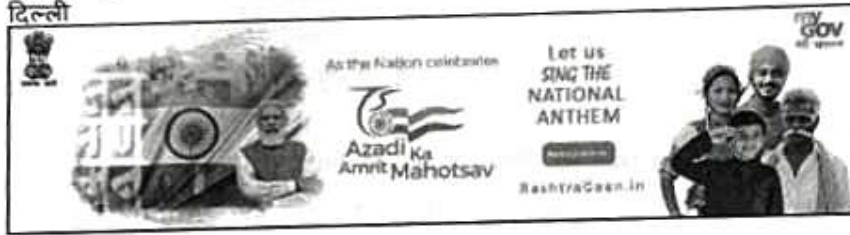
To : Dr. K.S Jayachandran <msdpcc@nic.in>
Cc : gurnam <gurnamsingh.cpcb@nic.in>, R D Chandigarh,
 CPCB <rdchandigarh.cpcb@gov.in>, prasoon tripathi
 <prasoon.tripathi76@gov.in>

महोदय/महोदया,

केंद्रीय प्रदूषण नियंत्रण बोर्ड में प्राप्त संलग्न शिकायत को जांच एवं आवश्यक कार्रवाई हेतु अग्रसारित किया जाता है। शिकायत की जांच तथा कार्रवाई की सूचना प्रेषित करने का कष्ट करे।

सादर,

लोक शिकायत प्रकोष्ठ
 सदस्य सचिव कार्यालय
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
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DEEPAK AGARWAL

Unit Holder- P3-0217, Plaza-3,
Central Square Complex, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi- 110006.

Dated: 26th April 2024

**CONTENTS
OF COMPLAINT LETTER**

**(COMPLAINT REGARDING MULTIPLE VIOLATIONS/ CRIMINAL OFFENCES)
REFERENCE EARLIER COMPLAINTS DONE IN MARCH AND APRIL 2024**

A. BRIEF DETAILS OF ADDRESSEES :

FOLLOWING DEPARTMENTS / AUTHORITIES ARE BEING ADDRESSED:

1. Municipal Corporation of Delhi - MCD
2. Public Health Department - MCD
3. Department of Environmental Management Services (DEMS) - MCD
4. Engineering & Building – MCD
5. Assessment & Collection Department – MCD

6. Delhi Development Authority - DDA

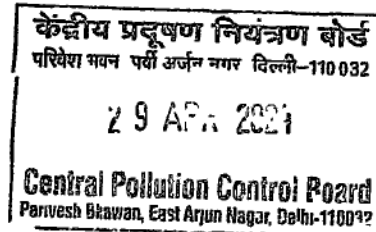
7. Ministry of Environment, Forest and Climate Change
8. Department of Forests and Wildlife
9. Department of Environment
10. Dilli Free Tree

11. Central Pollution Control Board
12. Delhi Pollution Control Committee-DPCC

13. Central Ground Water Board
14. Delhi Jal Board

15. Delhi Fire Services

16. Delhi Police

**B. SUBJECT MATTER OF THE COMPLAINT****C. DETAILS OF ACCUSED PARTIES AND PERSON(S)****D. DETAILS OF PROPERTY WHERE VIOLATION/ OFFENCES ARE BEING REPORTED****E. DETAILS OF THE COMPLAINANT****F. BRIEF FACTS/ SEQUENCE OF EVENTS****G. KEY VIOLATIONS / OFFENCES****H. IMMEDIATE SUPPORT/ ACTION NEEDED****I. REFERENCE OF RECENT COMPLAINTS MADE****J. ANNEXURES**

DEEPAK AGARWAL

Unit Holder- P3-0217, Plaza-3,
Central Square Complex, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi- 110006.

Dated: 26th April 2024

To

(Municipal Corporation of Delhi - MCD)

1. Mayor Municipal Corporation of Delhi Dr. S.P.M. Civil Centre, Minto Road, SKD Basti, Press Enclave, Ajmeri Gate, New Delhi-110002	2. Commissioner Municipal Corporation of Delhi Dr. S.P.M. Civil Centre, Minto Road, SKD Basti, Press Enclave, Ajmeri Gate, New Delhi-110002
--	---

(Public Health Department - MCD)

3. Municipal Health Officer- I Municipal Corporation of Delhi Dr. S.P.M. Civil Centre, Minto Road SKD Basti, Press Enclave, Ajmeri Gate, New Delhi-110002	4. Deputy Health Officer - City S.P. Zone Municipal Corporation of Delhi Nigam Bhawan, Old Hindu College, Kashmiri Gate, Delhi-110006
---	---

(Department of Environmental Management Services (DEMS) - MCD)

5. Addl. Commissioner (DEMS) Municipal Corporation of Delhi Department of Environmental Management Services (DEMS) HQ 3rd Floor, A- Block, Dr. S.P.M Civic Centre, J.L. Nehru Marg, New Delhi - 110002	6. Addl. Commissioner (DEMS) Municipal Corporation of Delhi Department of Environmental Management Services (DEMS) HQ Room No. 1, Dr B.R. Ambedkar Stadium, New Delhi-110002.
---	--

(Engineering & Building - MCD)

7. ASSISTANT COMMISSIONER OF MCD Municipal Corporation of Delhi CITY-SP ZONE, Nigam Bhawan, Old Hindu College, Kashmiri Gate, Delhi-110006	8. Additional Commissioner Engineering Municipal Corporation of Delhi 6th level E1- block, Dr. S.P.M Civic Centre, J.N. Marg, New Delhi-110002
9. CHIEF ENGINEER (BUILDING) HQ Municipal Corporation of Delhi BUILDING (HQ) OF MCD, Dr. S.P. Mukherjee Civic Center, JLN Marg, New Delhi-110002	

(Assessment & Collection Department - MCD)

10. Assistant Assessor & Collector C-9 (HG) Municipal Corporation of Delhi, Assessment and Collection Department, Dr. Shyama Prasad Mukherjee Civic Centre (20th Floor), Jawaharlal Nehru Marg, New Delhi -110002,	
---	--

(Delhi Development Authority - DDA)

11. The Chairman, Delhi Development Authority Vikas Sadan, INA, New Delhi-110023	12. Vice Chairman Delhi Development Authority Vikas Sadan, INA, New Delhi-110023
13. Commissioner (Land Disposal), Delhi Development Authority Vikas Sadan, INA, New Delhi-110023	14. Director (CL, CE, LPC and Survey), Delhi Development Authority, Vikas Sadan, INA, New Delhi-110023

DEEPAK AGARWAL

Unit Holder- P3-0217, Plaza-3,
Central Square Complex, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi- 110006.

Dated: 26th April 2024**(Ministry of Environment, Forest and Climate Change)**

15. Mr BHUPENDER YADAV Minister of Environment, Forest and Climate Change Ministry of Environment, Forest and Climate Change Indira Paryavaran Bhawan Jorbagh Road New Delhi- 110 003	16. Private Secretary Ministry of Environment, Forest and Climate Change Indira Paryavaran Bhawan Jorbagh Road New Delhi - 110 003
17. Assistant Inspector General of Forest (FPD) Ministry of Environment, Forest and Climate Change Agni Wing, 5 th Floor Indira Paryavaran Bhawan Jorbagh Road New Delhi- 110 003	

(Department of Forests and Wildlife)

18. Principal Chief Conservator of Forests Department of Forests and Wildlife Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002.	19. Addl. Pr. Chief Conservator of Forests Department of Forests and Wildlife Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002.
20. Principal Secretary (Environment & Forest) Department of Forests and Wildlife Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002	21. Chief Conservator of Forests Department of Forests and Wildlife Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002
22. Conservator of Forests Department of Forests and Wildlife, Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002.	23. Dy. Conservator of Forests Department of Forests and Wildlife, Govt. of NCT of Delhi Vikas Bhawan, 2nd Floor, A Block, IP Estate, New Delhi- 110002.

(Department of Environment)

24. Director (Environment) Environment Department 6th Level, C-Wing, IP Estate, Delhi Secretariat, Delhi - 110002	25. Principal Secretary (Environment & Forest) Environment Department 6th Level, C-Wing, IP Estate, Delhi Secretariat, Delhi - 110002
26. Addl. Secretary (Environment) Environment Department 6th Level, C-Wing, IP Estate, Delhi Secretariat, Delhi - 110002	27. Special Secretary (Environment & Forest) Environment Department 6th Level, C-Wing, IP Estate, Delhi Secretariat, Delhi - 110002

(Dilli Free Tree)

28. Department Head, Dilli Free Tree (HQ), Vikas Bhawan, II Floor, A Block, IP Estate, New Delhi- 110002	
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Bara Hindu Rao, Delhi- 110006.

Dated: 26th April 2024**(Central Pollution Control Board)**

29. The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032	30. Member Secretary Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032
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(Delhi Pollution Control Committee-DPCC)

31. Chairman, Delhi Pollution Control Committee, 4th and 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006	32. Member Secretary Delhi Pollution Control Committee, 4th and 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006
33. Member Secretary State Environmental Impact Assessment Authority (SEIAA)-Delhi Office of Delhi Pollution Control Committee 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006	

(Central Ground Water Board)

34. Chairman, Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad- 121001.	35. Member (HQ) Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad- 121001
36. Member (North & west) Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad- 121001	37. Member (CGWA) Central Ground Water Board, CGWA, 18/11, Jamnagar House, Mansingh Road, New Delhi- 110001

(Delhi Jal Board)

38. A.C.E (M) -5 Delhi Jal Board, Phase-I, Jhandewalan New Delhi-110005.	39. ZRO (CZ)-II, City Zone Delhi Jal Board Pratap Nagar, Near Metro Station Pratap Nagar, New Delhi-110007
40. CE (NODAL) Water Delhi Jal Board (HQ), Public Relations Office, Room No. 306, III Floor, Varunalaya Phase- III, Jhandewalan, Karol Bagh, New Delhi-110005.	41. CE (Ground Water) Delhi Jal Board (HQ), Public Relations Office, Room No. 306, 3rd Floor, Varunalaya Phase- III, Jhandewalan, Karol Bagh, New Delhi-110005.

(Delhi Fire Services)

42. The Director, Delhi Fire Services, Delhi Fire Services Headquarters, Connaught Place, New Delhi-110001	
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(Delhi Police)

43. Deputy Commissioner of Police (DCP), DCP Office Complex, Civil Lines, Near Vidhan Sabha, Delhi-110054	44. SHO, Police Station Bara Hindu Rao, Near Azad Market, Pull Bangash, Delhi-110006
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Cc **The Chief Justice,**
High Court of Delhi, Sher Shah Road, New Delhi - 110503

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REFERENCE EARLIER COMPLAINTS DONE IN MARCH AND APRIL 2024**Sub: Complaint Regarding potential**

- a) Illegal Acts and activities causing grave & continuous harm to the **Environment**
- b) Violation of provisions of **Environment Protection Act (EPA), 1986**
- c) Violation of provisions of **Delhi Prevention of Trees Act, 1994**
- d) Violation of provisions of **The Water (Prevention And Control Of Pollution) Act, 1974**
- e) Violation of provisions of Delhi Municipal Corporation (**Malaria And Other Mosquito Borne Diseases**) Bye-Laws, 1975
- f) Non Adherence to norms & conditions of "Environmental Clearance" (EC) issued by State Environmental Impact Assessment Authority (**SEIAA**) of **Delhi Office of DPCC**
- g) Non compliance to conditions of No Objection Certificate(s) (NOC) and/ provisions of Sanctions and Clearances given by Delhi Development Authority (**DDA**) for **Redevelopment and/ Layout plans under the prevailing Master Plan of Delhi (MPD)**
- h) Non compliance to conditions, provisions of Sanctions & Approvals given by Municipal Corporation of Delhi (**MCD**) for Redevelopment and/ Layout plans under prevailing **MPD**
- i) Violation of Unified Building **BYE LAWS (UBBL) 2016**
- j) Violation of **Plastic Waste Management Rules, 2016**
- k) Violation of **Central and State Pollution Control Board Regulations**
- l) Violation of **Solid Waste Management Rules, 2016**
- m) Violation of **Municipal Solid Wastes (Management and Handling) Rules, 2000**
- n) Violation of the **Construction and Demolition Waste Management Rules, 2016**
- o) Violation of **Wetlands (Conservation and Management) Rules, 2010**
- p) Violation of the regulations pertaining to **Construction and excavation activities**
- q) Violation of **Soil Conservation norms**
- r) Violation of **Fire Safety Norms**
- s) Possible **Property Tax evasion**
- t) **Illegal felling, Uprooting of trees & plants, pruning & destroying trees & parts thereof**
- u) Non Compliance to requirement for **Maintenance of Trees** for ensuring their health & structural integrity, removing invasive species & monitoring for signs of pests or diseases
- v) **Excavation of Lakhs of tons of Precious Soil** and gravel and creating a gigantic **Crater** spread in approx. **6 Acres** portion and keeping the same land dug since **over a decade**
- w) Creating a **swamp filled with Sewage**, rain and ground Water, weeds, Trees & plantation, rodents, reptiles and dead bodies of animals
- x) **Illegal Accumulation & Dumping of Municipal Solid & Semi Solid wastes** in Open grounds and water bodies
- y) **Illegal dumping of Plastic, Metals, Steel Scrap & other hazardous materials** in Open grounds and Water bodies
- z) **Illegal Polluting of the Water resources**
 - aa) Extraction of **Ground Water by using Pumps/ motors etc**
 - bb) **Non development** despite sanctions for Re-development applied **over thirty years back**
 - cc) Creating **unhygienic & gravely dangerous conditions** for human-beings & animals
 - dd) Establishing a Colony of hundreds of labours & people dwelling in **unhygienic conditions**
 - ee) **Illegal discharging Sewage, trade effluent, garbage etc** into an inland water body and spreading of Water Pollution by contaminating ground water
 - ff) Extracting the **polluted and gravely contaminated** sewage mixed waters and supplying through **pumps and water pipe lines** accessible to human and animals
 - gg) Removal of JCB & Labors used for uprooting, felling of trees and plants and dumping of **Municipal Wastes, garbage etc**, for covering such crimes
 - hh) **Unlawful restraining of undersigned from fulfilling his fundamental duties** governed under the Article 51-A (g), that to protect and improve the natural environment
 - ii) **Polluting Air** causing grave **danger to lives and property** by causing **open Air Fire**
 - jj) Other offences as it may be discovered upon investigation, as committed by the accused persons and parties, for their personal and illegal gains

