

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

Original Application No. 270/2023

In the matter of:

Shrankhla Mittal

...Applicant

Versus

Govt. of NCT of Delhi & Others

...Respondents

NDOH:- 14.12.2023

INDEX

S. No.	Particular	Page No.
1.	Status report on behalf of DPCC with respect to order dated 06.11.2023.	1-6
2.	<u>ANNEXURE-1(Colly)</u> Copy of the SCNs, letters written to SDM and MCD.	7-15

Filed by:

(Delhi Pollution Control Committee)

Respondent

New Delhi:

Dated: 07.12.2023

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

Original Application No. 270/2023

In the matter of:

Shrankhla Mittal

...Applicant

Versus

Govt. of NCT of Delhi & Others

...Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTON
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED
06.11.2023.**

1. That this Hon'ble Tribunal took up the above referred matter on 20.04.2023 with regard to 4 mentioned restaurants/ bars and cafes which have been running Live Music Events on open Rooftops, using loudspeakers and other sound equipment's at Hauz Khas Village, in violation of Noise Pollution (Regulation and Control) Rules, 2000.
2. That in compliance with the order dated 20.04.2023, DPCC filed the status report through email dated 25.08.2023 with regard to mentioned units.

3. That this Hon`ble Tribunal took up the matter on 29.08.2023 and 06.11.2023 and was pleased to direct DPCC to file report regarding realization of the environmental compensation imposed by SDM (Hauz Khas) and as well as the status of other units working in the same vicinity.
4. That in compliance to the orders passed by this Hon`ble Tribunal, a joint team consisting of officials of MCD, SDM (Hauzkhas) and DPCC carried out inspections from 06.10.2023 to 28.10.2023. Inspection findings and observations of the joint team are as follows:--

(a) Compliant units:

S. No.	Name of the Unit
1	M/s. Match Box (A unit of AVV Hospitality, Plot No. 9A) 3 rd Floor, Hauz Khas Village New Delhi-16
2	M/s. Rehab CAFE (A unit of TATVA Hospitality 30, 2 nd Floor, Bar Portion, Hauz Khas Village New Delhi-16
3	M/s. Imperfecto (A unit of Cibo Hospitality Pvt. Ltd.) 1A/1, Hauz Khas Village New Delhi-16.
4	M/s. Hauz Khas Official (A unit of Abrosia Hospitality Pvt. Ltd.) Plot No. 28, 1 st Floor, Hauz Khas Village New Delhi-16.
5	M/s. Epic Restro Bar, Building no. 8A, First Floor, Hauz Khas Village New Delhi-16.
6	M/s. Barsoom A unit of Space Case Restaurant Pvt. Ltd. 26, 3 rd Floor, Hauz Khas Village New Delhi-16

7	M/s. Downtown village A unit of Ragee Entertainment, Prop. No. 26, first floor, Hauz Khas Village New Delhi-16
8	Wow Momo, Prop No-8A, GF, Hauzkhas Village
9	Strings Musical Bar, Prop No-1A, Second Floor Hauzkhas, Delhi-16
10	Bootlegger Restro Bar, 3rd Floor, 1-A, Hauzkhas village Delhi-16
11	Mia Bella Café, 50-E, SF &TF Main Hauz Khas village, Delhi-110016
12	Lakeview Bistro, Plot No-12-B, GF, Hauzkhas Village, elhi-110016

(b) Non compliant units:-

S. No.	Name of the unit	Action taken till 28.11.2023
1	M/s. FORK YOU, Building No- 30, 1 st floor Hauz Khas New Delhi-16	<ul style="list-style-type: none"> • SCN for imposition of environmental compensation of Rs. 7,50,000/-. • SDM (Hauzkhas) was issue challan as per the violation of Noise Rules,2000 Rs. 10,000/- • A letter was issued to the Commissioner, MCD on 16.11.2023 to take necessary action as the unit is operating illegally without MCD license.
2	M/s. SONIDO A unit of hill light Restaurant Pvt. Ltd. Ground Floor, 30-A, Hauz Khas Village New Delhi- 110016.	<ul style="list-style-type: none"> • SDM (Hauzkhas) has issued challan as per the violation of Noise Rules,2000 Rs. 10,000/-

