

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

**M.A. No. 75/2022
In
Original Application No. 400/2022**

In the matter of:

Sh. Hirdey Kumar Goel & Ors.

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

NDOH;- 19.10.2023

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Filed By

(P.S. Pankaj)

Sr. Environmental Engineer,
Delhi Pollution Control Committee

Dated: 18th October, 2023

Place: Delhi

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

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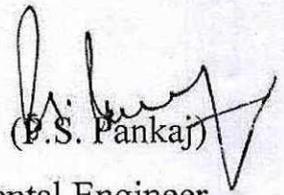
**STATUS REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED
06.09.2023.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That in compliance with the order dated 28.04.2023 passed by this Hon'ble Tribunal, DPCC filed the compliance report through email on 05.06.2023, which is available on the records of this Hon'ble Tribunal.
2. That, Hon'ble National Green Tribunal has considered the report on 06.09.2023 and pleased to pass following direction:-
 - a) No action plan has been submitted for utilization of the amount for restoration/improvement of environment in the area.
 - b) The DPCC is directed to produce copies of orders passed by SDM, Vivek Vihar and DPCC regarding imposition of the penalties and also to
 - i. verify the number of rainwater harvesting systems installed in the premises by the Project Proponent,

pollution. The project proponent has deposited the Environmental Damages Charges of Rs 50,000/- to DPCC against show cause notice. Copy of the show cause notice dated 26.08.2022 is enclosed herewith as ANNEXURE-3.

6. That with regard to utilization of amount of Rs. 1,50,000/- received by DPCC from project proponent, a committee is being formed consisting of DPCC and CPCB officials.
7. The present status report may kindly be taken on record.


(P.S. Pankaj)

Sr. Environmental Engineer

Delhi

Dated: - 18th October, 2023

Joint Inspection Report

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In compliance of Hon'ble NGT order dated 06.09.2023 in M.A In disposed of case No. 75/2022 in OA No. 400/2022 in the matter of "Hirdey Kumar Goel & Ors Vs Govt. of NCT of Delhi & Ors.", a joint team comprising of officials of DPCC, DJB, Deputy Conservator of Forests (Central Division) and District Magistrate (Shahdara) Delhi visited the site as mentioned in the said order and following observation were made:

In compliance of Order of Hon'ble NGT order dated 06.09.2023 in M.A In disposed of case No. 75/2022 in OA No. 400/2022 in the matter of "Hirdey Kumar Goel Vs Govt. of NCT of Delhi & Ors." a joint inspection of the site at Ashoka Niketan, Anand Vihar, Delhi-110092 was carried out on 06.10.2023 by the officials of DPCC, DJB & DC/DM (Shahdara). No official present during the said joint inspection. During inspection following observations are made:-

- ① The 2 nos. of bore well provided within the complex which sealed earlier in the presence of officials of DPCC, DJB & DC/DM (Shahdara) is found intact today i.e 06.10.2023
- ② The rainwater harvesting structure found at site is not in consonance with the prevailing specifications promulgated by Delhi Jal Board (DJB). It is to add that the design calculations of said Rain Water Harvesting structure could not be verified for want of roof surface area as well as the dimensions of said structure. No owner or representative of owner was present for showing the plan of said complex.
- ③ At present, no construction activity was taking place at the said premises.

Signature of Officials of DPCC
 06/10/2023
 Amit Kumar
 J.E. DPCC
 Anandeshu Srivastava

Signature of officials of DC/DM (Shahdara)
 06/10/2023
 Ravi K

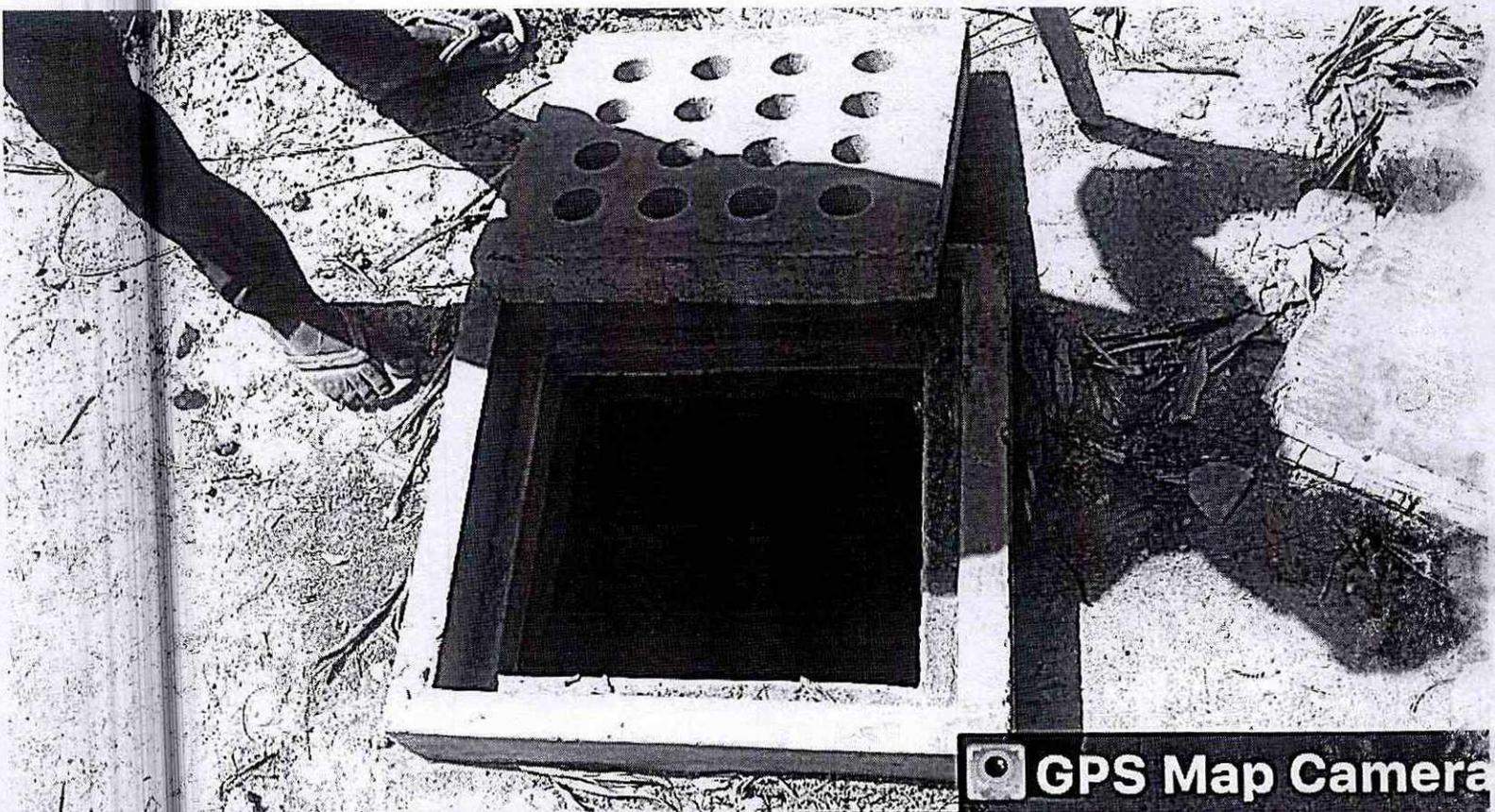
Signature of Officials of DJB
 Rajiv Garg