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Complaint Against the under given **Accused Parties and Person(s)**:

1. DCM Limited

(Through its Directors and Representatives)
Office At: 2050-2052, Central Square,
20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi-110006
(hereinafter referred to as '**Accused No. 1**')

2. Purearth Infrastructure Limited

(Through its Directors and Representatives)
Office At: Plaza 2, Central Square, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi-110006
(hereinafter referred to as '**Accused No. 2**')

3. Kamayani Facility Management Pvt. Ltd.

(Through its Directors and Representatives)
Office At: Central Square, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi-110006
(hereinafter referred to as '**Accused No. 3**')

4. Sumant Bharat Ram

Director of Purearth Infrastructure Limited and
Director of DCM Ltd and
Director of Kamayani Facility Management Pvt. Ltd.
Office At: Central Square, 20, Manohar Lal Khurana Marg,
Bara Hindu Rao, Delhi-110006
(hereinafter referred to as '**Accused No. 4**')

(All above Parties and Persons may also referred to hereinafter as the "**Accused**")

For the **Offences committed** in and around the land portion - originally sanctioned/ planned for development of the Plaza 4, marked as **Block C/ E** (hereinafter referred to as the "**said Block**" / "**Plaza 4**"), which has been left till date without development even after excavation of soil approx. 10 to 15 years ago, at a Flatted factory complex named as DCM Flatted Factory Complex (also known as Central Square Complex) (hereinafter referred to as the "**said Complex**"), situated at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi 110006.

Respected Sir(s)/ Madam(s),

I, **Deepak Agarwal**, as **unitholder in the said Complex** and in continuation to several previous complaints and reminders thereof sent to you/ your department / other key departments and authorities, especially in last 2 months, am making this complaint to humbly draw attention of you, the Addressee(s). The undersigned appreciates that the Addressee(s) of this complaint have incredibly important roles and tasks to monitor, manage and regulate as needed for the welfare of the citizens in general and Ecology in large.

Regrettably, although numerous complaints have been made, no effective action(s) could be seen despite persistent follow-ups. Hence the undersigned is forced to highlight several serious issues through this complaint to all the key authorities & departments together, as I feel that possible offences as shared in the complaint, many of which have been reported by me even with relevant multiple proofs, are of grave nature and have direct long term repercussions on Human, Animal and Aquatic organisms lives along with the Environment at large.

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The Accused No. 1 is the title holder of the land of the said complex, the Accused No.2 is the developer of the Plazas of the said complex and the Accused No.3 is the maintenance company which is supposed to look after the maintenance in the same complex. The Accused No.4 is the key decision maker/Director of all the other Accused, that is Accused No.1, 2 and 3.

The issues highlighted in this complaint are the ones that we could directly witness or infer through our limited means and access available, but the actual reality of the infractions committed by the said Accused and magnitude of such concerns raised can be established only if there is a thorough and immediate investigation by all the respective agencies/ governing authorities at the said Complex and knowing the **powerful connections** boasted by the said Accused, **independent and unbiased teams may kindly be assigned for such investigation** to get a true picture of the realities and conditions faced at site of the said Complex.

Seeing the acts of the said Accused of covering, tampering, removing many of the evidences till now owing to delayed / non action upon them, any further delays in such investigation and legal actions thereby will only lead to worsening of the situation, and in fact will be encouraging the accused to continue their atrocities with all their wrong doings going unnoticed & unpunished.

BRIEF FACTS/ SEQUENCE OF EVENTS:

- 1) That I, Deepak Agarwal, the undersigned have units in the Plaza 3 (marked as Block A in the annexed layout plan) in the said complex (Annexed as "**Annexure 1**" is the approved Layout plan of the said Complex)
- 2) The Accused, in past many years, misusing their power and monies, have already demonstrated several misconducts, illegal acts & irregularities pertaining to the three Plazas being operated by them which even includes violation of sanction plans given to them for operating such plazas. With continued harassment faced by us and many other similarly placed unit holders, a series of complaints have been filed by us and many other helpless unit holders with various departments & authorities and furthermore there are several cases pending against the said accused.
- 3) That to access the said complex, the employees, team members and visitors along with unit holders mainly use the pedestrian passage, that is the Main Street/ Road (also referred hereinafter as the "**Main Common Road**") built within boundaries of the Said Complex connecting the Main Entry- Exit Gate placed in front of the said Block, that is the planned Plaza 4 (marked as Block C/E in the said layout plan) with the main Public Road. (Annexed as "**Annexure 2**" are the recent pictures showing the said Main Common Road connecting the Main Entry- Exit Gate in front of the Block marked as Block C/E, with the main Public Road and all other Plazas)
- 4) That the said Main Common Road, runs from the Main Entry Exit Gate in front of planned Plaza 4 and connects all the Plazas for commuting into and out from the said complex and for movement within the said complex. The said Main Road also extends to another Common Road between the Plaza 3 and Planned Plaza 4 which is accessed by all pedestrians as well as vehicles. (Annexed as "**Annexure 3**" are the recent pictures of Common Road between Plaza 3 and Planned Plaza 4).
- 5) That the said the location of planned Plaza 4, covering seemingly over 7 acres of area, is part of the said complex which the Accused No.1 had projected decades back to be re-developed under the scheme for redevelopment in accordance with the Master Plan. That despite lapse

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of over 30 years instead of building the Plaza 4 according to the sanctioned plans, they have shockingly chosen to earn monies by making labour camps for housing 300-400 labours/ people of another builder.

- 6) That owing to proximity, position and unavoidable movements around the Planned Plaza 4, any wrong done or crises faced, as detailed in this complaint, in and around the Planned Plaza 4 directly and indirectly affects me and all the other units holders, stake holders, visitors, employees accessing any of the Plazas in the said complex, especially Plaza 3, where the units of undersigned are also located.
- 7) That since a long time, there has been a shocking accumulation and dumping of waste, garbage and scrap etc, that is still carried out around the said section of land meant for planned Plaza 4, which was concealed since all these years by the Accused through placement of barricades in form of Tin sheets etc, for denying access or visibility to people. It was only upon recent falling off/ breaking of some such old decaying sheets/ partitions, the source behind an unbearable odor coming regularly from such section of land came to be revealed. The bare view of such portion of land shocked me, when virtually a mini dump yard/ sanitary landfill site like condition emerged in front of me, like that of Ghazipur or Bhalswa. The said Accused, for all these years continued **the grave misuse of the land** marked for planned Plaza 4, as an open **waste & garbage disposal ground** for illegally dumping various kinds of wastes, including **solid and semi solid Municipal wastes** and also including wastes in form of **plastic** like plastic bags, polyethene's, plastic bottles, pens etc, and other hazardous and possible E-Waste materials from various activities carried out or supervised by the Accused.
- 8) That ever since several complaints have been repeatedly made by the undersigned and my related parties who are unit holders in various Plazas in the said Complex, to the said Accused, pertaining to shockingly unhygienic and dangerous conditions as created and maintained by such Accused. Despite numerous complaints, the said Accused kept a blind eye towards issues highlighted by us.
- 9) That illegal operation of the said Accused poses **dire environmental and grave health, safety and sanitation hazards**, in and around the area kept for planned Plaza 4, wherein, for reasons best known to such Accused, a **gigantic Crater**, likely to be 60-80 feet or more deep, covering approx. **6 Acres of area**, has been created by them, by **removing lakhs of tons of precious soil & gravel**. (Attached herewith as "**Annexure 4**" are stills from photos/videos taken of the Gigantic crater created and kept undeveloped since over 10-15 years by the Accused, at the land earmarked for planned Plaza 4 in the said complex, by removing Lakhs of tons of precious Soil and gravels)
- 10) That since past 10-15 years, for some suspicious reasons, this gigantic crater has been kept unattended and undeveloped by the said Accused, which in turn has led to creation of a huge **Swamp** filled up with Weeds, Trees & plantation, rodents, reptiles and dead bodies of animals.
- 11) That since past all these years, the Accused have illegally been **discharging Sewage along with disposing trade effluent, garbage etc** into the inland water body created in form of **such swamp** having not just sewage mixed contaminated water, but also fresh rain water and hence spreading of Water Pollution by contaminating even the ground waters owing to depth of the crater and installation of pumps etc by the Accused. **The rampant water logging** in huge sections of the crater created by the Accused is taking form of **wetlands** which naturally is causing great irreversible **damage to the soil properties** with reduction in aeration as well as nutrients in the soil. (Attached herewith as "**Annexure 5**" are stills from photos/videos

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taken of the SWAMP with weeds, trees, plantation all around such area in crater created by the Accused in the land for planned Plaza 4, also showing rampant water logging in huge sections of the said crater, with discharge of Sewage along with garbage and municipal wastes in such water bodies)

- 12) That an extreme level of unhygienic conditions surrounded by an unpleasant odor, including that of dying/ decomposing animal body(ies) all around the land meant for the said planned Plaza 4 has been of critical concern to all the unit holders, team members, visitors and myself as movement around the Plaza 4 is inevitable as explained above. Furthermore, entire of such section of land is being used by the Accused for illegal **accumulation & dumping of Municipal Solid & Semi Solid wastes, garbage etc**, in such Open grounds and water bodies. That the unhygienic conditions in and around the planned Plaza 4 land has been a constant source of massive breeding ground for the **mosquitos and other vector borne diseases, namely Malaria, Dengue, Chikungunya etc**. (Attached herewith as "Annexure 6" are stills from photos/videos taken of the accumulation of **Municipal Solid & Semi Solid wastes, garbage etc**, in such Open grounds and water bodies at site for Plaza 4 by the Accused).
- 13) That the conditions around the said section remains **most unhygienic & gravely dangerous** for human-beings & animals and pose great danger to health, safety and lives of unitholders, staff members, visitors of the said complex and neighboring residential areas. Till present date, such hazardous conditions, rampant water logging, illegal garbage accumulation and disposal continues owing to atrocities of the Accused, which in turn is putting at stake the innocent lives of not only the 500-1000 people already working/visiting in routine in the said complex but also of the **Lakhs of residents of the densely populated neighboring areas of Sadar Bazar, Filmistan, Azad market, Bara Hindu Rao**. There are helpless, mute animals which are losing their lives getting entangled/ trapped in the uncontrolled weeds and swamp covering the said planned Plaza 4 land.
- 14) The Accused for their wrongful personal gains, have turned the said portion land, which was originally claimed by them to be used for redevelopment in compliance with the prevailing sanctions and Master Plans, in an illegal dumping yard of **construction, demolition waste, Plastic, Metal, Steel Scrap & other hazardous materials** which are now being stored by them in Open grounds & Water bodies. (Annexed herewith as "Annexure 7" are stills from photos/videos taken of the illegal scrap yard created by Accused for dumping tons of hazardous materials, Plastics, Steel & scraps etc along with construction & Demolition Waste).
- 15) That apart from serious danger posed to lives of self and people around me due to the unhygienic conditions in and around the Planned Plaza 4, wherein a massive breeding ground for the **mosquitos and other diseases, like Malaria, Dengue, etc** came virtually haunting us daily apart from risk of plague like situation with animal dead bodies getting stuck in such swamp, there were repeat incidences of the rodents and reptiles dangerously coming out of the such location and also moving inside the other plazas and the common roads, making possible situation of injury and risk to any one moving in and around anywhere in the said complex. As a result, multiple complaints were raised by us with the Accused which kept falling to their deaf ears.
- 16) That soon realising that no corrective actions whatsoever will ever come from the Accused, I was left with no other option but to report the situation faced as elaborated above by sending written complaints to the health officials in the MCD along with almost all the Addressees as marked in this present complaint.