3	M/s. The Mansion (A unit of Divine Hospitality), Shop No- T-6B, 3 rd Floor , Hauz Khas Village New Delhi-16.	<ul style="list-style-type: none"> • SCN u/s 33(A) of Water Act, and u/s 31(A) of Air Act was issued on 16.11.2023 to the unit.
4	M/s. The Red Frog Bar and Kitchen Prop. No. 26, 2 nd Floor, Hauz Khas Village New Delhi-16.	<ul style="list-style-type: none"> • SCN u/s 33(A) of Water Act, and u/s 31(A) of Air Act was issued on 16.11.2023 to the unit.
5	M/s. The Heaven Box Bar HKV Bar & Kitchen 1A, First Floor Hauz Khas Village Eating house, Delhi- 110016.	<ul style="list-style-type: none"> • SCN u/s 33(A) of Water Act, and u/s 31(A) of Air Act was issued on 16.11.2023 to the unit.
6	Coast Café,A unit of Ms Ogaan Retail Pvt Ltd, H2 2nd Floor, Hauzkhas village, Delhi-110016	<ul style="list-style-type: none"> • SCN u/s 33(A) of Water Act, and u/s 31(A) of Air Act issued alongwith imposition of environmental compensation of Rs. 7,50,000/-.
7	Coast Café,A unit of Ms Ogaan Retail Pvt Ltd, H2 3rd Floor, Hauzkhas village, Delhi-110016	<ul style="list-style-type: none"> • SCN u/s 33(A) of Water Act, and u/s 31(A) of Air Act issued alongwith imposition of environmental compensation of Rs. 7,50,000/-.
8	Record Room, First floor 9A, Hauzkhas Village, Delhi-110016	<ul style="list-style-type: none"> • A letter was issued to the Commissioner, MCD on 16.11.2023 to take necessary action as the unit is operating illegally without MCD license.
9	Hustle Bar, 30-B, 2nd Floor, Hauzkhas Village, Delhi-110016	<ul style="list-style-type: none"> • SCN for imposition of environmental compensation of Rs. 7,50,000/- issued • A letter was issued to the Commissioner, MCD on 16.11.2023 to take necessary action as the unit is operating illegally without MCD license.

10	M/s. Social AND TINUR (A unit of EPIPHANY Hospitality Pvt. Ltd.) 1 st Floor of 9A, 12 & T 12A and 2 nd Floor of 9A & 12, Hauz Khas Village New Delhi-16.	SDM (Hauzkhas) has issued the spot challan as per the Noise Rules, 2000 @ Rs. 10,000/- due to the operation of DJ beyond permissible time.
11	M/s. NYT LIFE (A unit of Night Flyers Kitchen & Bar Pvt. Ltd.), Prop. No. 1A/1, 2 nd Floor Hauz Khas Village New Delhi-16.	SDM (Hauzkhas) has issued on the spot challan as per the Noise Rules, 2000 Rs. 10,000/- due to the operation of DJ beyond permissible time.

5. That in nutshell following is the status of inspection (including the units covered under previous orders) in the area:

Total units inspected:	23
Compliant units (where no action under Env. Laws has been taken)	12
Non-compliant units (where action under Env. Laws has been initiated)	11
EDC imposed by SDM for violation of Noise norms till date on restaurants in the area	No. of Units : 10
	Amount imposed : Rs. 1,00,000/- (@ Rs. 10,000/- per unit)
EDC recovered so far	Rs. 10,000/-

SCN for imposition of EDC by DPCC for violation of Air Act-1981 And Water Act-1974	No. of Units : 4
	Amount proposed to be imposed : Rs. 30,00,000/- (Rupees thirty lakh only)

6. That, further action on the Show Cause Notices issued under the Environmental laws as well as for imposition of Environmental Compensation shall be taken as per the response of the units and as per provisions of law. Copy of the SCNs issued by DPCC and letters written to SDM and MCD have been placed at **Annexure 1 (Colly)**

7. In its Status Report filed before Hon'ble NGT, SDM (Haus Khas) had mentioned that it had imposed Environmental Compensation on 5 units on 27/05/2023 @ Rs. 10,000/- per unit. Subsequently, in second phase, SDM has imposed EC on 5 units @ Rs. 10,000/- per unit. Out of the EC imposed of total Rs 1,00,000/-, Rs. 10,000/- have been received in DPCC.

8. The present status report may kindly be taken on record.


(Ajeeta Dayal Agrawal)
Sr. Environmental Engineer

Dated:-

Place:- Delhi

Annexure-1 (Colly)

By Speed Post (7)

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
--	---	---

File No.DPCC/CMC-II/NGT OA No.270/2023/ 8585

Date: 16/11/2023

Subject: Show Cause Notice under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s. The Mansion (A unit of Divine Hospitality), Shop No- T-6B, 3rd Floor , Hauz Khas Village New Delhi-16 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

- 1.That the addressee unit shall be directed to stop operations of the unit with immediate effect.
- 2.That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
- 3.That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
- 4.That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.

Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your 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 competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s. The Mansion (A unit of Divine Hospitality), Shop No- T-6B, 3rd Floor , Hauz Khas Village New Delhi-16.

