

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

Execution Application No. 50/2023

In

Original Application No. 60/2014

**In the matter of:**

Society for Protection of Culture Heritage Environment  
Tradition and Protection of National Awareness  
(also known as SPCHETNA)

.....Applicant

Versus

Union of  
.....Respondent(s)

India

&

Ors.

**NDOH: 22.05.2025**

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Filed by:

New Delhi:

Dated: 28<sup>th</sup> 05.2025

*Beery*

Delhi Pollution Control Committee

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

Execution Application No. 03/2025

In

Original Application No. 60/2014

**In the matter of:**

Society for Protection of Culture Heritage  
Environment Tradition and Protection of  
National Awareness (SPCHETNA)

.....Applicant

Versus

Union of  
.....Respondent(s)

India

&

Ors.

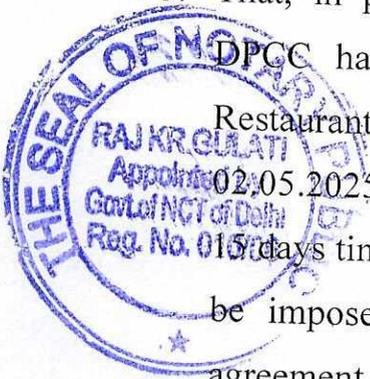
**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE WITH RESPECT TO THE JUDGMENT  
DATED 10.01.2025.**

I, Dr. BMS Reddy, Sr. Environmental Engineer, Delhi Pollution Control Committee, 2<sup>nd</sup> Floor, Vikas Bhawan-II, Civil Lines, Delhi- 110054, do hereby solemnly affirm and state as under:



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

2. That, this Execution Application has been filed by the applicant seeking implementation/compliance of the judgment dated 24.05.2024 passed in Execution Application No. 50/2023 in Original Application No. 60/2014. Vide the judgment dated 24.05.2024, activities at the site in question in violation of the Tribunal's order are continuing and Delhi Pollution Control Committee has also not imposed any Environmental Compensation taking a view which is directly in conflict with the specific order passed by this Tribunal.
3. That, Hon'ble National Green Tribunal taken up the matter on 10.01.2025 and pleased to issue notice to respondents to file response.
4. That the DPCC filed an appeal before the Hon'ble Supreme Court of India, challenging the order dated 10.01.2025, passed by this Hon'ble Tribunal, which was registered as Civil Appeal Diary No. 7674 of 2025. The Hon'ble Supreme Court dismissed the appeal filed by the Delhi Pollution Control Committee {Civil Appeal Diary No. 7674 of 2025}, holding that the National Green Tribunal had committed no error in law or fact in its order dated 10.01.2025.
5. That, in pursuance to this Hon'ble Tribunal order dated 10.01.2025, DPCC has issued Show Cause Notice to Ms/ Jhankar Banquet & Restaurant on 02.05.2025. Copy of the Show Cause Notice dated 02.05.2025 is enclosed herewith as **Annexure-1**. In the show cause notice 15 days time was granted to unit to file response, as to why EC should not be imposed for operating the party lawn in violation of the lease agreement with DDA,



*Kaur*

6. That as per the extant EC policy of DPCC dated 30.03.2022, the activity carried out by the unit falls under the 'Orange' category. In accordance with the penalty provisions in the said policy, the Environmental Compensation (EC) for violations by such industries is ₹3.75 lakhs.
7. That the unit had a valid Consent to Operate (CTO) up to 27.06.2033. Copy of the consent order is enclosed herewith as Annexure-2.
8. In view of the above, the present action taken report may kindly be taken on record.

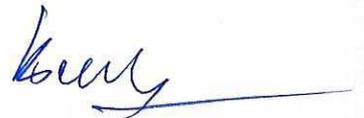
**DEPONENT**VERIFICATION

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

20 MAY 2025

Verified at New Delhi on this \_\_\_ day of May, 2025.

20 MAY 2025

**DEPONENT**

**ATTESTED**  
  
**NOTARY PUBLIC  
GOVT. OF NCT OF DELHI**



Annexure-1

By Speed Post

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	<p style="text-align: center;"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>3<sup>rd</sup> FLOOR, BLOCK-I, DMRC IT PARK BUILDING,</b>  <b>SHASTRI PARK, DELHI-53</b>          ( visit us at website : <a href="http://dpcc.delhigovt.nic.in/">http://dpcc.delhigovt.nic.in/</a> )</p>	
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DPCC/(10)(01)/(02)/Leg-25/805

Date: 02/05/2025

To,

M/s Jhankar Banquet & Restaurant Asiad Tower,  
 Asiad Tower, Khel Gaon,  
 New Delhi-110049.

**Subject :- Show Cause Notice for imposition of Environmental Compensation (EC) - reg**

Whereas, Central Pollution Control Board has delegated all its powers and functions under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, as amended to date, in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide Notification dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (1) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981, as amended to date, vide Notification of Ministry of Environment & Forest, Govt. of India, No. GSR 106 (E) Dated 20.02.1987.

And whereas, in EA No. 50/2023 in OA No. 60/2014 and the Hon'ble Tribunal pronounced judgment on 24.05.2024, in the judgment following directions were passed:

“....

16. It is undisputed before the Tribunal that the respondent no. 3 is using the green area of 18500 sqm. at the Siri Fort Sports Complex for marriage parties etc. without running the Tower Restaurant and he has acted contravention of order of the Tribunal in dated 10.07.2015 passed in original application no. 60/2014 as modified by the order dated 31.07.2017 in Review application no. 23/2015. Therefore, the respondents are required to take immediate action to ensure that the respondent no. 3 uses the green area of 18500 sqm strictly in terms of the order of the Tribunal. The respondent no. 3 has violated the order of the Tribunal and has use the green area of 18500 sqm unauthorizedly, therefore, for past violation Environmental Compensation (EC) is also required to be imposed.....”

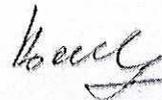
And whereas, The Hon'ble Green Tribunal's in Execution Application No. 03/2025 in Original Application No. 60/2014 Titled as “SPCHETNA vs Delhi Development Authority & Others passed an order dated 24.05.2024, activities at the site in question in violation of the Tribunal's order are continuing and Delhi Pollution Control Committee has also not imposed any environmental compensation taking a view which is directly in conflict with the specific order passed by this Tribunal.

*Handwritten signature*

Now therefore, in view of the above, it is proposed to levy Environmental Compensation of Rs 3,75,000/- (Rupees Three lakhs seventy Five Thousand Only) for operating the party lawn in violation of the lease agreement with DDA.

Hence, by way of this notice, the addressee unit is hereby given an opportunity to submit reply as to why the aforesaid proposed Environmental Compensation of Rs 3,75,000/- (Rupees Three lakhs Seventy Five Thousand Only) should not be confirmed. The reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues as per the approval of Member Secretary, DPCC.



Incharge, CMC-II  
Email ID: bmsreddy.dpcc@delhi.gov.in

**Dr.B.M.S. Reddy**  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
3<sup>rd</sup> Floor Block-1 DMRC IT Park  
Shastri Park Delhi-110053