Signature of Officials of Deputy Conservator of Forests (Central Division)
 NO representative present

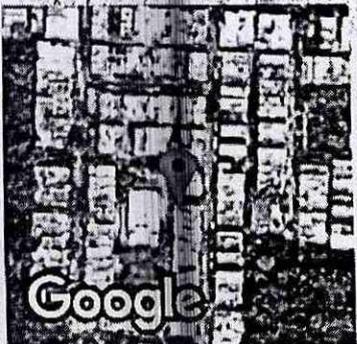
RAJIV GARG

File No. DPCC/CMC-I/NGT/OANo.400/2022 (Computer No. 180821)

1360514/2023/CMC 1 DPCC



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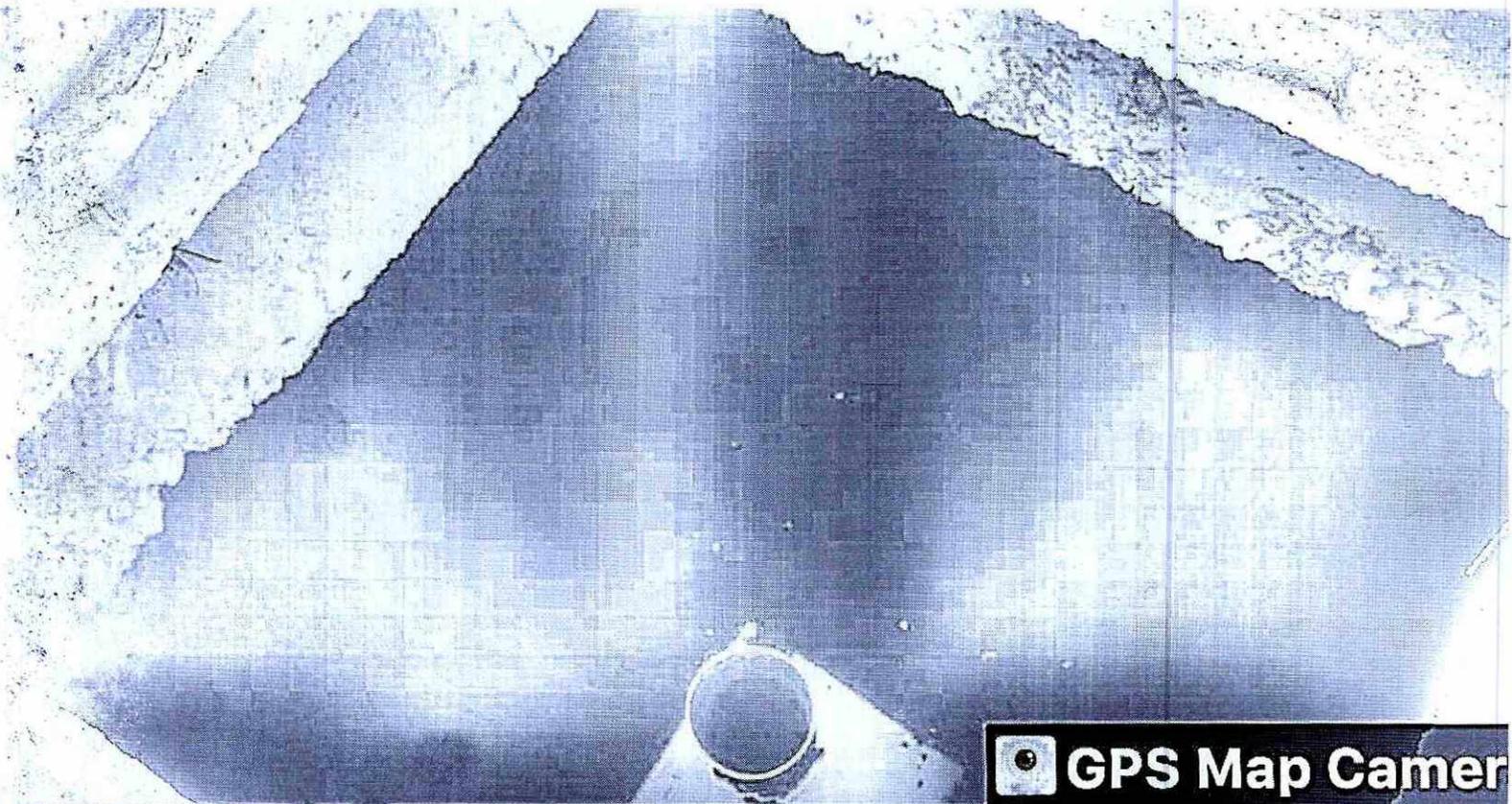