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- 17) That upon the reminders being sent by us, we were finally contacted by the officials from one of the Health Department(s) of MCD on 20th March 2024 who came over to investigate the same issues and we were able to show them around such areas in question and they seemed shocked to find the situation at the site. Even the stench of such dead animal bodies was duly witnessed even at time of visit of the said officials.
- 18) That we were informed by such visiting Health department officials **that in line with the contentions of our complaints, they have duly found massive irregularities** at the said location and later we were told that they issued notices against not just offences caused due to above mentioned illegal garbage disposals and water logging etc to the Accused No.1, but also to additional person/party(ies) responsible for managing hundreds of labors and people living in big camps/shades built up by such Accused owing to offense like unhygienic conditions etc. Subsequently we were advised that they had issued Chalan(s) upon such erring person(s)/parties. Annexed herewith as **"Annexure 8"** are few of photos of unhygienic camps and shabby dwellings created by the Accused in inhumane and averse conditions surrounded by open garbage and waste grounds and water logged swamp for keeping hundreds of labors and people since past many years at the edges of crater in the said land marked for development of Plaza 4, for suiting the personal wealth creation of the Accused.
- 19) That on 28th March 2024, officials from Health department organized some sprays through machine covering a little portion of the gigantic crater with such water logging and waste accumulation. Annexed herewith as **"Annexure 9"** are few of photos received by undersigned of such spray exercise being conducted by the concerned Health officials of MCD).
- 20) That even after multiple visits done by the concerned officials of the Health Department of MCD upon our repeat reminders, there has been no improvement at the location of planned Plaza 4. That it is pertinent to mention that we kept repeating to such officials the sheer size of areas which are water logged and garbage filled, as duly sited by the visiting Health officials, running in multiple acres and owing to the depth of such artificially created swamp by the said Accused, any attempt to neutralize such mosquitos and insect breeding by merely pouring petrol/ diesel/ kerosene or any kind of medication etc may prove to be a waste of time, monies and energy of the Government as such measures may just never prove to be apt for the taking care of thousand/lakhs of liters of stagnant waters accumulated in such multi acres area over the last so many years.
- 21) That post the MCD's concerned department's Health officials visits in the said Complex, realizing legal actions and consequences thereof to be faced by them, such Accused, in order to hide their earlier wrong doings, chose the path of further illegal actions. Following further illegal acts of the Accused were witnessed by the undersigned on 29th March 2024
- I) Deploying JCB (bearing Registration No. HP 73A 0519) and team of labors to shift and dump their earlier long accumulated Municipal Solid and semi solid wastes, garbage, plastics and other hazardous wastes into the swamp covering nearly entire of the said multi acres gigantic crater (Annexed as **"Annexure 10"** are stills from photos/videos taken proving the deployment of JCB and labors by the accused for illegal dumping the Wastes, Garbage etc in to the Swamp/crater)
 - II) Uprooting, felling, cutting, pruning numerous Trees, plants and branches of trees, whichever came as obstruction in the way of such Accused (Annexed as **"Annexure 11"** are stills from photos/videos taken proving the deployment of JCB and labors by

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the accused for illegal **felling, Uprooting of trees & plants, pruning & destroying trees & parts thereof and dumping them into the crater/swamp at the site of Plaza 4)**

- III) Replacing portion of older Tin covering by heightened Tin coverings and also dumping of numerous of such cut and uprooted trees and branches along with the above-mentioned garbage and wastes into above mentioned crater/ swamp/ water bodies.
- IV) Illegally restraining our movements even on the common road between Plaza 3 and the site for Plaza 4, as we were recording their above illegal actions for reporting to the Government authorities, thereby trying to dissuade us from fulfilling our Constitutional Fundamental duties, that is, to protect and improve the natural environment.

22)As we strongly objected to the wrongful restraint by the representatives of Accused which was clearly to hide their crime and wrong doings and asked why such trees were being harmed/ uprooted and why they are dumping such wastes/ garbage/ plastics in the swamp, they illegally restrained our movement to the said common road wrongly claiming that it is being done for our safety as their JCB was working. As we further protested that they should stop the JCB instead of trying to stop us from accessing the common road, same fell to their deaf ears. (Annexed as "**Annexure 12**" are the stills from photos and videos taken at the said location of common Road where we were wrongfully restrained by the Accused when their operation of using JCB and labors for illegally uprooting and cutting trees and dumping garbage and waste etc was being recorded by us)

23)That it was only by our persisting efforts and finally our calling the Delhi Police officials, we were able to save some of the trees from being finally uprooted and destroyed by the Accused, though most of such saved trees will not be able to survive for long as they have stood in a very vulnerable state for almost a month now , with most of their roots being cut and most of the soil being removed under them, by the dastardly inhuman act of such Accused. (Annexed as "**Annexure 13**" are the stills from photos and videos taken at the said location around Plaza 4, showing some of the Trees and remains of some of the Trees which were mostly uprooted by the Accused but which could be saved only after our complaining to the Delhi Police). Unfortunately, upon arrival of the Delhi Police officials, despite all such efforts by us to save trees, many other trees/ their parts thereof were already Cut, pruned, uprooted and dumped by the said Accused in the Swamp/ crater created by them.

24)That despite the grave nature of wrong doings and illegal activities of the said Accused being reported by the undersigned vide complaints made to most of the concerned departments and authorities, we regret to submit that since the needful actions have not yet been taken by the concerned authorities, **most of the key evidences of their crimes have already been concealed / moved away** including:

- I. **Removal of the JCB** (bearing Registration No. **HP 73A 0519**) and its **driver** and the labors who were used by the Accused to cut down/ uproot the trees, to prune the trees/ branches and to dump the municipal wastes/ garbage/ plastics illegally into the crater at the from the above-mentioned site for Plaza 4;
- II. **Disposal** of most of the uprooted and cut down trees and their branches;
- III. Disposal of most of the earlier remaining visible **huge piles of garbage/ Municipal Wastes/ Hazardous wastes/ Plastics** around the corners of above-mentioned site by moving same into the said Swamp

25)That most shockingly, the illegally uprooted and cut down or fell down trees and tree branches by the Accused, which were earlier dumped into the Crater at the site for Plaza 4 by such persons and most of which were duly visible from the side of the common road now

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seems to have been shifted / **sneaked away cunningly and illegally** by such Accused. Such Accused have clearly taken the advantage of no Legal Actions against them by the concerned authorities till now.

- 26) That on 05.04.24, upon a visit conducted by a Forest Department official, our key complaints made of illegal activities of the Accused were duly sited including pruning, cutting, felling of trees, tree branches, ill management of the Trees and Plants in and around the said site for Plaza 4 and also around the Complex. Furthermore, it was duly sited that apart from converting substantial portion of same site into a scrapyard by the said Accused for dumping various articles/ scraps including potentially hazardous items for the environment, the Trees/ branches of Trees which have been uprooted, fell and pruned illegally by the said Accused were brought, accumulated, well concealed/ hidden from the common visibility in such sections. Seeing the other conducts thus far of such Accused, I apprehend that such act of theirs is for illegally selling such timber for their illegal personal benefits, at the cost of lives of such trees, plants and the Environment. (Attached herewith as "**Annexure 14**" are the stills from the Pictures/ Videos recently taken showing the Trees and/ branches of Trees which have been cut and accumulated by the Accused for most likely selling same for their illegal personal gains).
- 27) That the said Accused have been exploiting ground waters by using Pumps etc for extracting such waters for personal gains. They have been extracting the polluted and gravely contaminated sewage mixed waters from the site of Plaza 4 and using it for supplies around the said Complex by installation of unadministered Taps, putting health and lives of people and animals at grave danger. (Attached as "**Annexure 15**" are the stills from recently taken Photos/ Videos of such pipelines, pumps used by the Accused for extracting such Polluted and underground waters and supplying same through pipelines around the complex).
- 28) That the Accused had earlier itself demonstrated their ill capabilities and malafide intentions by carrying out such illegal and unethical work of cutting trees and pushing same waste into the Crater's swamp on a day of public holiday earlier, that is 29.03.24, with a clear thought being that no Government Authority can stop or create any sort of hinderances in their such illegal activities. Now, from above shared further new actions of theirs, it is without any doubt that the Accused must have already worked hard in the past few weeks to destroy all the evidences of such illegal actions of theirs by concealing illegally uprooted and cut down trees by them along with their illegally disposed off wastes, garbage, plastic and other hazardous wastes. Such accused seem to have already succeeded mostly by now in their ulterior motives, due to delays thus far in the needful actions to be taken by the concerned authorities, which unfortunately first allowed them to illegally move away the JCB used in their crime of killing and felling the Trees along with disposing/ dumping off the wastes/garbage into the said Crater. Now perhaps, such Accused to escape the definite legal actions they are bound to face owing to the complaint made by the undersigned against them, using the time gained by no action being taken over them since long, in the darkness or during the odd hours, must have shifted out most of the cut down/ fell down trees / trees branches from the site of Plaza 4.
- 29) That we have earlier witnessed non revert to our multiple complaints regarding the details of **Property Tax** collected from us pertaining to the units in other Plazas' by the said Accused. Hence, seeing their previous conducts, we apprehend that **evsion of the due Property tax** for such site of Plaza 4, where an entire population of labours have been housed by the said Accused by leasing/ offering such space to builder for building multiple camps/ shades.
- 30) Another shocking incidence has been witnessed by us on date, that is 26th April 24, wherein, such Accused, post getting knowledge of complaints being made by undersigned against them

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and knowing that such wrongdoings have been captured by us and photos already sent to various departments, tried to **destroy the evidences of their wrong doings** by creating an open Air Fire. One of my associates saw a **huge fire** just outside the units of Plaza 3 breaking out from the location of Plaza 4 where we had earlier complaint about illegal stocking of timber/ woods of trees being fell by the Accused along with the scrapyard created by them.

31) The **fire which artificially was created by such Accused** for destroying the evidence before any legal actions can be taken against them, was about to take a huge scale due to the accumulation of piles of garbage, dry twigs and branches of trees cut by the accused. Shockingly there were numerous **barrels** which seemed to have contained industrial lubricants and numerous plastic materials and other inflammable materials around such spot of incidence. The crises was somehow averted before it could turn into a full blown disaster like the recent incidence of Ghazipur Landfill fire. (Annexed as "**Annexure 16**" are pictures of the site immediate post extinguishing the Fire created by the Accused at site of Plaza 4)

KEY VIOLATIONS / OFFENCES:

- It is without an iota of doubt that there have been series of crimes and offences at the hands of the Accused who seem to be confident that all their Illegal Acts and activities causing grave & continuous harm to the humans, animals and **Environment will go without any actions against them.**
- Seeing that there is virtually no action taken till now against such nefarious acts and crimes of the Accused despite almost 2 months of continuous complaints being made by the undersigned, it appears that the powerful connection that the Accused boasts about, unfortunately seems to be true.
- **There are numerous violations that have been made till now by the Accused as you the Addressees can easily make out from above given facts and the proofs submitted including:**
 - i) Violation of provisions of **Environment Protection Act (EPA), 1986**
 - ii) Violation of provisions of **Delhi Prevention of Trees Act, 1994**
 - iii) Violation of provisions of **The Water (Prevention And Control Of Pollution) Act, 1974**
 - iv) Violation of provisions of Delhi Municipal Corporation (**Malaria And Other Mosquito Borne Diseases**) Bye-Laws, 1975
 - v) Non Adherence to norms & conditions of "**Environmental Clearance**" (EC) as issued by State Environmental Impact Assessment Authority (**SEIAA**) of **Delhi Office of DPCC**
 - vi) Non compliance to conditions of No Objection Certificate(s) (NOC) and/ provisions of Sanctions and Clearances given by Delhi Development Authority (**DDA**) for **Redevelopment** and/ Layout plans under the prevailing **Master Plan of Delhi (MPD)**
 - vii) Non compliance to conditions, provisions of Sanctions & Approvals given by Municipal Corporation of Delhi (**MCD**) for Redevelopment and/ Layout plans under prevailing **MPD**
 - viii) Violation of Unified Building **BYE LAWS (UBBL) 2016**
 - ix) Violation of **Plastic Waste Management Rules, 2016**
 - x) Violation of **Central and State Pollution Control Board Regulations**
 - xi) Violation of **Solid Waste Management Rules, 2016**
 - xii) Violation of **Municipal Solid Wastes (Management and Handling) Rules, 2000**
 - xiii) Violation of the **Construction and Demolition Waste Management Rules, 2016**
 - xiv) Violation of **Wetlands (Conservation and Management) Rules, 2010**
 - xv) Violation of the regulations pertaining to **Construction and excavation activities**
 - xvi) Violation of **Soil Conservation norms**

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- xvii) Violation of basic human rights of sanitation and cleanliness by making Labours/
people stay in **unhygienic conditions**
- xviii) Possible **Property Tax evasion**
- xix) Violation of **Fire Safety Norms**
- xx) **Violation of Air Pollution** by causing **open Air Fire**

IMMEDIATE SUPPORT/ ACTION NEEDED

Considering the threats posed to not only to the Undersigned and thousands and Lakhs of people living in the vicinity of the said Complex, but also to the lives of helpless Animals and the Environment and Ecology at large, we humbly request once again that each of the Addressees kindly consider immediate and serious investigations against all the Accused, especially considering deployment of unbiased and senior team officials who can carry the tasks assigned without fear and undue influence of the Accused.