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
---	--	---

File No.DPCC/CMC-II/NGT OA No.270/2023/ 8586

Date: 16/11/2023

Subject: Show Cause Notice under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s. The Red Frog Bar and Kitchen Prop. No. 26, 2nd Floor, Hauz Khas Village New Delhi-16 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

1. That the addressee unit shall be directed to stop operations of the unit with immediate effect.
2. That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
3. That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
4. That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.

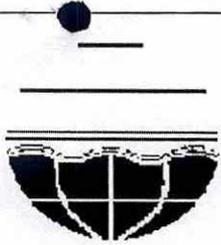
Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s. The Red Frog Bar and Kitchen Prop. No. 26, 2nd Floor, Hauz Khas Village New Delhi-16.



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT
(GOVT. OF NCT OF DELHI)
2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER
BELA ROAD, CIVIL LINES DELHI-54
 (visit us at website : <http://dpcc.delhigovt.nic.in/>)



File No.DPCC/CMC-II/NGT OA No.270/2023/ 8587

Date: 16/11/2023

Subject: Show Cause Notice under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s. The Heaven Box Bar HKV Bar & Kitchen 1A, First Floor Hauz Khas Village Eating house, Delhi- 110016 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

- 1.That the addressee unit shall be directed to stop operations of the unit with immediate effect.
- 2.That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
- 3.That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
- 4.That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.

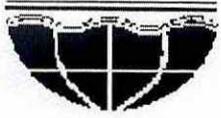
Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s. The Heaven Box Bar HKV Bar & Kitchen 1A, First Floor Hauz Khas Village Eating house, Delhi- 110016.



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT
(GOVT. OF NCT OF DELHI)
2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER
BELA ROAD, CIVIL LINES DELHI-54
 (visit us at website : <http://dpcc.delhigovt.nic.in/>)



File No.DPCC/CMC-II/NGT OA No.270/2023/ 8588

Date: 16/11/2023

Subject: Show Cause Notice under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date along with SCN for imposition of Environmental Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s Coast Café, A unit of Ms Ogaan Retail Pvt Ltd, H2 2nd Floor, Hauzkhas village, Delhi-110016 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC as well as without installing any pollution Control system.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

1. That the addressee unit shall be directed to stop operations of the unit with immediate effect.
2. That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
3. That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
4. That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.
5. Imposition of Environmental Compensation of EC of Rs. 7,50,000/- (Rs. Seven Lakhs Fifty Thousand Only).

Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your 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 competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.

Ajeeta
 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s Coast Café, A unit of Ms Ogaan Retail Pvt Ltd, H2 2nd Floor, Hauzkhas village, Delhi-110016

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
--	--	---

File No.DPCC/CMC-II/NGT OA No.270/2023/ 85 89

Date: 16/11/2023

Subject: Show Cause Notice under section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended till date along with SCN for imposition of Environmental Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s Coast Café, A unit of Ms Ogaan Retail Pvt Ltd, H2 3rd Floor, Hauzkhas village, Delhi-110016 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC as well as without installing any pollution Control system.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

1. That the addressee unit shall be directed to stop operations of the unit with immediate effect.
2. That the concerned SDM shall be directed to ensure the effective closure of the addressee unit with immediate effect.
3. That the concerned authority in DISCOM shall be directed to disconnect the electricity supply to the addressee unit with immediate effect.
4. That the concerned authority in Delhi Jal Board shall be directed to disconnect the water supply to the addressee unit with immediate effect.
5. Imposition of Environmental Compensation of EC of Rs. 7,50,000/- (Rs. Seven Lakhs Fifty Thousand Only).

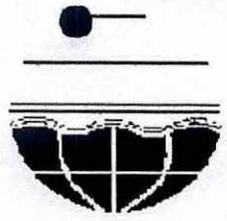
Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s Coast Café, A unit of Ms Ogaan Retail Pvt Ltd, H2 3rd Floor, Hauzkhas village, Delhi-110016

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
--	---	---

File No.DPCC/CMC-II/NGT OA No.270/2023/ 8590

Date: 16/11/2023

Subject: Show Cause Notice for imposition of Environmental Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s. FORK YOU, Building No- 30, 1st floor Hauz Khas New Delhi-16 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC and without MCD License as well as without installing any pollution Control system.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

1. Imposition of Environmental Compensation of EC of Rs. 7,50,000/- (Rs. Seven Lakhs Fifty Thousand Rupees Only).

Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your 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 competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,
 M/s. FORK YOU, Building No- 30,
 1st floor Hauz Khas New Delhi-110016

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
--	--	---

File No.DPCC/CMC-II/NGT OA No.270/2023/ 8591

Date: 16/11/2023

Subject: Show Cause Notice for imposition of Environmental Compensation.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, in pursuance to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi" and inspection was carried out by a joint team of your unit namely M/s Hustle Bar, 30-B, 2nd Floor, Hauz khas Village, Delhi-110016 (hereinafter referred as "Addressee") and during the inspection unit found operating without valid Consent to Establish/ Operate from DPCC and without MCD License as well as without installing any pollution Control system.