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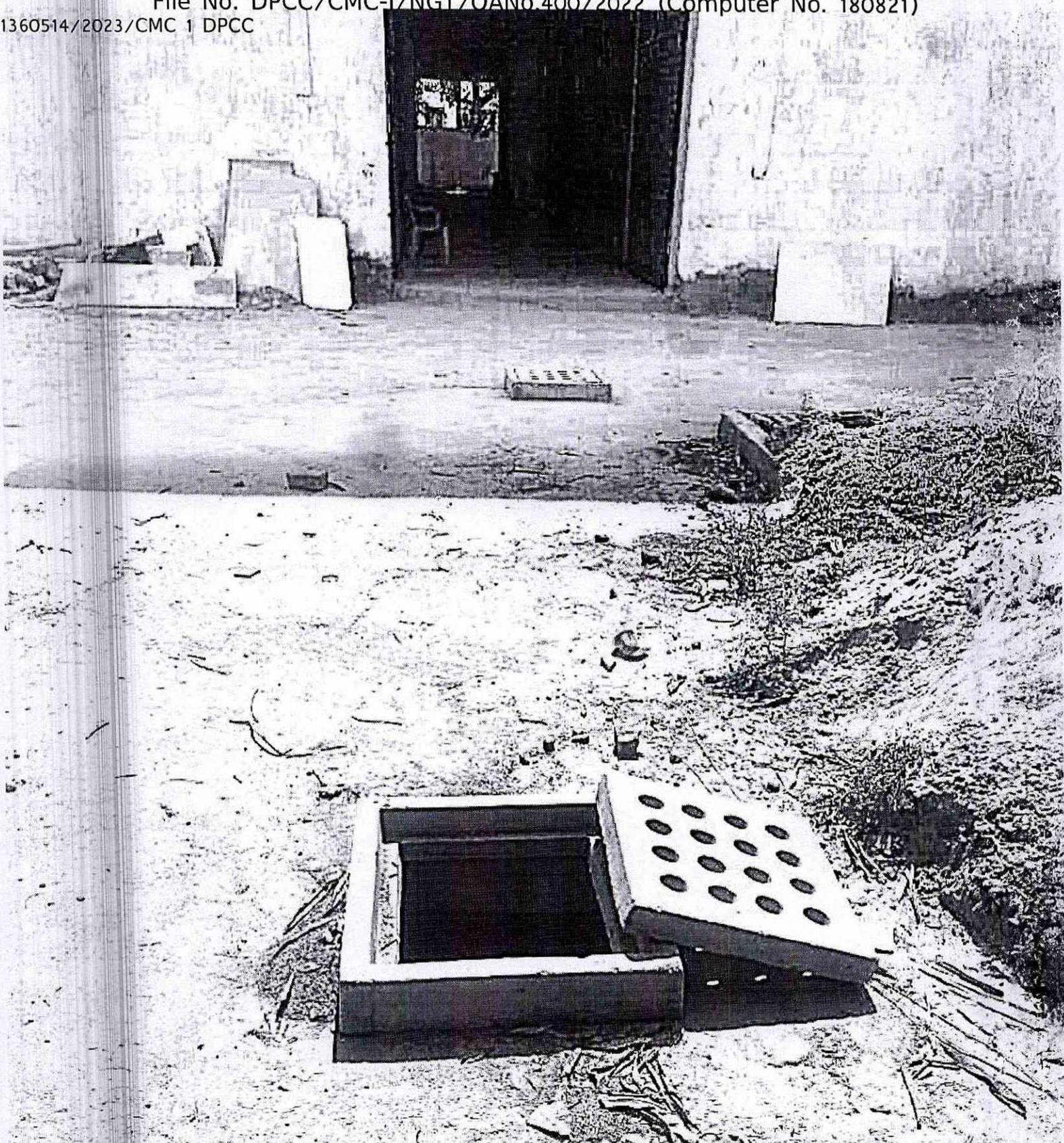
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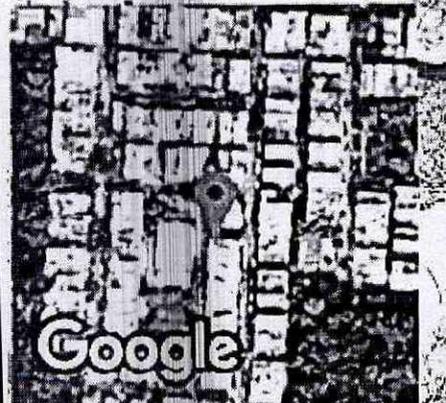
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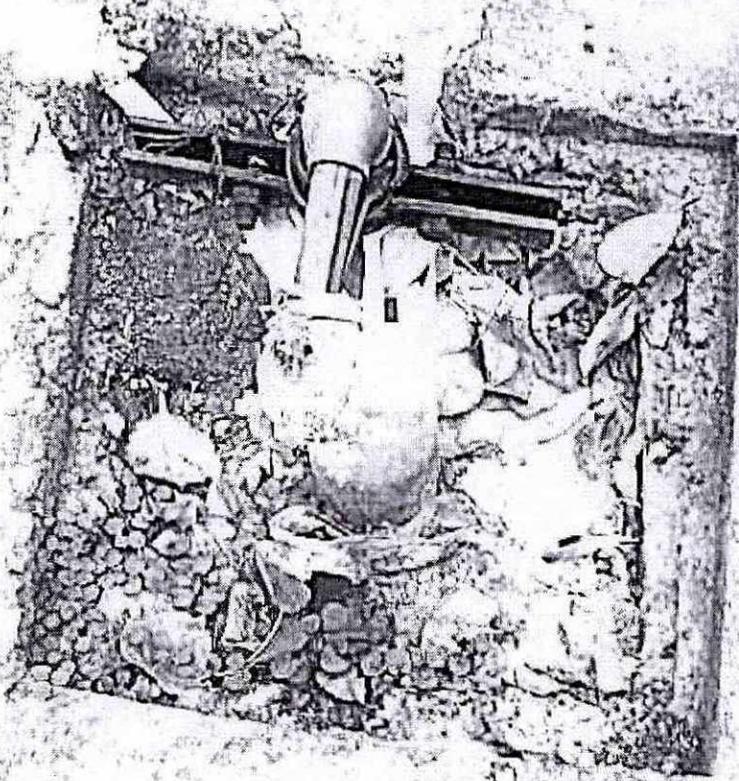
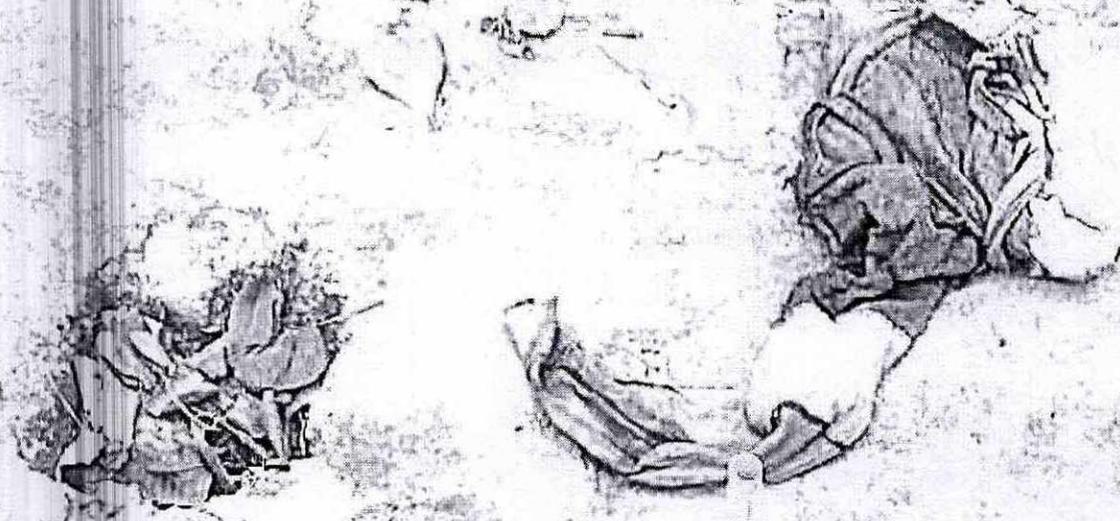