The Accused, who have already caused and who continue to cause too much damage and hamper to the nature and environment and sufferings to human and animals by their illegal wrong doings, has to be now stopped by all the Government bodies against any such further illegal wrong doings.

I request you to take immediate support and action in the above detailed matter against the said accused. You are **humbly requested to**, apart from directing all legal actions and penalties against such erring Accused, **direct for the following immediately:**

1. Immediate and serious investigations regarding all the above-mentioned violations and offences, against the Accused, especially considering deployment of unbiased and senior team officials who can carry the tasks assigned without fear and undue influence of the Accused, and taking all legal actions for any and all violations and irregularities committed by the Accused
2. Immediate issuance to us a copy of initial "**Environmental Clearance**" Letter by the **State Environmental Impact Assessment Authority (SEIAA)-Delhi Office of Delhi Pollution Control Committee** with detailed documents and conditionalities, as issued in favor of Accused No. 1 and / Accused No.2 , on 22.08.2008 by MoEF Vide No. 21-274/2008-IA.III for construction of Central Square Flatted Factory Complex at 20 Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi-06 along with details pertaining to validity period and conditions for same and all extension copies, if any, which have been issued by SEIAA
3. Immediate issuance to us copies of all **half-yearly compliance reports** in respect of the stipulated prior environmental clearance terms and conditions till date, from the date of initial issuance of "**Environmental Clearance**" Letter by the **State Environmental Impact Assessment Authority (SEIAA)-Delhi Office of Delhi Pollution Control Committee**
4. Immediate issuance of details pertaining to the Resolution No. 26 dated February 1, 1983 of DDA approving the scheme as given by the Accused No. 1 and details pertaining to appraisal and monitoring of necessary steps and compliances as taken till date towards proposed re-development scheme by the said accused
5. Immediate issuance of copy of necessary compliances by the Accused No. 1 as monitored by the DDA pertaining to the grant of conditional approval to the Accused No. 1 for development of the said Complex as per the prevailing Master Plan
6. Immediate issuance of the copy of approved layout plans as given by the MCD to Accused No. 1 for development of the said Complex as per the prevailing Master Plan

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7. Immediate withdrawal, cancellation and revocation of all the respective NOCs/ Approvals and Sanctions and Clearances as may have been given to the Accused by you, the Addressees, in light of the above mentioned and continued abuse of the grant for redevelopment of the said Complex given to the Accused
8. Direct the accused parties to immediately undertake comprehensive cleaning and sanitation measures, to make good for the losses caused till now to the environment including due to water, soil and other pollutions, to eliminate all of the water loggings and sewage waters, to remove of all weeds, dead animal bodies, unpleasant odors, to immediately fill up the crater created at the said Plaza 4 site by Accused and restoration of the same up to original ground levels of the surrounding areas, to get restoration of the all the trees and plants presently covering the entire of said Block immediately upon filling up of the crater/ swamp at the said land area, to stop the mosquitos and insects breeding, to remove the stray animals and to ensure proper waste disposal practices, in and around the said block, that is Block C/E marked for development of Plaza 4.
9. To consider immediate taking over such undeveloped lands for over three decades now under immediate control by the concerned Government bodies for permanent resolve of the conditions faced till date by redeveloping of the same for public wellbeing and for safety of all thousands of lives at stake.
10. Immediate look out notice for the JCB bearing registration number **HP 73A 0519** along with the concerned driver, and for the Labors who were engaged by the Accused and upon capture of such JCB and the concerned driver and such Labors, immediate action against the culprits including the Accused
11. Immediate investigation about the act of hiding and shifting/ sneaking away the illegally Cut down / uprooted trees/ tree branches by the Accused apart from recovery of such Trees/ Tree Branches.
12. Immediate Action to be taken against the Accused as per the relevant laws for their various illegal acts including but not limited to, Wrongful restraint of us by such Accused from moving between the Plaza 3 and the site for Plaza 4, thereby trying to **stop us illegally in fulfilling our Constitutional Fundamental duties**, that is, to protect and improve the natural environment, Illegal Cutting/ felling down/ pruning of Trees and Tree Branches, Illegal contamination of Environment including soil and water by dumping Municipal Solid or Semi Solid wastes, garbage, plastics etc. illegally.
13. Immediate action to be taken against the Accused as per the relevant laws against various other illegal activities and wrong doings in the said Complex
14. Immediate and thorough investigation of the permission if actually taken by the Accused for digging out/ excavating such huge sections of Land and converting same into a Crater by removing and keeping removed the precious lakhs of tons of soil and gravel from such land for a period of over 10-15 years.
15. Immediate actions against the Accused, in case such permission for digging out such sections of Land was not granted or if all relevant provisions pertaining to digging, removal, transportation and storage of such soil and gravel was not carried out

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16. In event all permissions were actually available to the Accused for excavating such soils and gravels, assessment of how such prolonged delays have been permitted to the Accused to keep such vast areas of Land dug and undeveloped and to take legal actions upon the Accused for all irregularities and illegal actions till date pertaining to any authorisation or approvals received in regards to such activities.
17. Immediate legal actions against the Accused for their illegal actions and wrong doings thus far, including the felling, cutting of trees, pruning the branches of trees, ill management of trees and plants, illegal dumping of municipal solid wastes, semi solid wastes, plastic and plastic wastes and other Hazardous, including possible E-Wastes, creating water logging, polluting environment including water & soil, breeding of mosquitos and insects, making conditions causing mute animals to be killed getting stuck in their created swamp, in and around the said Block C/E,
18. Immediate inspection of the area in and around the said block, that is Block C/E in the said Complex and direct concerned officials to immediately undertake **physical count**, marking and registration of all the trees present in and around the said Block C/E, that is the site marked for development of Plaza 4 and to get the same tallied with any earlier records of trees in the same block and to conduct an immediate enquiry if there is any discrepancies discovered from any earlier records of such trees and direct a strict action against the accused in case any wrongdoings/ shortcomings are discovered.
19. Immediate review of the No Objection Certificates(NOC) as already been issued by the Fire Department for the said complex different Plazas and revocation of the same in line with our earlier made complaints regarding the irregularities from norms
20. Immediate action by the Fire Department against the said Accused for act of creating Open Fire along with stocking of inflammatory substances and dry leaves, twigs, branches, cut trees, plastics materials, barrels possibly containing lubricants open in the said complex
21. Impose strictest penalties and enforcement measures against accused for the illegal acts of theirs till now and furthermore, if they fail to adhere to the directives provided by your good offices.
22. Immediate review of the actual status of all the Plazas of the said complex, especially the location for Plaza 4 for finding possible **evasion of the due Property tax** where an entire population of labours have been housed by the said Accused by leasing/ offering such space to builder for building multiple camps/ shades.
23. Direct for other actionable needed for safety and security and well being of the Environment, Forests, Animals and Human beings, including as requested by us in our earlier complaints and reminders thereto.

With view of helping the law and justice to prevail, immediate legal actions against such accused and accused is of paramount importance. I also request you to grant me leave and permission to produce various relevant documents and give full details of the said transactions.

Thanking you in anticipation

With Sincere Regards

Deepak Agarwal
+91 9811258285

DEEPAK AGARWAL

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Dated: 26th April 2024

REFERENCE OF SOME OF RECENT COMPLAINTS MADE:

S. No	Company/ Department	Date of Complaint	Addressee
1	Management of Complex (Numerous complaints sent by me and my related parties)	04.03.2024	Accused No. 2 and 3
		16.03.2024	
		09.04.2024	
2	Municipal Corporation of Delhi - MCD	05.03.2024	1. MAYOR - DR. SHELLY OBEROI 2. COMMISIONER - SHRI GYANESH BHARTI
		16.03.2024	1. MAYOR 2. COMMISIONER
		27.03.2024	1. MAYOR 2. COMMISIONER
		30.03.2024	1. MAYOR 2. COMMISIONER
		02.04.2024	1. COMMISIONER OF MCD
3	Public Health Department - MCD	05.03.2024	1. MUNICIPAL HEALTH OFFICER- 1 - DR. LALLAN RAM VERMA 2. DEPUTY HEALTH OFFICER - CSPZ - DR. SANJAY SINHA
		11.03.2024	1. Deputy Health Officer - City S.P. Zone - MCD
		16.03.2024	1. MUNICIPAL HEALTH OFFICER- 1 2. DEPUTY HEALTH OFFICER - CSPZ
		27.03.2024	1. MUNICIPAL HEALTH OFFICER- 1 2. DEPUTY HEALTH OFFICER - CSPZ
4	Department of Environmental Management Services (DEMS) - MCD	28.03.2024	1. ADDL. COMMISIONER (DEMS) (SENT ON 2 DIFFERENT ADDRESSES)
		30.03.2024	1. ADDL. COMMISIONER (DEMS) (SENT ON 2 DIFFERENT ADDRESSES)
		05.04.2024	1. ADDL. COMMISIONER (DEMS) (SENT ON 2 DIFFERENT ADDRESSES)
5	Engineering & Building - MCD	02.04.2024	1. ASST. COMMISIONER OF MCD 2. ADD. COMMISIONER (ENGINEERING) 3. CHIEF ENGINEER (BUILDING HQ)
6	Delhi Development Authority	02.04.2024	1. The Charman 2. Vice Charman 3. Commissioner (Land Disposal) 4. Director (CL, CE, LPC and Survey),
7	Ministry of Environment, Forest and Climate Change	30.03.2024	1. MINISTER - Mr BHUPENDER YADAV 2. PRIVATE SECRETARY
		05.04.2024	1. MINISTER - Mr BHUPENDER YADAV 2. PRIVATE SECRETARY
8	Department of Forests and Wildlife	01.04.2024	1. PRINCIPAL CHIEF CONSERVATOR OF FOREST (PCCF) 2. ADDL. PR. CHIEF CONSERVATOR OF FORESTS 3. PRINCIPAL SECRETARY 4. CHIEF CONSERVATOR OF FORESTS 5. CONSERVATOR OF FORESTS 6. DY. CONSERVATOR OF FORESTS
		04.04.2024	1. PRINCIPAL CHIEF CONSERVATOR OF FOREST (PCCF) 2. ADDL. PR. CHIEF CONSERVATOR OF FORESTS 3. PRINCIPAL SECRETARY 4. CHIEF CONSERVATOR OF FORESTS 5. CONSERVATOR OF FORESTS 6. DY. CONSERVATOR OF FORESTS

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9	Department of Environment	30.03.2024	1. PRINCIPAL SECRETARY 2. SPECIAL SECRETARY 3. DIRECTOR 4. ADDITIONAL SECRETARY
		05.04.2024	1. PRINCIPAL SECRETARY 2. SPECIAL SECRETARY 3. DIRECTOR 4. ADDITIONAL SECRETARY
10	Dilli Free Tree	01.04.2024	1. DEPARTMENT HEAD
		05.04.2024	1. DEPARTMENT HEAD
11	Delhi Pollution Control Committee- DPPC	05.03.2024	1. Chairman - MR ASHWANI KUMAR 2. Member secretary - DR. K S JAYACHANDRAN
		16.03.2024	1. Chairman - MR ASHWANI KUMAR 2. Member secretary - DR. K S JAYACHANDRAN
		27.03.2024	1. Chairman 2. Member secretary
		30.03.2024	1. Chairman 2. Member secretary
		05.04.2024	1. Chairman 2. Member secretary
12	Central Ground Water Board	04.04.2024	1. The Chairman, 2. Member (HQ) 3. Member (North & west) 4. Member (CGWA)
13	Delhi Jal Board	04.04.2024	1. A.C.E (M) -5 2. CE (NODAL) Water 3. ZRO (CZ)-II 4. CE (Ground Water)
14	Delhi Police	29.03.2024	SHO, PS BHR
		05.04.2024	SHO, PS BHR
		23.04.2024	DEPUTY COMMISSIONER OF POLICE (DCP)