Now therefore, in view of the above, the Competent Authority in DPCC in exercise of powers conferred upon Delhi Pollution Control Committee, 33(A) of Water (Prevention and Control of Pollution) Act, 1974 u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, following proposed directions are issued:-

1. Imposition of Environmental Compensation of EC of Rs. 7,50,000/- (Rs. Seven Lakhs Fifty Thousand Rupees Only).

Hence, by way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed directions should not be confirmed. Your 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 competent authority of DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues with the approval of Competent Authority, DPCC.


 (Ajeeta Dayal Agrawal)
 SEE, CMC-II

To,

M/s Hustle Bar, 30-B, 2nd Floor, Hauz khas Village, Delhi-110016

 <p>DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT (GOVT. OF NCT OF DELHI) 2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II, UPPER BELA ROAD, CIVIL LINES DELHI-54 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>	
---	---

No. DPCC/CMC-II/NGT O.A. No.270/2023/8593

Date: 16/11/2023

To,

**The Sub-Divisional Magistrate (Hauz Khas),
Office Complex of DM (South),
M.B. Road, Saket,
New Delhi-110068.**

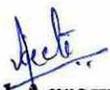
**Sub:- Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter
"Shrankhla Mittal Vs. Govt. of NCT of Delhi".**

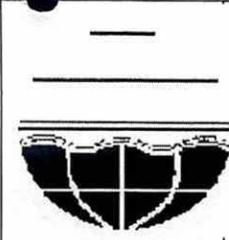
Sir,

This is in continuation of this office letter of even number dated 21.09.2023, which is in reference to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi". In this regard, I am directed to inform you that total 23 Restaurants/ Pubs/ Baars in the area of Hauz Khas have been inspected by the joint team. Out these 23 units, in 02 units viz. M/s. FORK YOU, Building No- 30, 1st floor Hauz Khas New Delhi-16 and M/s. SONIDO (A unit of hill light Restaurant Pvt. Ltd.), Ground Floor, 30-A, Hauz Khas Village New Delhi- 110016, the ambient noise levels outside of the units were found exceeding the standards by 10 dBA, while DJ systems were operational.

It is, therefore, requested to take necessary action in accordance with the order of GNCTD dated 29.11.2022 under intimation to this department, so that the same may be apprised to the Hon'ble NGT.

Yours sincerely,


(Ajeeta Dayal Agrawal)
Sr. Env. Engineer (CMC-II)
Mob. 9717593511



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT
(GOVT. OF NCT OF DELHI)
2nd FLOOR, C-BLOCK, VIKAS BHAWAN-II,
UPPER BELA ROAD, CIVIL LINES DELHI-54
(visit us at website : <http://dpcc.delhigovt.nic.in/>)



No. DPCC/CMC-II/NGT O.A. No.270/2023/ 8592

Date: 16/11/2023

To,

The Commissioner,
Municipal Corporation of Delhi,
4th Floor, Dr. S.P.M. Civic Centre,
Minto Road,
New Delhi-110002.

Sub:- Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi".

Sir,

This has reference to the Hon'ble NGT order dated 29.08.2023 in O.A. No.270/2023 in the matter "Shrankhla Mittal Vs. Govt. of NCT of Delhi". In this regard, I am directed to inform you that total 23 Restaurants/ Pubs/ Baars in the area of Hauz Khas have been inspected by the joint team. Out these 23 units, in 03 units viz. 1) M/s. FORK YOU, Building No- 30, 1st floor Hauz Khas New Delhi-16, 2) M/s Record Room, First floor 9A, Hauzkhas Village, Delhi-110016 and 3) M/s Hustle Bar, 30-B, 2nd Floor, Hauzkhas Village, Delhi-110016 were found operating without MCD License as well as DPCC Consent. And therefore, these units are operating as illegal units.

It is, therefore, requested to take necessary action against these units as these units are illegally operating as per the order of Hon'ble Supreme Court dated 07.05.2004 in the matter of "M.C. Mehta Vs. Union of India" under intimation to this department, so that the same may be apprised to the Hon'ble NGT.

Yours sincerely,


(Ajeeta Dayal Agrawal)
Sr. Env. Engineer (CMC-II)
Mob. 9717593511