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Google



GPS Map Camera



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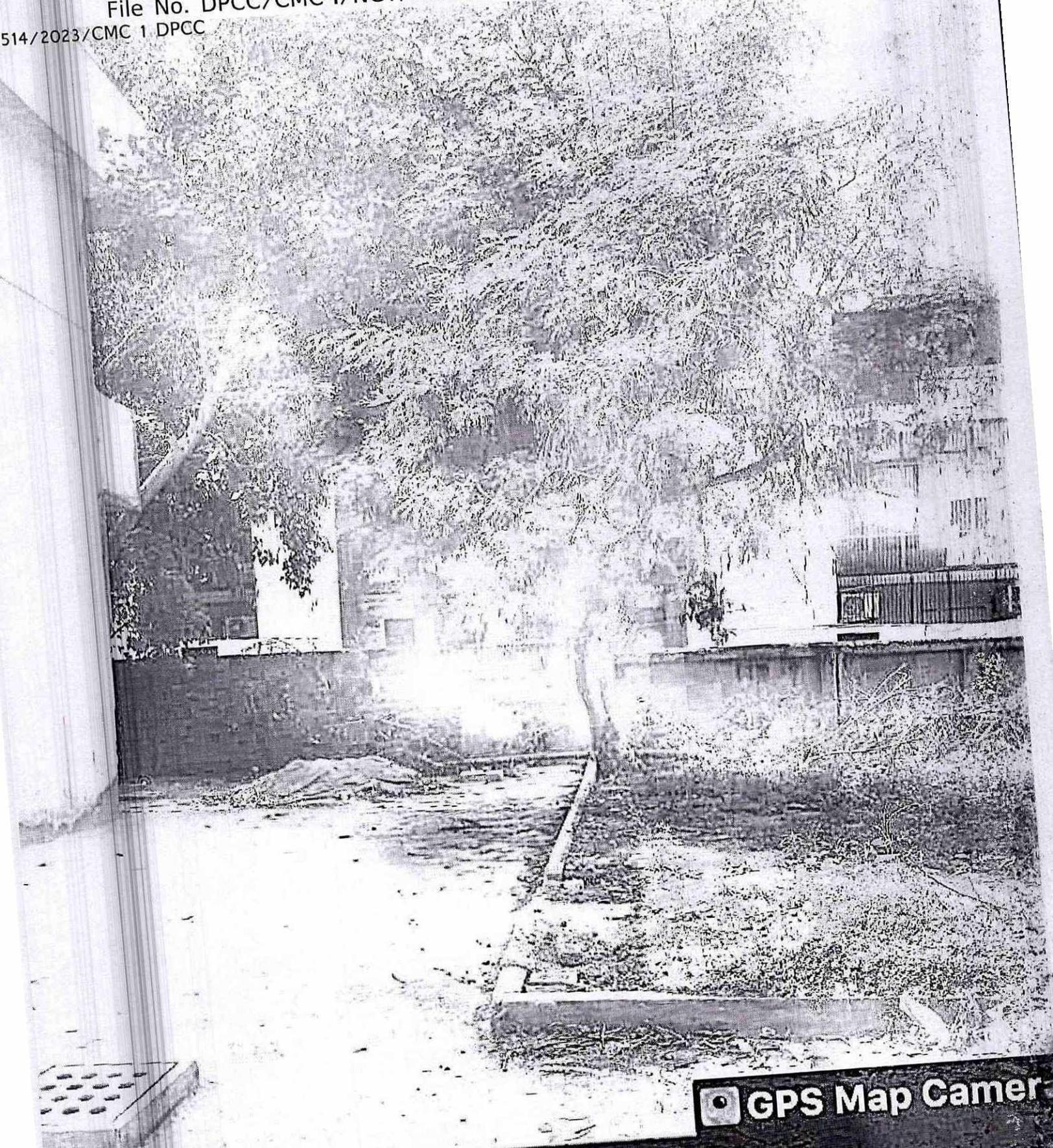
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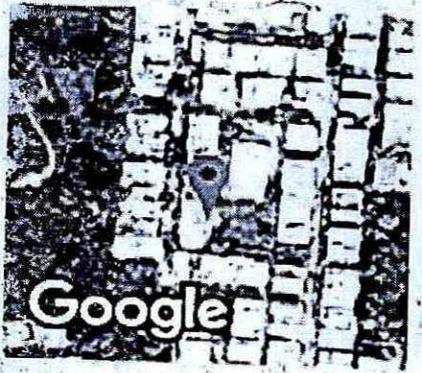
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514/2023/CMC 1 DPCC



 **GPS Map Camer**



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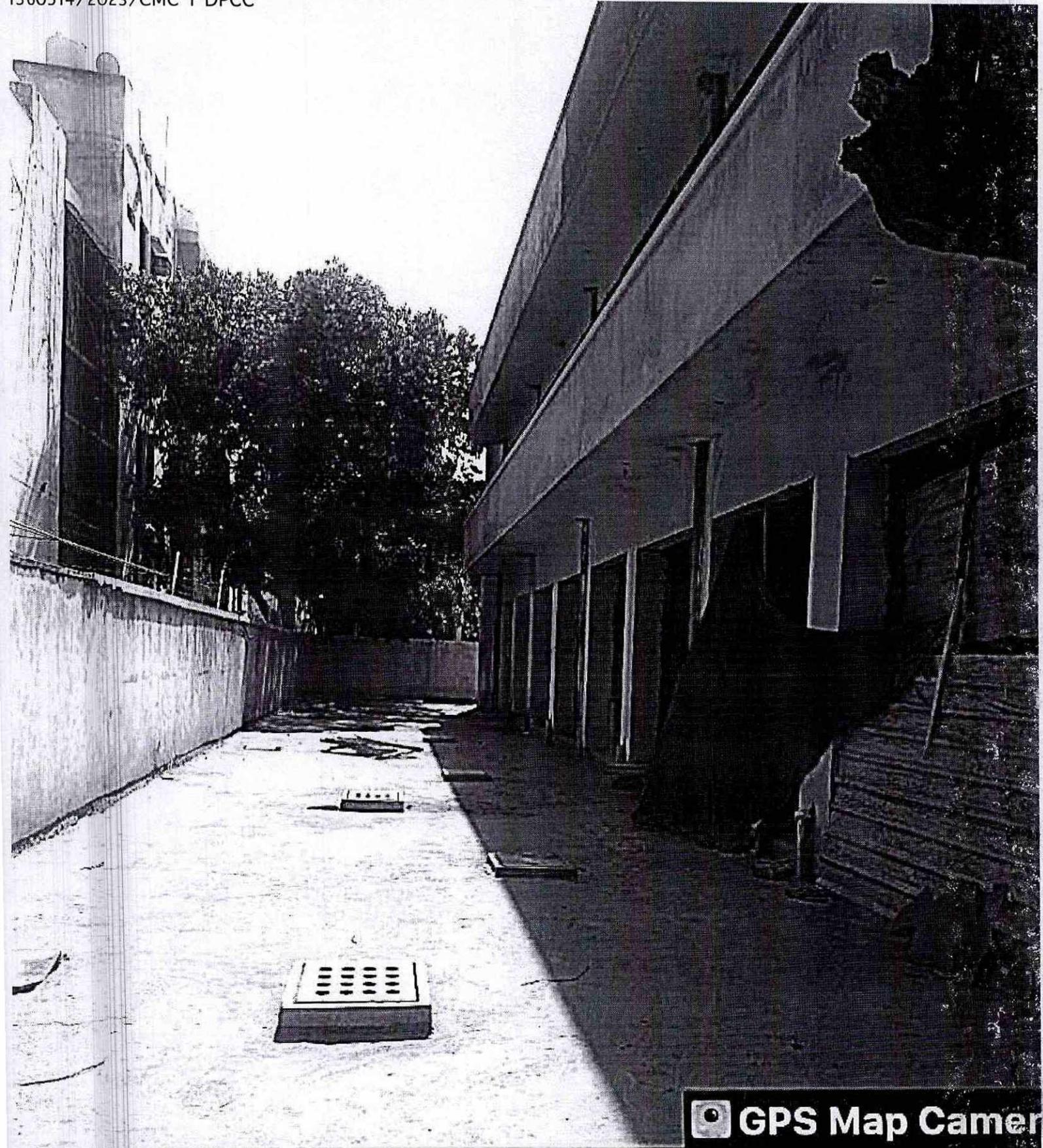