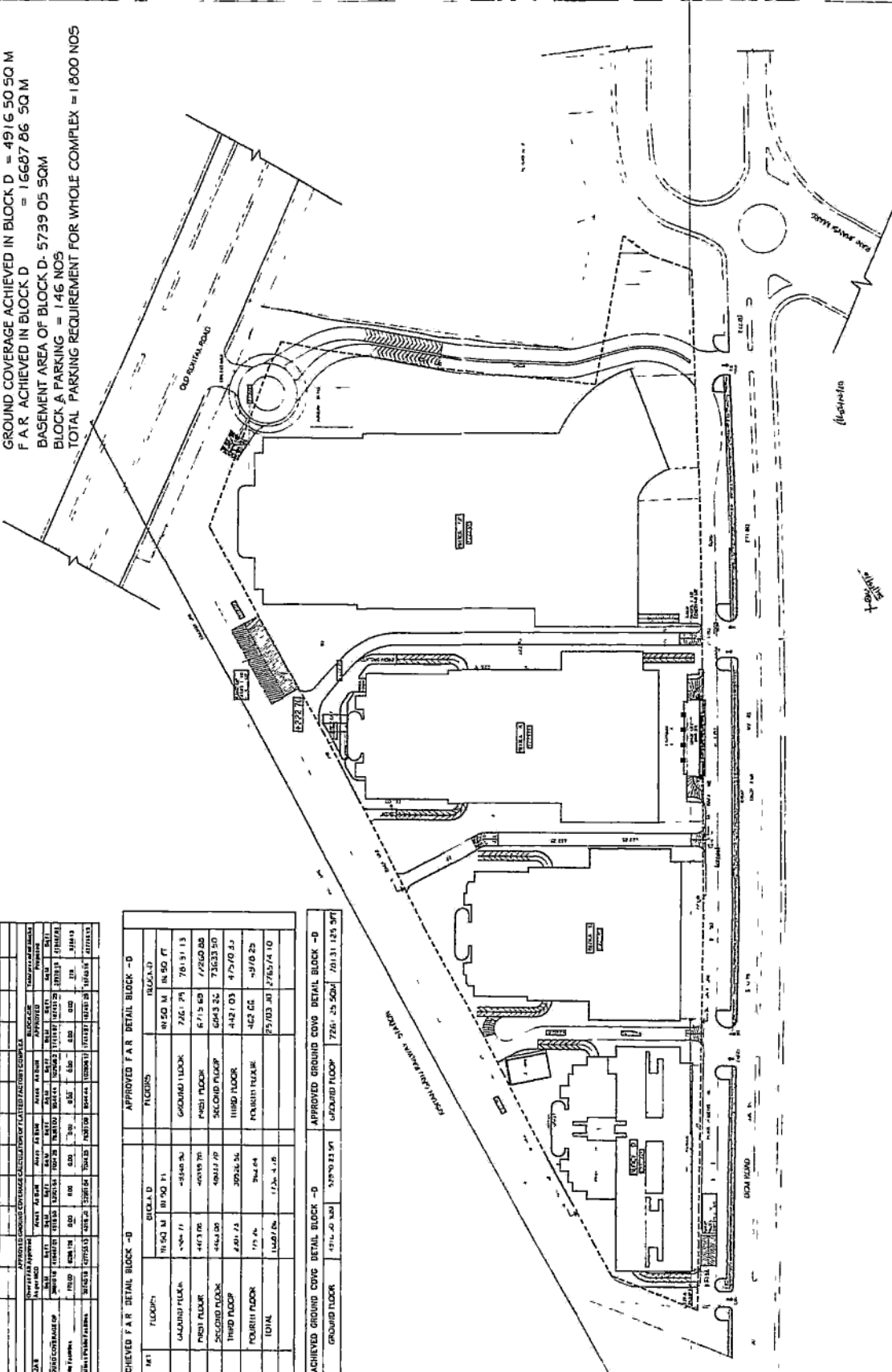
STATEMENT OF AREAS

TOTAL AREA OF PLOT = 24.55 ACRES (P1) = 99350.41 SQ M
 AREA UNDER ROADS (MASTER PLAN ZONAL ROADS) = 2371.78 SQ M
 ACTUAL PLOT AREA AFTER ROAD WIDENING = 96978.63 SQ M
 PERM GROUND COVERAGE = 40% OF P1 = 39740.164 SQ M
 PERM F.A.R. 150% OF P1 = 149025.611 SQ M
 PERM MEZZ AREA 25% OF GR. COVERAGE = 9935.041 SQ M
 PERM BASEMENT AREA 40% OF P1 = 39740.164 SQ M
 GROUND COVERAGE ACHIEVED IN BLOCK D = 4916.50 SQ M
 F.A.R. ACHIEVED IN BLOCK D = 16687.86 SQ M
 BASEMENT AREA OF BLOCK D = 5739.05 SQM
 BLOCK A PARKING = 146 NOS
 TOTAL PARKING REQUIREMENT FOR WHOLE COMPLEX = 1800 NOS

COMPLETION LAYOUT PLAN
 FOR BLOCK (D) OF FLATTED
 FACTORY COMPLEX
 AT BARA HINDU RAO, DELHI
 IN FAVOUR OF M/S D C M LTD

NO.	DESCRIPTION	AREA (SQ M)	PERCENTAGE
1	GROUND FLOOR	4916.50	5.07%
2	FIRST FLOOR	149025.61	15.16%
3	SECOND FLOOR	9935.04	1.01%
4	THIRD FLOOR	39740.16	4.01%
5	FOURTH FLOOR	5739.05	0.06%
6	TOTAL	16687.86	17.11%

ACHIEVED F.A.R. DETAIL BLOCK - D		APPROVED F.A.R. DETAIL BLOCK - D	
FLOOR	AREA (SQ M)	FLOOR	AREA (SQ M)
GROUND FLOOR	4916.50	GROUND FLOOR	4916.50
FIRST FLOOR	149025.61	FIRST FLOOR	149025.61
SECOND FLOOR	9935.04	SECOND FLOOR	9935.04
THIRD FLOOR	39740.16	THIRD FLOOR	39740.16
FOURTH FLOOR	5739.05	FOURTH FLOOR	5739.05
TOTAL	16687.86	TOTAL	16687.86



1
 (R1)

ANNEXURE - 2

RECENT PICTURES SHOWING THE SAID MAIN COMMON ROAD CONNECTING THE MAIN ENTRY- EXIT GATE IN FRONT OF THE BLOCK MARKED AS BLOCK C/E, WITH THE MAIN PUBLIC ROAD AND ALL OTHER PLAZAS

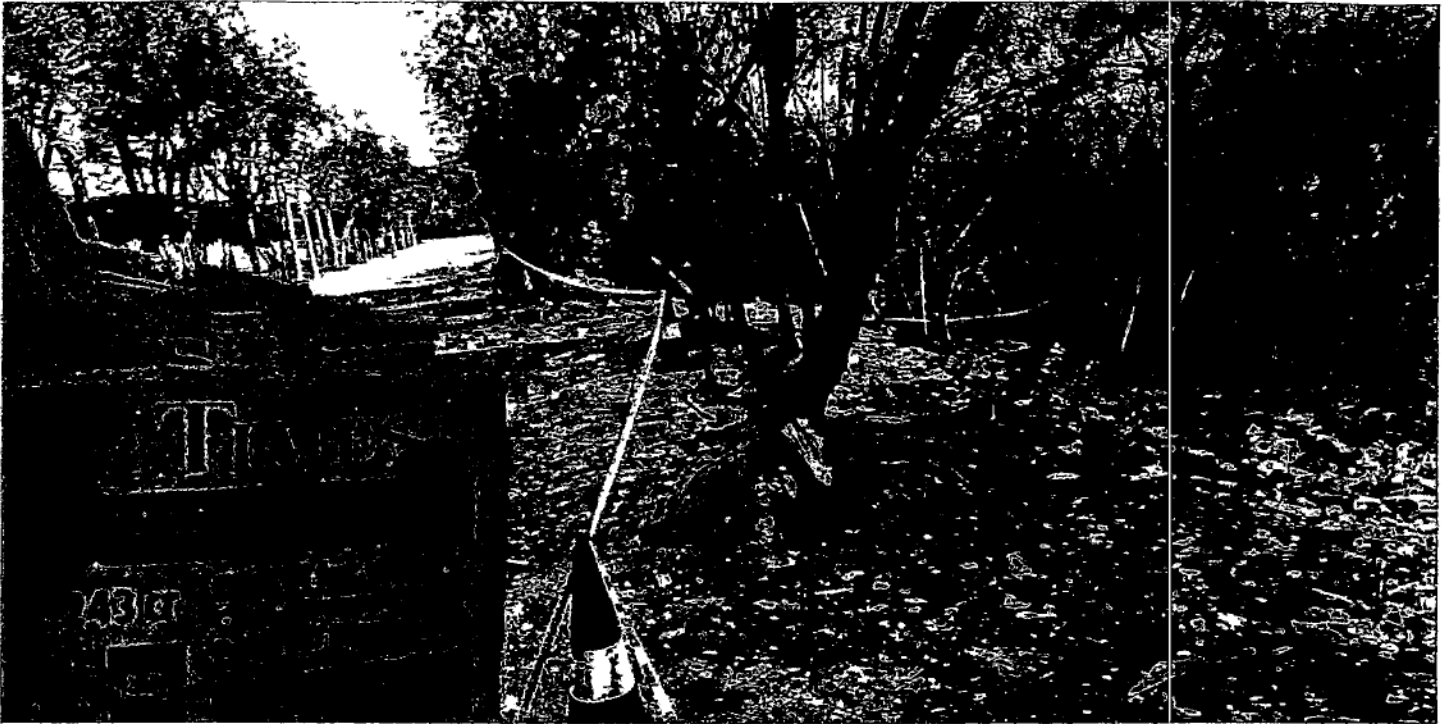


ANNEXURE - 2

RECENT PICTURES SHOWING THE SAID MAIN COMMON ROAD CONNECTING THE MAIN ENTRY- EXIT GATE IN FRONT OF THE BLOCK MARKED AS BLOCK C/E, WITH THE MAIN PUBLIC ROAD AND ALL OTHER PLAZAS



ANNEXURE - 3
STILLS / PICTURES FROM VIDEOS/PHOTOS SHOWING THE COMMON ROAD BETWEEN
PLAZA 3 AND PLANNED PLAZA 4



ANNEXURE - 3
STILLS / PICTURES FROM VIDEOS/PHOTOS SHOWING THE COMMON ROAD BETWEEN
PLAZA 3 AND PLANNED PLAZA 4



ANNEXURE - 4

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE GIGANTIC CRATER CREATED AND KEPT UNDEVELOPED SINCE OVER 10-15 YEARS BY THE ACCUSED, AT THE LAND EARMARKED FOR PLANNED PLAZA 4 IN THE SAID COMPLEX, BY REMOVING LAKHS OF TONS OF PRECIOUS SOIL AND GRAVELS



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ANNEXURE - 5

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE SWAMP WITH WEEDS, TREES, PLANTATION
ALL AROUND SUCH AREA IN CRATER CREATED BY THE ACCUSED IN THE LAND FOR
PLANNED PLAZA 4, ALSO SHOWING RAMPANT WATER LOGGING IN HUGE SECTIONS OF
THE SAID CRATER, WITH DISCHARGE OF SEWAGE ALONG WITH GARBAGE AND MUNICIPAL
WASTES IN SUCH WATER BODIES



ANNEXURE - 5

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE SWAMP WITH WEEDS, TREES, PLANTATION ALL AROUND SUCH AREA IN CRATER CREATED BY THE ACCUSED IN THE LAND FOR PLANNED PLAZA 4, ALSO SHOWING RAMPANT WATER LOGGING IN HUGE SECTIONS OF THE SAID CRATER, WITH DISCHARGE OF SEWAGE ALONG WITH GARBAGE AND MUNICIPAL WASTES IN SUCH WATER BODIES



ANNEXURE - 5
STILLS FROM PHOTOS/VIDEOS TAKEN OF THE SWAMP WITH WEEDS, TREES, PLANTATION
ALL AROUND SUCH AREA IN CRATER CREATED BY THE ACCUSED IN THE LAND FOR
PLANNED PLAZA 4, ALSO SHOWING RAMPANT WATER LOGGING IN HUGE SECTIONS OF
THE SAID CRATER, WITH DISCHARGE OF SEWAGE ALONG WITH GARBAGE AND MUNICIPAL
WASTES IN SUCH WATER BODIES



ANNEXURE - 6

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ACCUMULATION OF MUNICIPAL SOLID & SEMI SOLID WASTES, GARBAGE ETC, IN SUCH OPEN GROUNDS AND WATER BODIES AT SITE FOR PLANNED PLAZA 4 BY THE ACCUSED



ANNEXURE - 6

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ACCUMULATION OF MUNICIPAL SOLID & SEMI SOLID WASTES, GARBAGE ETC, IN SUCH OPEN GROUNDS AND WATER BODIES AT SITE FOR PLANNED PLAZA 4 BY THE ACCUSED



ANNEXURE - 6

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ACCUMULATION OF MUNICIPAL SOLID & SEMI SOLID WASTES, GARBAGE ETC, IN SUCH OPEN GROUNDS AND WATER BODIES AT SITE FOR PLANNED PLAZA 4 BY THE ACCUSED



ANNEXURE - 6

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ACCUMULATION OF MUNICIPAL SOLID & SEMI SOLID WASTES, GARBAGE ETC, IN SUCH OPEN GROUNDS AND WATER BODIES AT SITE FOR PLANNED PLAZA 4 BY THE ACCUSED



ANNEXURE- 7

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ILLEGAL SCRAP YARD CREATED BY THE ACCUSED FOR DUMPING TONS OF HAZARDOUS MATERIALS, PLASTICS, STEEL AND SCRAPS ETC ALONG WITH CONSTRUCTION AND DEMOLITION WASTE