GPS Map Camera

Delhi, Delhi, India
 169, near Yamuna Sports Complex, opp. Ashoka Niketan,
 Block A, Vigyan Vihar, Surajmal Vihar, Delhi, 110092, India
 Lat 28.65819°
 Long 77.3134°
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File No. DPCC/CMC-I/NGT/OANo.400/2022 (Computer No. 180821)

1360514/2023/CMC 1 DPCC



 **GPS Map Camera**



Delhi, Delhi, India

**M857+F8G, Block A, Ashoka Niketan, Anand Vihar, Delhi,
110092, India**

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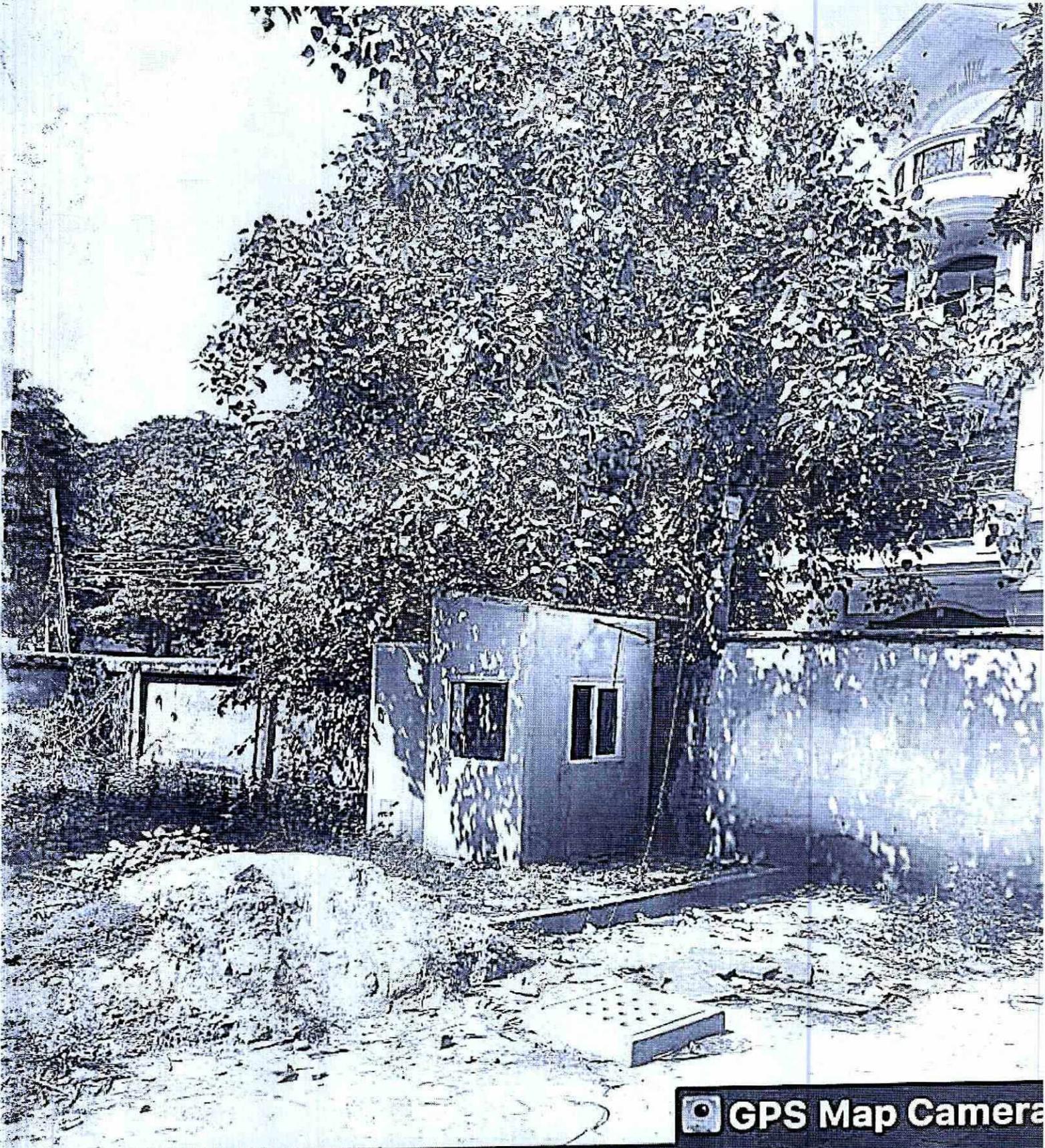
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GPS Map Camera



Delhi, Delhi, India
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110092, India
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Long 77.3135°
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1360514/2023/CMC 1 DPCC



 **GPS Map Camera**



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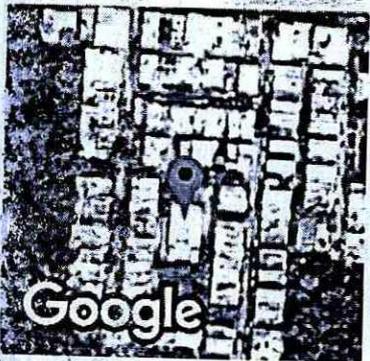
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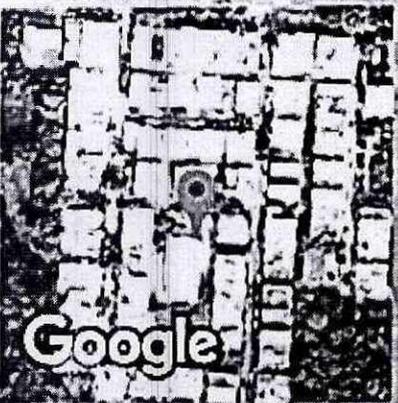
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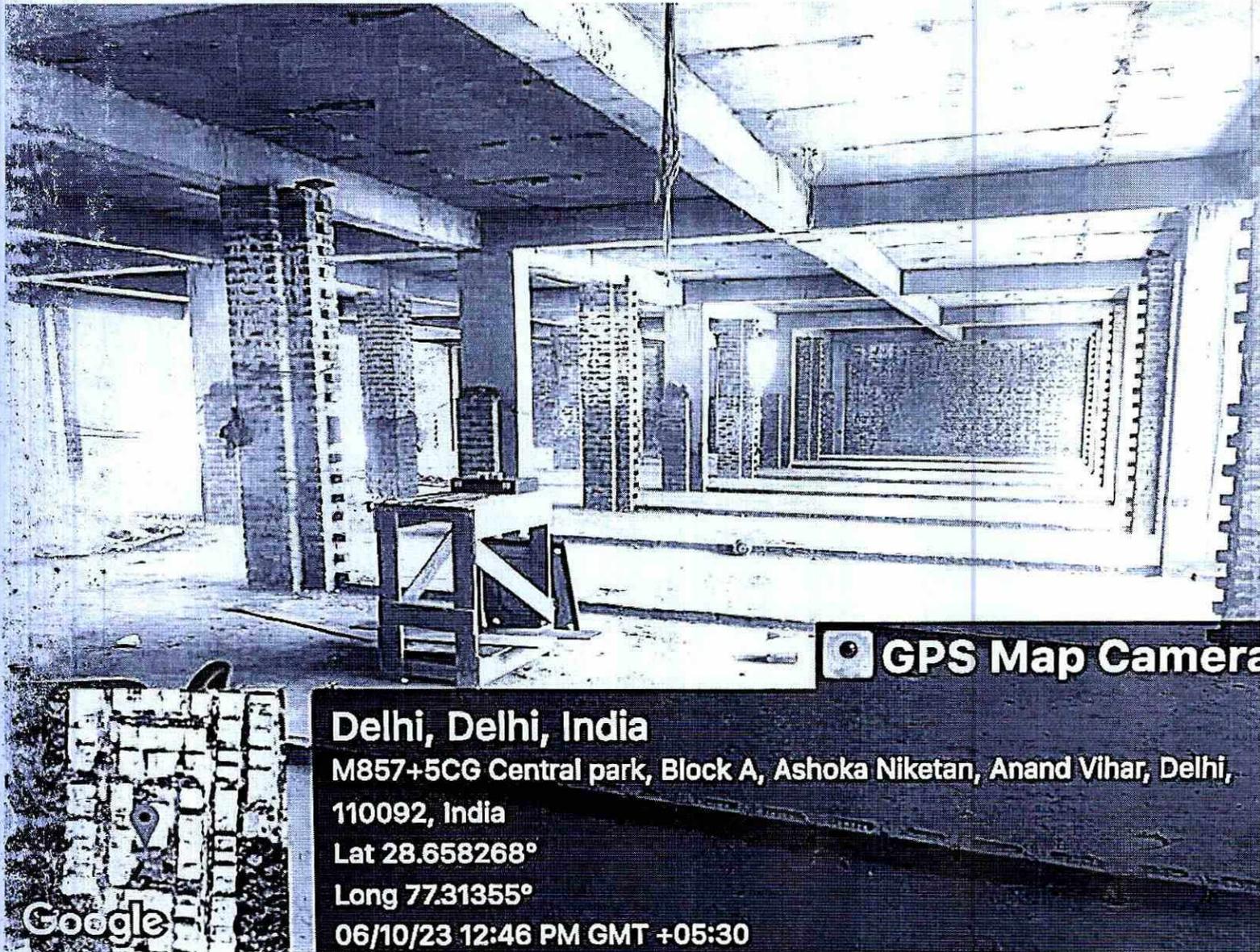


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 110092, India
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17



File No. DPCC/CMC-I/NGT/OANo.400/2022 (Computer No. 180821)

1360514/2023/CMC 1 DPCC



 **GPS Map Camera**



Delhi, Delhi, India

Arya's b20, Block B, Ashoka Niketan, Anand Vihar, Delhi, 110092, India

Lat 28.658656°

Long 77.313674°

06/10/23 01:11 PM GMT +05:30

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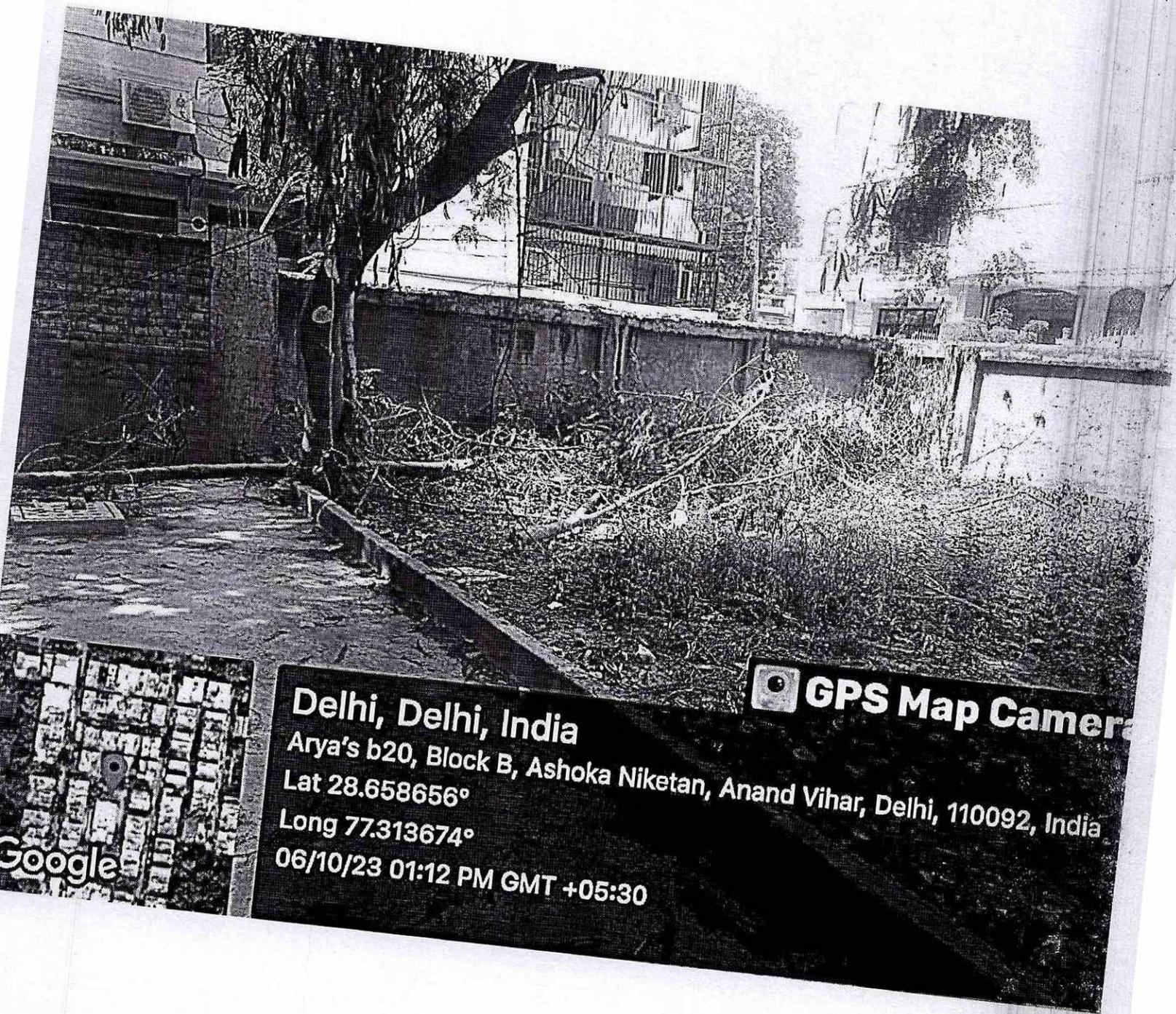