ANNEXURE- 7

STILLS FROM PHOTOS/VIDEOS TAKEN OF THE ILLEGAL SCRAP YARD CREATED BY THE ACCUSED FOR DUMPING TONS OF HAZARDOUS MATERIALS, PLASTICS, STEEL AND SCRAPS ETC ALONG WITH CONSTRUCTION AND DEMOLITION WASTE



ANNEXURE 8

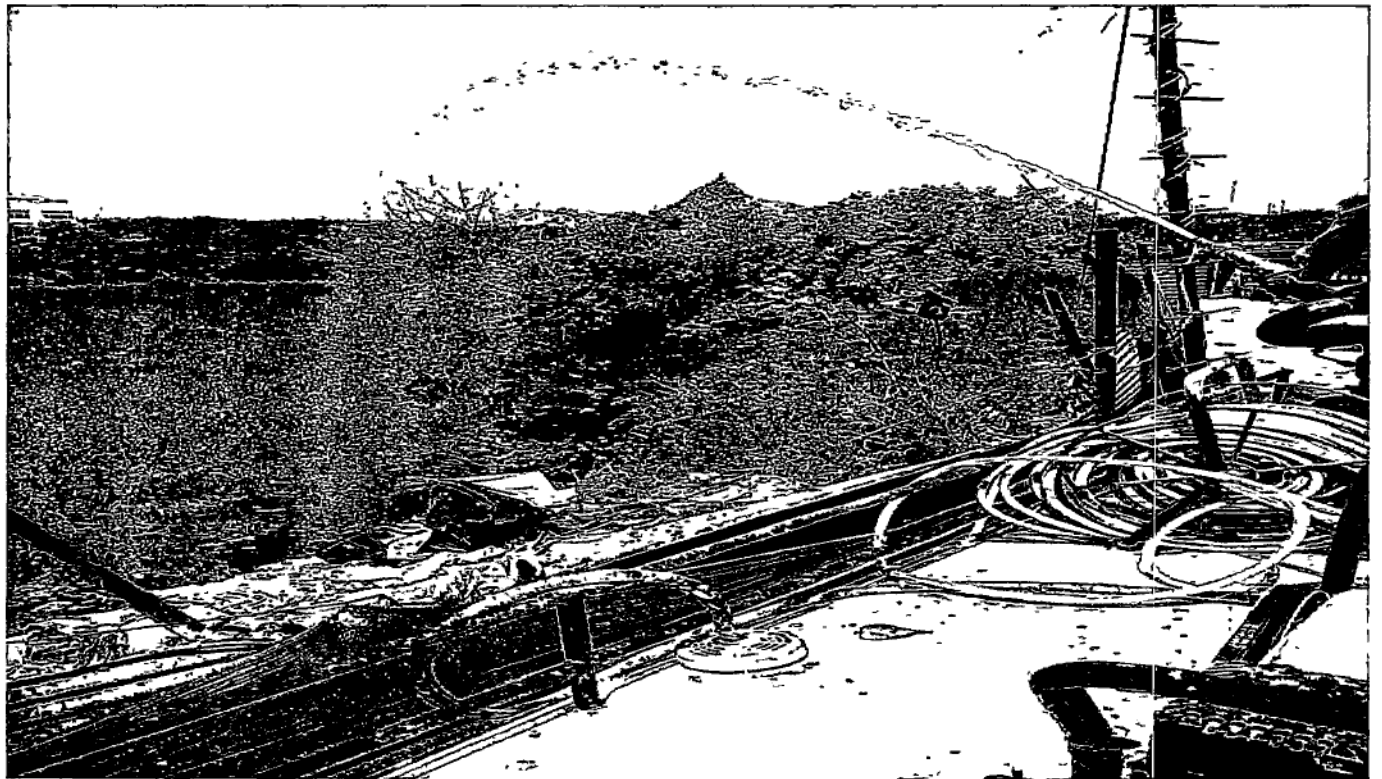
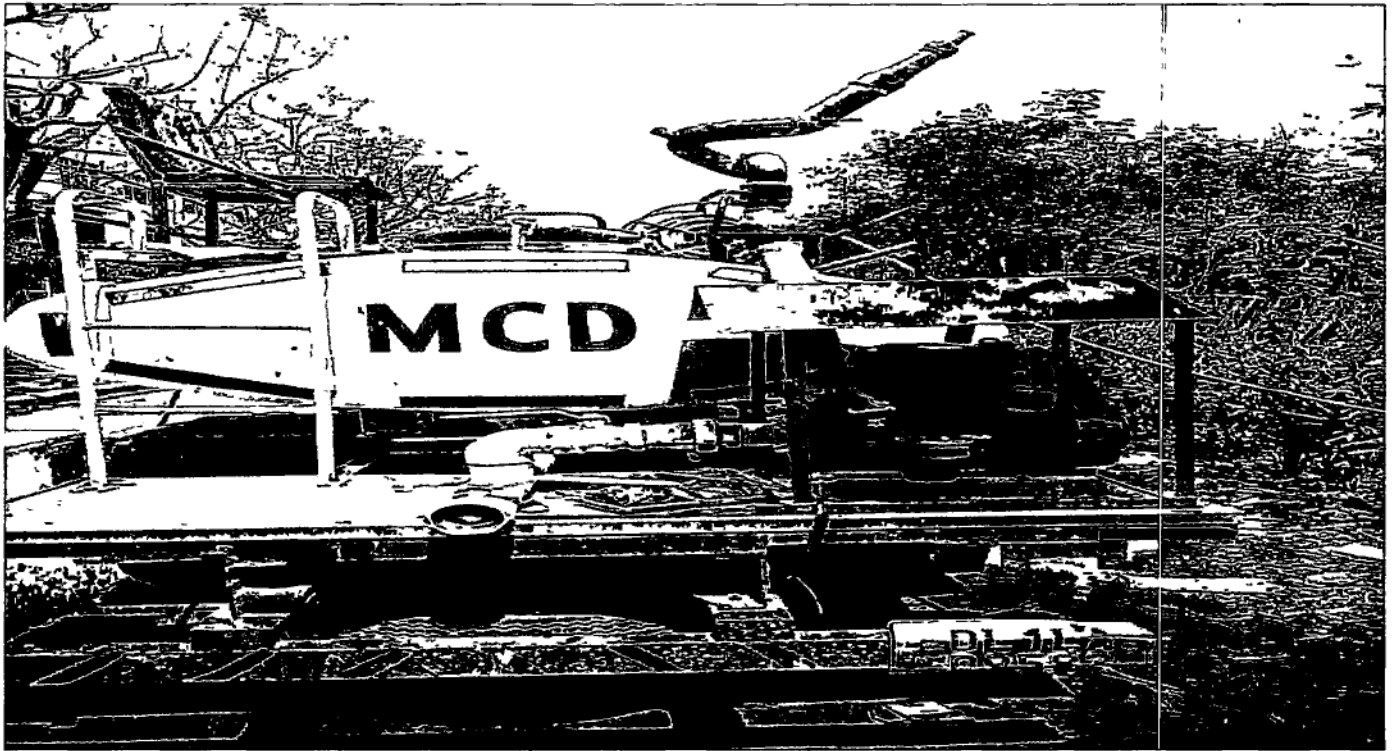
FEW OF PHOTOS OF UNHYGIENIC CAMPS AND SHABBY DWELLINGS CREATED BY THE ACCUSED IN MOST INHUMANE AND AVERSE CONDITIONS SURROUNDED BY OPEN GARBAGE AND WASTE GROUNDS AND WATER LOGGED SWAMP, FOR KEEPING HUNDREDS OF LABORS AND PEOPLE SINCE PAST MANY YEARS AT THE EDGES OF CRATER CREATED BY THE ACCUSED IN THE SAID LAND MARKED FOR DEVELOPMENT OF PLAZA 4, FOR SUITING THE PERSONAL WEALTH CREATION OF THE ACCUSED.



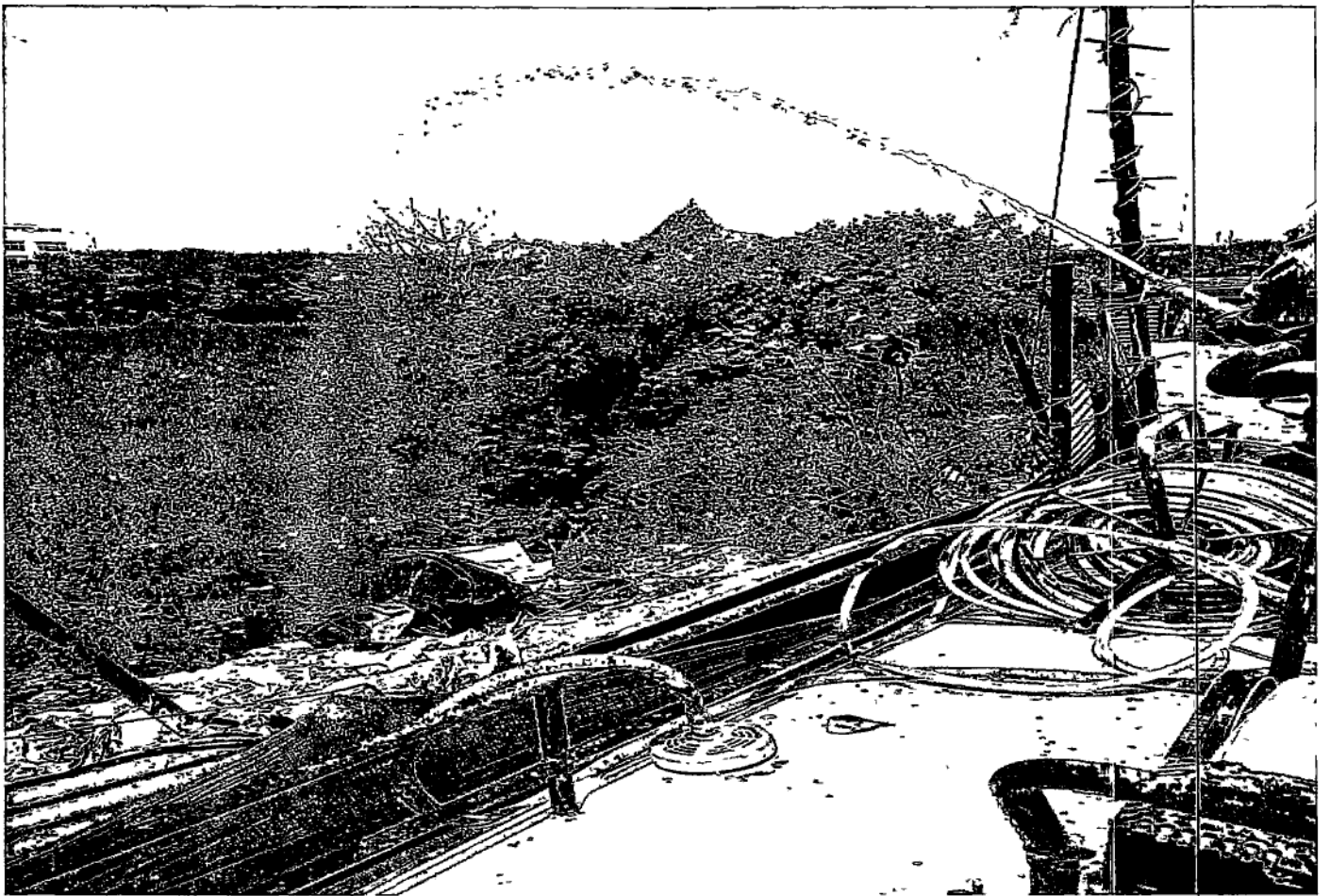
ANNEXURE 8
FEW OF PHOTOS OF UNHYGIENIC CAMPS AND SHABBY DWELLINGS CREATED BY THE ACCUSED IN MOST INHUMANE AND AVERSE CONDITIONS SURROUNDED BY OPEN GARBAGE AND WASTE GROUNDS AND WATER LOGGED SWAMP, FOR KEEPING HUNDREDS OF LABORS AND PEOPLE SINCE PAST MANY YEARS AT THE EDGES OF CRATER CREATED BY THE ACCUSED IN THE SAID LAND MARKED FOR DEVELOPMENT OF PLAZA 4, FOR SUITING THE PERSONAL WEALTH CREATION OF THE ACCUSED.