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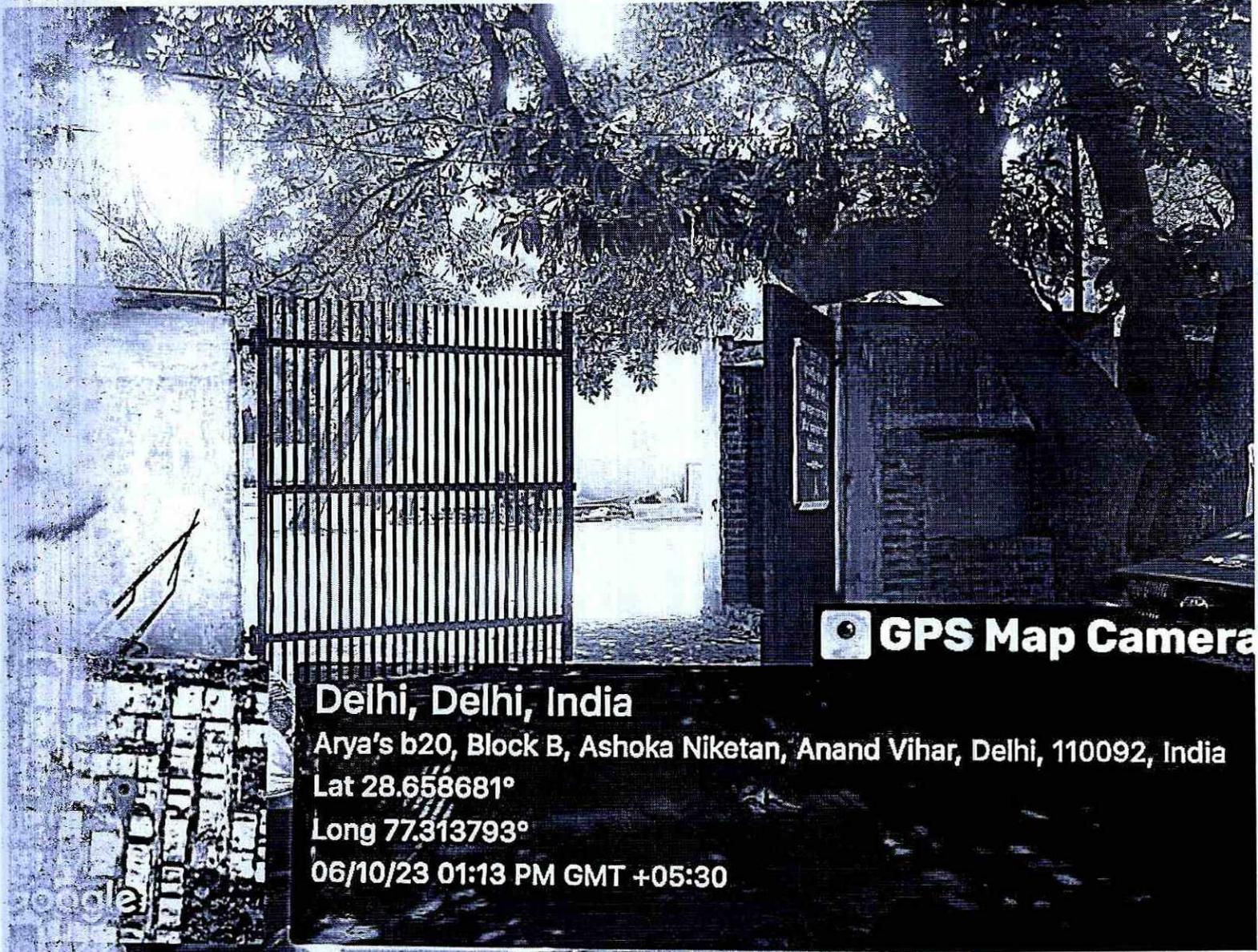


Delhi, Delhi, India
 Arya's b20, Block B, Ashoka Niketan, Anand Vihar, Delhi, 110092, India
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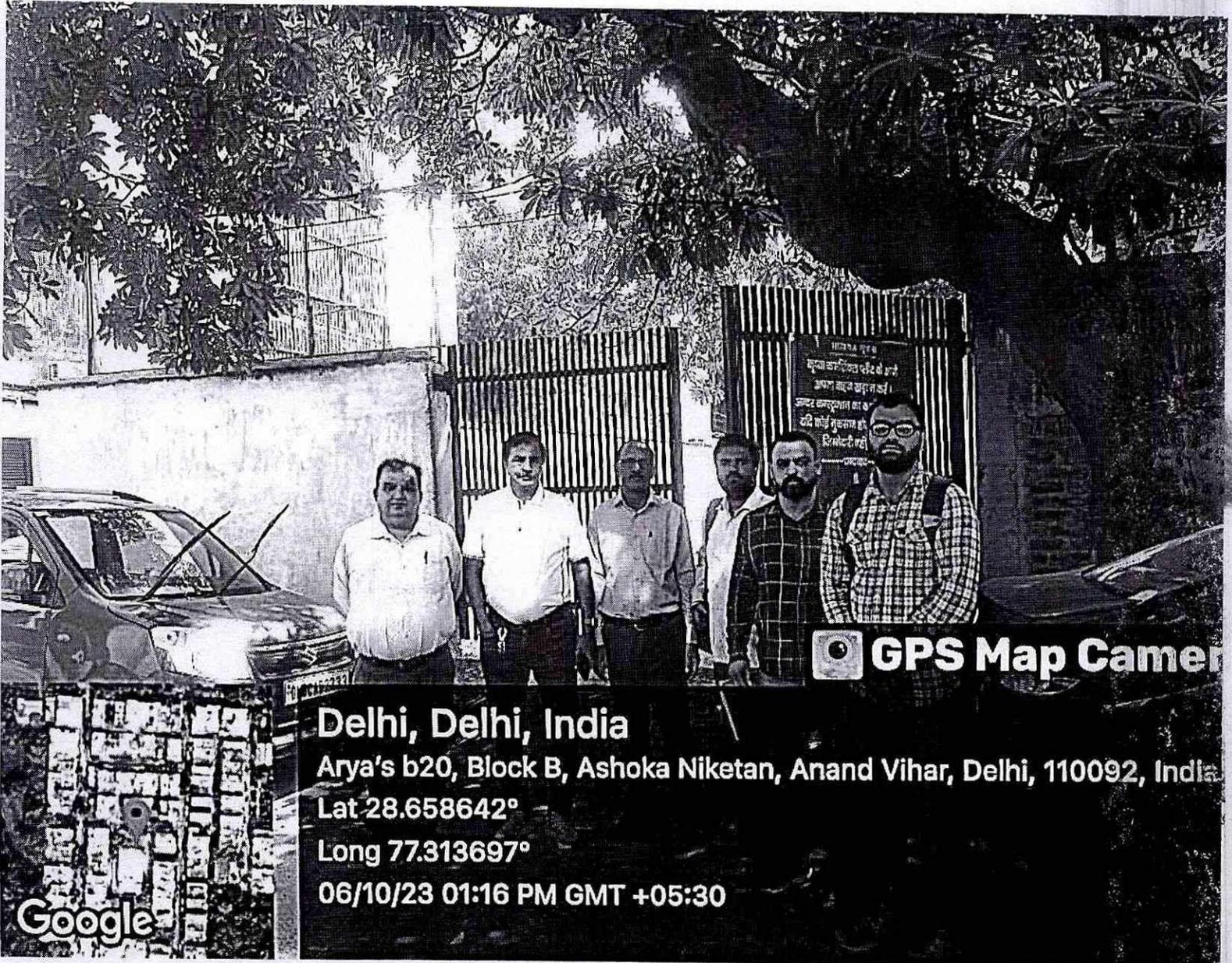


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File No. DPCC/CMC-I/NGT/OANo.400/2022 (Computer No. 180821)

360514/2023/CMC 1 DPCC

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 **GPS Map Camera**

Delhi, Delhi, India

M857+F8G, Block A, Ashoka Niketan, Anand Vihar, Delhi, 110092, India

Lat 28.658558°

Long 77.313665°

06/10/23 01:12 PM GMT +05:30



Annexure-2

OFFICE OF THE SUB-DIVISIONAL MAGISTRATE: VIVEK VIHAR
DISTRICT SHAHDARA, REVENUE DEPARTMENT, GNCTD,
G-BLOCK, D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

F.No.SDM/V.V/Submersible/Scaling/2022/969/-98

Dated: 06/08/2022

SEALING ORDER

In pursuance of the notification/order No. F8(348)/EA/Env/09/1041-1061 dated: 18.05.2021 issued by Department of Environment, Govt. of GNCT of Delhi, to exercise powers under Section 5 of the Environment (Protection) Act, 1986 for the National Capital Territory of Delhi and to issue directions thereunder, to any operation or process or stoppage or regulation of the supply of electricity or water or any other services.

And whereas, in compliance to the direction passed in above said order no Person, Group, Authority, Association or Institution is allowed to extract the Ground Water through Borewell/Tubewell/Submersible for Domestic, Commercial or Industrial use without obtaining the prior permission from the Competent Authority.

And whereas a joint inspection by the officers/officials of SDM (Vivek Vihar) DPCC & DJB was constituted against original application No. 400/2022 *Hidey Kumar Goel & Ors Versus Govt. of NCT of Delhi in which two Borewell were found at the site namely M/s Sun City Project Pvt. Ltd at Ashoka Niketan Complex, Opposite to H. No. B-28-29, Ashoka Niketan, Anand Vihar, Delhi-92 in compliance to the above said order.

And whereas, on enquiry by the team it was found that the above mentioned property where the said Borewell/Tubewell/Submersible installation was in progress/installed belongs to you.

And whereas, as per joint inspection committee report two borewell found in the premises which were working without permission from the concerned authorities accordingly both borewell were sealed by officials of SDM Vivek Vihar, Delhi at the spot.

And whereas, illegal extraction of ground water without any permission can result in drying up of Ground Water resources and may also affect water quality.

Now, therefore, in exercise of the powers conferred by section 5/15 of Environment Protection Act 1985 I hereby seal the Borewell/Tubewell/Submersible installed at the above mentioned address with immediate disconnection of Electric Supply to the said Borewell/Tubewell/Submersible and with the direction to deposit the penalty amount of Rs. 50,000/- each (Rs. Total 2,00,000/- (One Lakh Rupees) only through Demand Draft in favour of DPCC, Account No-10166741672, IFSC SBIN0005715, SBI, Kashmere Gate, Delhi within 07 days under intimation to this office for violation of Environment Protection Act.

To,

M/s Sun City Project Pvt. Ltd at LGF-10, Vasant Square,
Plot-A, Sector-B, Pocket-V, Community Centre, Vasant Kunj, New Delhi-110070

KAMLESH JINDAL, DAJCS
SDM, VIVEK VIHAR
DISTRICT SHAHDARA



Copy for information & necessary action to:-

1. PA to District Magistrate (Shahdara)
2. Sr. Environmental Engineer, Consent Management Cell-1, Delhi Pollution Control Committee, 4th Floor, ISBT, Building, Kashmere Gate, Delhi-06.
3. Executive Engineer, Delhi Jal Board, office of the Executive Engineer (M)-59, E-Block Park, Preet Vihar, Delhi-110092.
4. Dy. Conservator of Forest (Central Division) Kamla Nehru Ridge, Delhi-110007.
5. The General Manager (BSES) Yamuna Power Ltd, 3rd Floor, Shakti Kiran Building, Karkardooma, Delh.
6. S.H.O. P.S-Anand Vihar, Delhi for information and necessary action.
7. Executive Magistrate (Vivek Vihar) District Shahdara.

KAMLESH JINDAL, DAJCS
S.D.M. VIVEK VIHAR
DISTRICT SHAHDARA