ANNEXURE 9
FEW OF PHOTOS RECEIVED BY UNDERSIGNED OF SUCH SPRAY EXERCISE BEING
CONDUCTED BY THE CONCERNED HEALTH OFFICIALS OF MCD

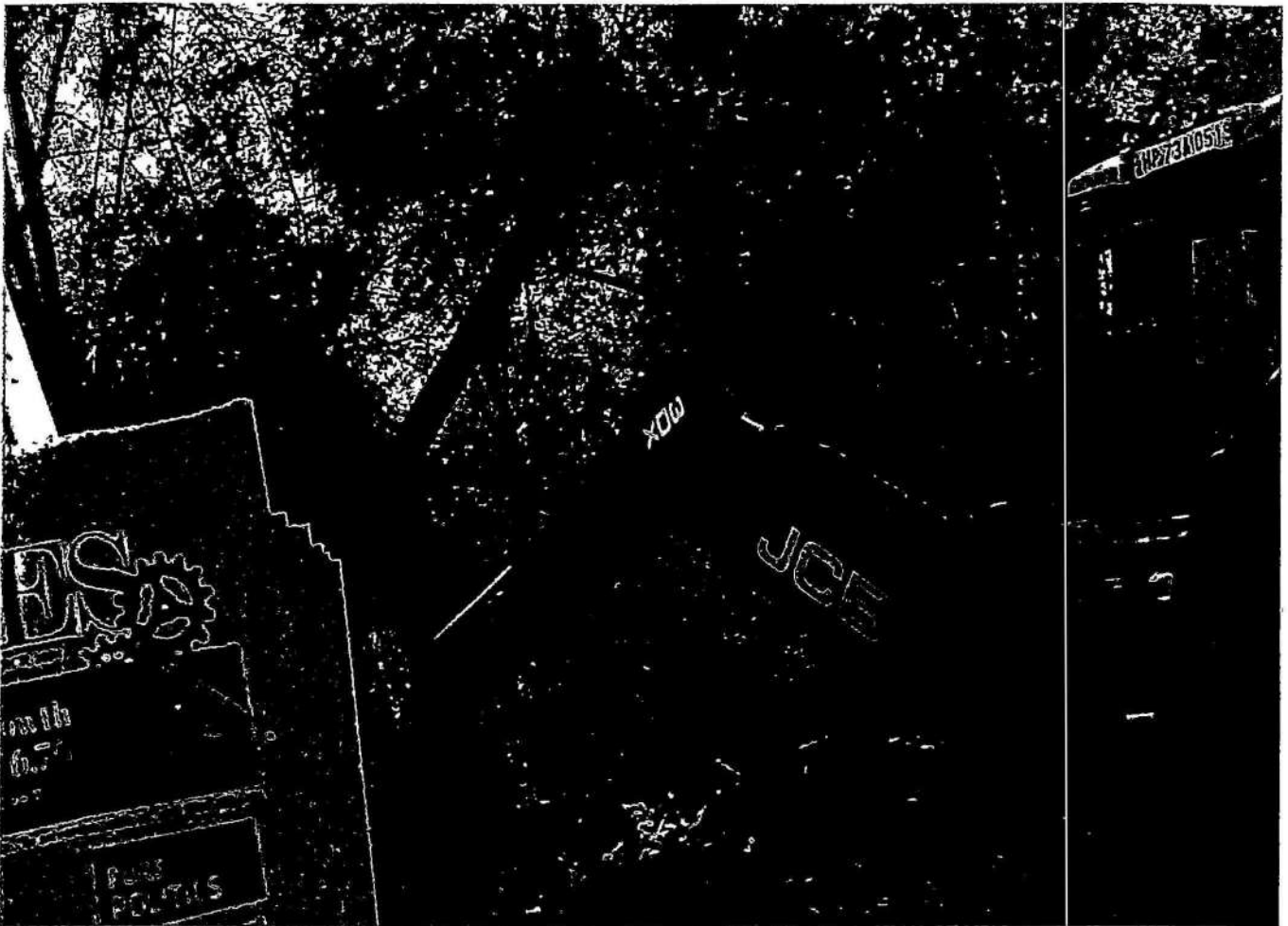


**ANNEXURE 9
FEW OF PHOTOS RECEIVED BY UNDERSIGNED OF SUCH SPRAY EXERCISE BEING
CONDUCTED BY THE CONCERNED HEALTH OFFICIALS OF MCD**



ANNEXURE 10

STILLS FROM PHOTOS/VIDEOS TAKEN PROVING THE DEPLOYMENT OF JCB AND LABORS BY THE ACCUSED FOR DUMPING THE WASTES, GARBAGE ETC IN TO THE SWAMP/CRATER



ANNEXURE 10
STILLS FROM PHOTOS/VIDEOS TAKEN PROVING THE DEPLOYMENT OF JCB AND LABORS
BY THE ACCUSED FOR DUMPING THE WASTES, GARBAGE ETC IN TO THE SWAMP/CRATER



ANNEXURE 11

STILLS FROM PHOTOS/VIDEOS TAKEN PROVING THE DEPLOYMENT OF JCB AND LABORS BY THE ACCUSED FOR ILLEGAL FELLING, UPROOTING OF TREES & PLANTS, PRUNING & DESTROYING TREES & PARTS THEREOF AND DUMPING THEM INTO THE CRATER/SWAMP AT THE SITE OF PLAZA 4

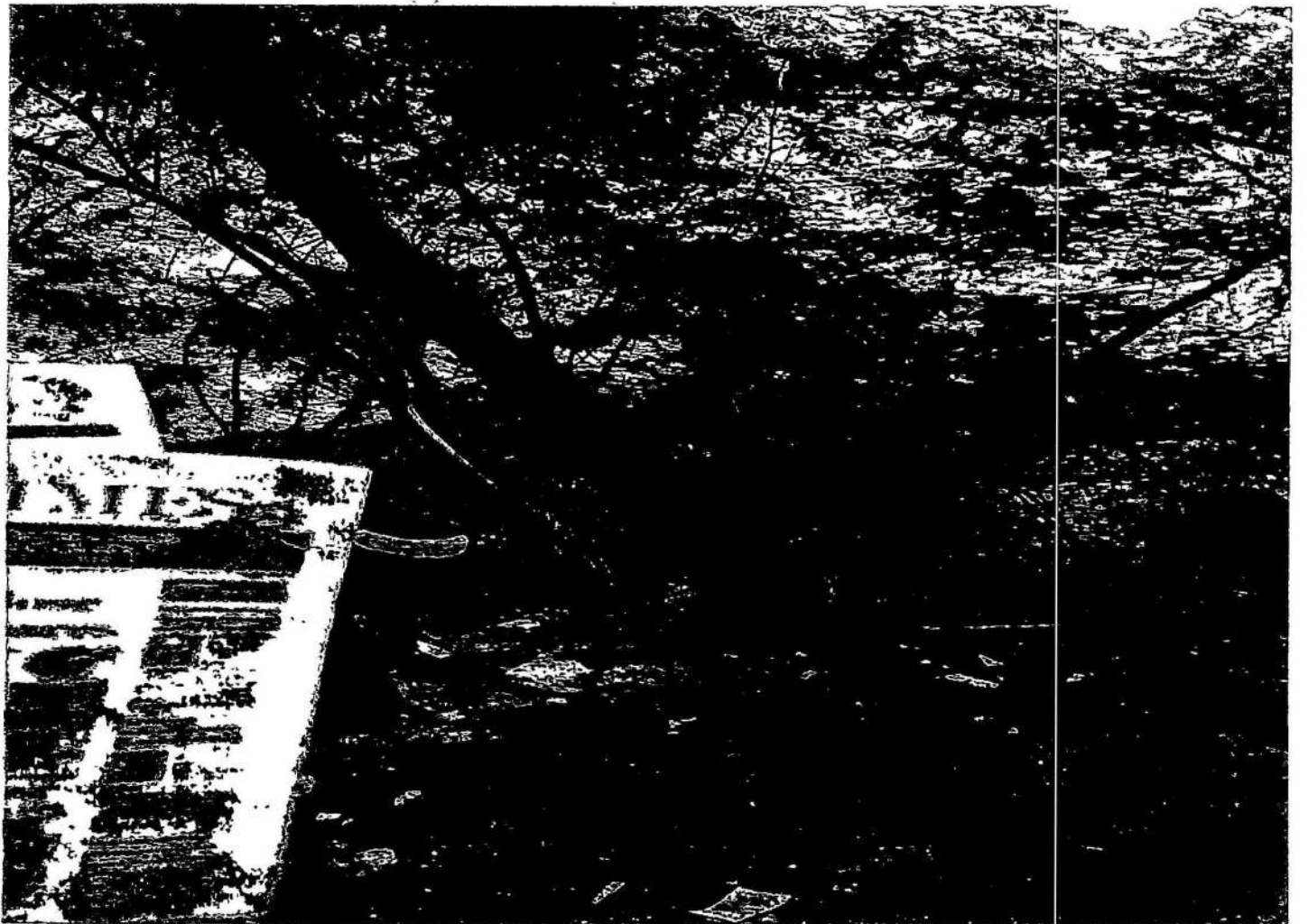


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ANNEXURE 12
THE STILLS FROM PHOTOS AND VIDEOS TAKEN AT THE SAID LOCATION OF
COMMON ROAD WHERE WE WERE WRONGFULLY RESTRAINED BY THE ACCUSED
WHEN THEIR OPERATION OF USING JCB AND LABORS FOR ILLEGALLY
UPROOTING AND CUTTING TREES AND DUMPING GARBAGE AND WASTE ETC WAS
BEING RECORDED BY US)



ANNEXURE 13
STILLS FROM PHOTOS AND VIDEOS TAKEN AT THE SAID LOCATION AROUND PLAZA 4,
SHOWING SOME OF THE TREES AND REMAINS OF SOME OF THE TREES WHICH WERE
MOSTLY UPROOTED BY THE ACCUSED PARTIES BUT WHICH COULD BE SAVED ONLY
AFTER OUR COMPLAINING TO THE DELHI POLICE



ANNEXURE 13
STILLS FROM PHOTOS AND VIDEOS TAKEN AT THE SAID LOCATION AROUND PLAZA 4,
SHOWING SOME OF THE TREES AND REMAINS OF SOME OF THE TREES WHICH WERE
MOSTLY UPROOTED BY THE ACCUSED PARTIES BUT WHICH COULD BE SAVED ONLY
AFTER OUR COMPLAINING TO THE DELHI POLICE



ANNEXURE 14

THE STILL FROM THE PICTURES/ VIDEOS TAKEN SHOWING THE TREES AND/ BRANCHES OF TREES WHICH HAVE BEEN CUT AND ACCUMULATED BY THE ACCUSED FOR MOST LIKELY SELLING SAME FOR THEIR ILLEGAL PERSONAL GAINS



ANNEXURE 14
THE STILLS FROM THE PICTURES/ VIDEOS TAKEN SHOWING THE TREES AND/ BRANCHES
OF TREES WHICH HAVE BEEN CUT AND ACCUMULATED BY THE ACCUSED FOR MOST
LIKELY SELLING SAME FOR THEIR ILLEGAL PERSONAL GAINS



ANNEXURE 14
THE STILL FROM THE PICTURES/ VIDEOS TAKEN SHOWING THE TREES AND/ BRANCHES
OF TREES WHICH HAVE BEEN CUT AND ACCUMULATED BY THE ACCUSED FOR MOST
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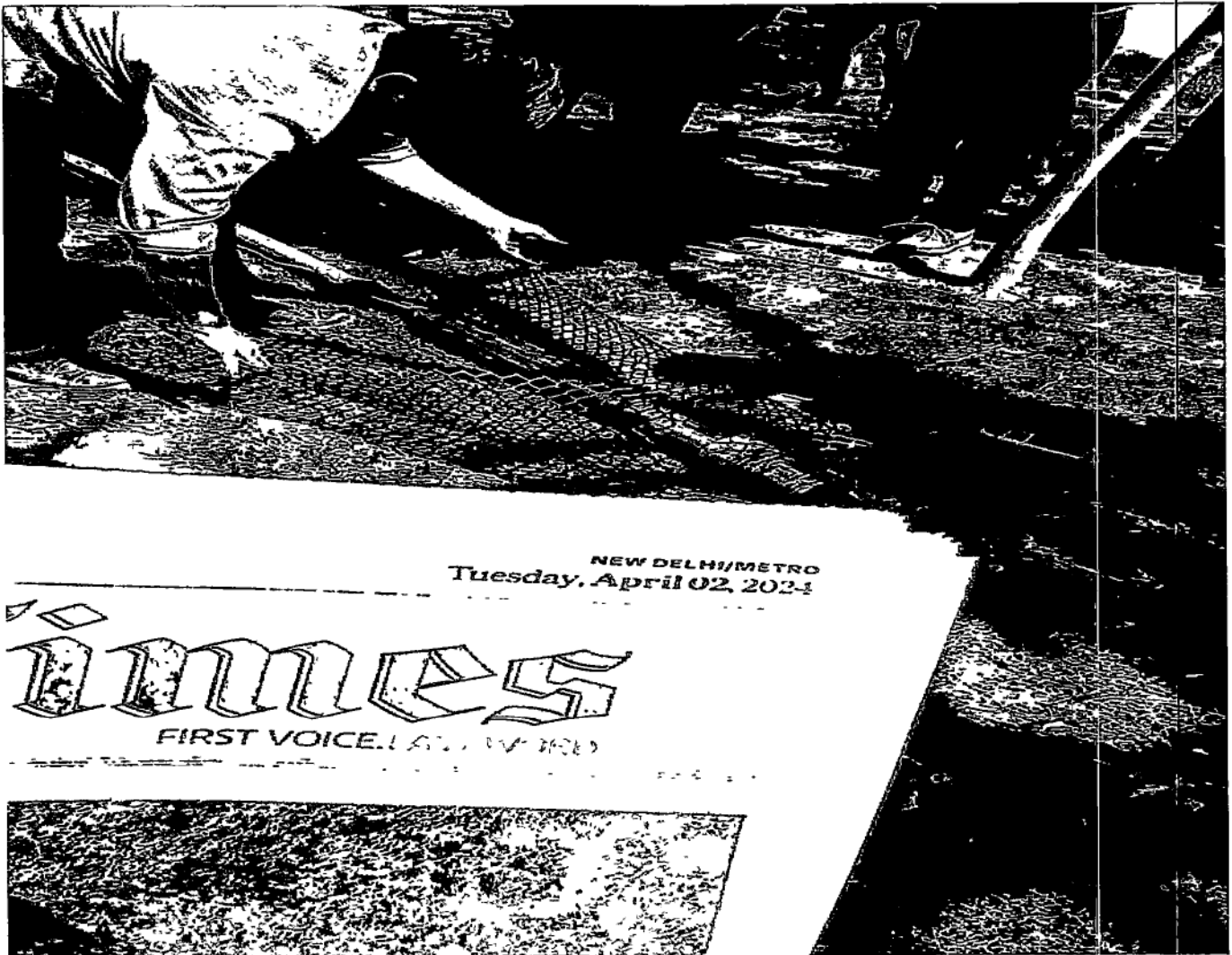
ANNEXURE 15

STILLS FROM RECENTLY TAKEN PHOTOGRAPHS/ VIDEOS OF SUCH PIPELINES, PUMPS USED BY THE ACCUSED PARTIES FOR EXTRACTING SUCH POLLUTED AND UNDERGROUND WATERS AND SUPPLYING SAME THROUGH PIPELINES AROUND THE COMPLEX



ANNEXURE 15

STILLS FROM RECENTLY TAKEN PHOTOGRAPHS/ VIDEOS OF SUCH PIPELINES, PUMPS USED BY THE ACCUSED PARTIES FOR EXTRACTING SUCH POLLUTED AND UNDERGROUND WATERS AND SUPPLYING SAME THROUGH PIPELINES AROUND THE COMPLEX



Annexure 16
Pictures of the site immediate post extinguishing the Fire created by the Accused
at site of Plaza 4



Annexure 16
Pictures of the site immediate post extinguishing the Fire created by the Accused
at site of Plaza 4



DEEPAK AGARWAL

P3-0217, PLAZA 3, CENTRAL SQUARE COMPLEX,
20, MANOHAR LAL KHURANA MARG, BARA HINDU RAO, DELHI-110006.
MAIL@DEEPAKAGARWAL.IN

To

DATE: 10.01.2025

The Chairman
Central Pollution Control Board
Parivesh Bhawan,
East Arjun Nagar,
Delhi-110032

Respected Sir/Madam,

Subject: Complaint Regarding

Violation of GRAP Level 3 Directives and Ongoing Illegal (Private) Construction Activities - in an desperate effort to conceal some of the earlier reported numerous illegalities of Fire Safety & other norms at the Complex.

Reference – My previously made complaints regarding the same Complex.

I, Deepak Agarwal, as unit(s) holder at Plaza 3 and Plaza 2 and having my member stake in a unit at Plaza 1 of the DCM Flatted Factory Complex (Central Square Complex) located at 20, Manohar Lal Khurana Marg, Bara Hindu Rao, Delhi 110006 (also referred to as the "**said Complex**"), am writing to report ongoing illegal construction activities at the complex, which are in violation of the Graded Response Action Plan (GRAP) Level 3 directives. These activities continue despite the critical air pollution conditions in Delhi and contradict the restrictions imposed on construction during periods of severely poor air quality.

Such ongoing illegal construction/ alterations activities are being carried out at all the three Plazas i.e., Plaza 1 (i.e. Block D), Plaza 2 (i.e. Block B) and Plaza 3 (i.e. Block A) of the said Complex.

Despite the ongoing efforts for cleaner air in Delhi, construction work continues at the complex, even today, that is on 10.01.2025, while the Commission for Air Quality Management (CAQM) has already got announcement of the reimplementation of stricter pollution control measures under Stage III of GRAP. This directly contributes to the worsening air quality, negatively impacting the health of residents, visitors, and workers, as well as the surrounding communities of Sadar Bazar, Filmistan, and Bara Hindu Rao

This letter also refers to previous complaints I have filed regarding various irregularities at the complex, particularly concerning violations of environmental, fire safety, and construction norms by M/s DCM Ltd., M/s Purearth Infrastructure Ltd., and M/s Kamayani Facility Management Pvt. Ltd., the landowner, developer, and maintenance company, respectively of the said Complex (hereinafter referred to individually or collectively as the "**erring parties**"). Despite several complaints and requests for corrective action, these parties continue to carry out illegal construction activities, worsening the already severe pollution conditions in the city.

DEEPAK AGARWAL

P3-0217, PLAZA 3, CENTRAL SQUARE COMPLEX,
20, MANOHAR LAL KHURANA MARG, BARA HINDU RAO, DELHI-110006.
MAIL@DEEPAKAGARWAL.IN

On 09.01.2025, the Sub-Committee on GRAP invoked all actions under Stage-III due to severe air quality, yet the erring parties are disregarding these measures by continuing construction activities. These illegal actions, especially around fire exits and common corridors, are exacerbating the already critical pollution situation. During my visit to the complex today, I observed ongoing violations, such as blocked fire exits and illegal structural changes, despite efforts by the erring parties to prevent documentation of these violations. I managed to capture some evidence in the form of photos and videos, which are attached as "ANNEXURE GRAP3-V/001."

These new illegal actions are further contributing to the already deteriorating state of the city, effectively exacerbating the pollution crisis and pushing the capital closer to becoming a "gas chamber."

The ongoing construction is being carried out in an occupied complex visited by approximately 1500 people daily, with potential risks to health and safety due to obstructed fire escapes and other hazards. I am concerned that these activities may escalate if immediate action is not taken.

It is important to note that upon seeing photographs taken by me and realizing that I may file this complaint, the Erring parties may attempt to halt their activities during the day and instead carry out extensive construction work at night, irrespective of continuity of GRAP 3 regulations. For the past six months, they have been attempting to cover up the significant irregularities they have already committed at the complex, which I have reported to various authorities. While the current photographs show the use of both hammers and heavy machinery, such as hammer drills, and the presence of dust and debris in certain sections of the complex, the overall situation across the entire complex is much worse. If inspected, it will be evident that dust, construction materials, and debris are scattered throughout the common areas, blocking fire escapes in an occupied complex that sees around 1500 visitors daily. Although the violations observed today are limited to specific areas, they could escalate further unless prompt action is taken by the authorities to halt the ongoing construction.

In light of the above, it is requested that directions for an impartial inspection to be carried out by assigning senior and neutral officials to visit the complex and who may consider immediate and prompt and necessary actions against such ongoing illegal activities at the said Complex.

Your intervention is crucial to ensure the health and safety of the residents of Delhi and improve air quality for all.

Yours sincerely


Deepak Agarwal
+91 98112 58285

Annexure: Annexed As Above

ANNEXURE GRAP3-V/001

Some images/ snapshots from photos/videos taken on 10.01.2025 showing construction activities in Violation of GRAP 3 directives passed under the Graded Response Action Plan (GRAP) Level 3 at the three different Plazas, 1,2,3 at Central Square Complex



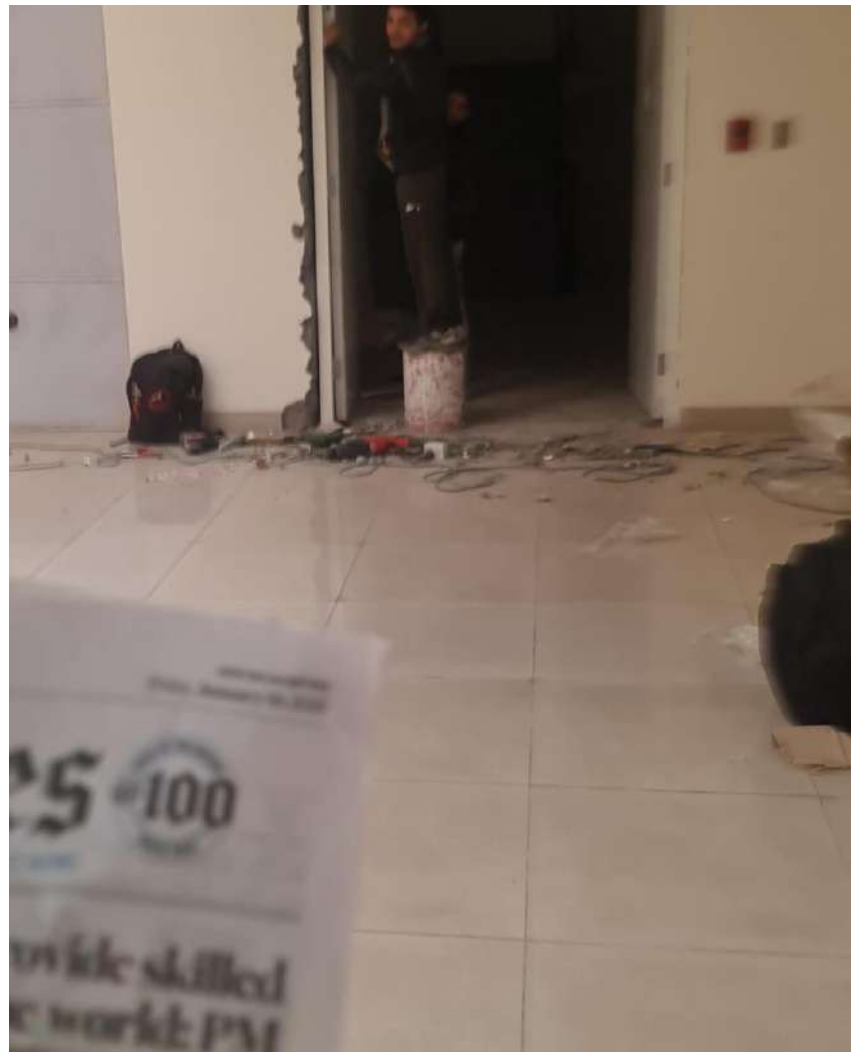
Some images/ snapshots from photos/videos taken on 10.01.2025 showing construction activities in Violation of GRAP 3 directives passed under the Graded Response Action Plan (GRAP) Level 3 at the three different Plazas, 1,2,3 at Centr al Square Complex



Some images/ snapshots from photos/videos taken on 10.01.2025 showing construction activities in Violation of GRAP 3 directives passed under the Graded Response Action Plan (GRAP) Level 3 at the three different Plazas, 1,2,3 at Central Square Complex



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Some images/ snapshots from photos/videos taken on 10.01.2025 showing construction activities in Violation of GRAP 3 directives passed under the Graded Response Action Plan (GRAP) Level 3 at the three different Plazas, 1,2,3 at Central Square Complex



Fwd: Violation of GRAP Level 3 Directives and Ongoing Illegal (Private) Construction Activities

<
prc.cpcb@nic.in
>

==== Forwarded message =====

From: REKHA HEMBROM <prc.cpcb@nic.in>

To: Member Secretary<msdpcc@nic.in>

Cc: SHARANDEEP SINGH<sharandeep.cpcb@nic.in>

Date: Mon, 13 Jan 2025 06:25:19 +0000

Subject: Fwd: Violation of GRAP Level 3 Directives and Ongoing Illegal (Private) Construction Activities

==== Forwarded message =====

महोदय/महोदया,

केंद्रीय प्रदूषण नियंत्रण बोर्ड में प्राप्त शिकायत को जांच एवं आवश्यक कार्रवाई हेतु अग्रसारित किया जाता है। शिकायत की जाँच तथा कार्रवाई की सूचना प्रेषित करने का कष्ट करें।

सादर,

लोक शिकायत प्रकोष्ठ
सदस्य सचिव कार्यालय
केंद्रीय प्रदूषण नियंत्रण बोर्ड
दिल्ली

==== Forwarded message =====

From: BHARAT SHARMA <mccb.cpcb@gov.in>

To: "REKHA HEMBROM" <prc.cpcb@nic.in>

Date: Sun, 12 Jan 2025 22:18:19 +0530

Subject: Fwd: Violation of GRAP Level 3 Directives and Ongoing Illegal (Private) Construction Activities

==== Forwarded message =====

==== Forwarded message =====

From: RE PL <refm.agarwal@gmail.com>

To: <ccb.cpcb@nic.in>, <mccb.cpcb@nic.in>

Cc: "Deepak Agarwal" <mail@deepakagarwal.in>, "M Ghai" <mail@mghai.in>

Date: Fri, 10 Jan 2025 20:34:43 +0530

Subject: Violation of GRAP Level 3 Directives and Ongoing Illegal (Private) Construction