

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

Original Application No. 682/2023

In the matter of:

In re : News item appearing in Times of India dated 16.10.2023 titled "Gas leak threat : School evacuated in West Delhi's Naraina, fire tenders rushed"

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Filed by



(Pankaj Kapil)
Additional Director

Dated: 9th April, 2023

Place:

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

Original Application No. 682/2023

In the matter of:

In re : News item appearing in Times of India dated 16.10.2023 titled "Gas leak threat : School evacuated in West Delhi's Naraina, fire tenders rushed"

STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 20.11.2023.

IT IS MOST RESPECTFULLY SHOWETH:

1. That, this matter was taken up by this Hon`ble Tribunal on 20.11.2023 on the basis of the news item titled "Gas leak threat: School evacuated in West Delhi's Naraina, fire tenders rushed" published in Times of India dated 16.10.2023. This Hon`ble Tribunal pleased to direct that at the first instance DPCC needs to examine the matter. Further, DPCC was directed to duly consider the issue and take appropriate remedial measure in accordance with law.
2. That, in compliance of the order passed by this Hon`ble Tribunal, an inspection of the site was carried out on 28.11.2023. During the inspection it was observed that:
 - The site has been locked and neighbours informed that site has been closed since incident.
 - The said unit was involved in trading of thinners (as told by people).
 - Also, no such smell of chemical/gas was felt during the inspection.
 - The godown was vacant and no trace of any activity was observed.

Copy of the inspection report dated 28.11.2023 as well as geotagged photographs are enclosed herewith as ANNEXURE-1(Colly).

3. That, an action taken report was received from SDM (Delhi Cantt) w.r.t Gas/Chemical Leak Incident at C-Block Naraina Vihar from a Storage Site, behind Indane Gas Godown, on 16/10/2023. Copy of the action taken report given by SDM is attached herewith as ANNEXURE-2. During the enquiry of the incident site, it was found that

(i) the site belongs to Sh. Shashi Aggarwal, who operating commercial activity without permission.

(ii) the premises belongs to DDA and same is on lease.

The SDM (Delhi Cantt) directed to MCD (Karol Bagh Zone) to take preventive measures. SHO was also directed to take appropriate action.

4. That, DPCC subsequent to inspection, has issued a letter to MCD in pursuance of Hon'ble Supreme Court judgment dated 14.02.2020 in WP(C) No. 4677/1985 titled as "MC Mehta Vs. UOI & Ors" and provisions of the Master Plan-2021, to take action appropriately for such kind of commercial activities in residential areas. Copy of the letter dated 20.03.2024 addressed to MCD is enclosed herewith as ANNEXURE -3.

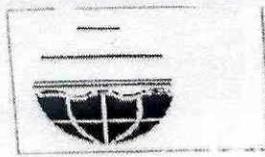
5. It is therefore requested to this Hon'ble Tribunal that the present action taken report may kindly be taken on record.



(Pankaj Kapil)
Additional Director

Delhi

Dated 9th April, 2024



Inspection Report

Annexure-1 (colly)

1. Name & Address of the Unit : M/s ... Shashi Agarwal
 C-3 Nanaina Vihar Behind
 Indore Gas godown adjacent
 Railway Line New Delhi - 110028
2. Owner/ Partner's Name & Contact Details(Phone & E-mail) : Shashi Agarwal
3. Date of Inspection : 28/11/2022
4. Name & Designation of the Persons contacted at the industry : No person found (premises locked)
5. Kind of Industry : Godown
6. Product & Capacity : -
7. Main Raw Materials : -
8. Water Polluting : Yes/No ETP Installed : Yes/No
9. Air Pollution : Yes/No ECS Installed : Yes/No
10. Details of Stack Height (Furnace/Boilers/Others) : (Above G.L.)..... (Above R.L.).....
11. Type of Fuel Used : /
12. A. Source of Water Supply : DJB/NDMC/DSIIDC/Borewell/Tankers/Others
- B. Effluent Discharge : (a) Domestic/ Trade Effluent
 (b) Unit connected to Conveyance System: Yes/No
 (c) Discharging into.....
13. Status of Consent {If Any} : /
14. D.G. Set(s) {if Any} : No....Capacity.....KVA. Acoustic: Yes/No
 Stack Height.....(Above G.L.).....(Above RL)
15. Plot Area : Not known
16. Labour : /
17. Machinery : /

18. Detail of Power Connection :
19. Whether Unit found in Operation : Yes/No ✓
20. Status of Registration under Plastic Waste Management Rules, 2016 :
21. Whether Generating Hazardous Waste : Yes/No ✓
22. Details about Hazardous Waste :
- (a) Status of Authorization {if any} :
- (b) Display Board Provided : Yes/No
- (c) Whether Hazardous Waste is stored in Leak proof container : Yes/No
- (d) Whether container marked with specified label : Yes/No
- (e) Whether container stored kept in an isolated area : Yes/No
- (f) Whether Hazardous Waste is being stored on pucca floor & in covered area : Yes/No
- (g) Whether date on which storage began indicated on each container : Yes/No
- (h) Whether daily record of Hazardous Waste maintained in Form-3 : Yes/No
- (i) Category of Hazardous Waste as per the Schedules I, II and III of these rules :
- (j) Authorized mode of disposal or recycling or utilization or co-processing etc. :
- (k) Quantity (Ton/Annum) :

Remarks (if Any)

On enquiry with neighbours, it was told that premises has been locked since incident and the godown was used to store thinners (used in paints) only trading activity used to be conducted, no manufacturing used to be done at site. Site found locked (here tagged images attached)

No person found


28/11/2023
Signatures, Name & Designation of inspecting officials.
Sparsh Chaudhary



GPS Map
Camera Lite

C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude
28.621811666666666°

Longitude
77.143676666666666°

Local 12:24:13 PM
GMT 06:54:13 AM

Altitude 236 meters
Tuesday, 28.11.2023



GPS Map
Camera Lite

C 3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude
28.621815°

Longitude
77.143695°

Local 12:23:58 PM
GMT 06:53:58 AM

Altitude 236 meters
Tuesday, 28.11.2023

C-BLOCK NARAINA
VIHAR, BEHIND
INDIAN GAS
GODAM
DELHI

GPS Map
Camera Lite

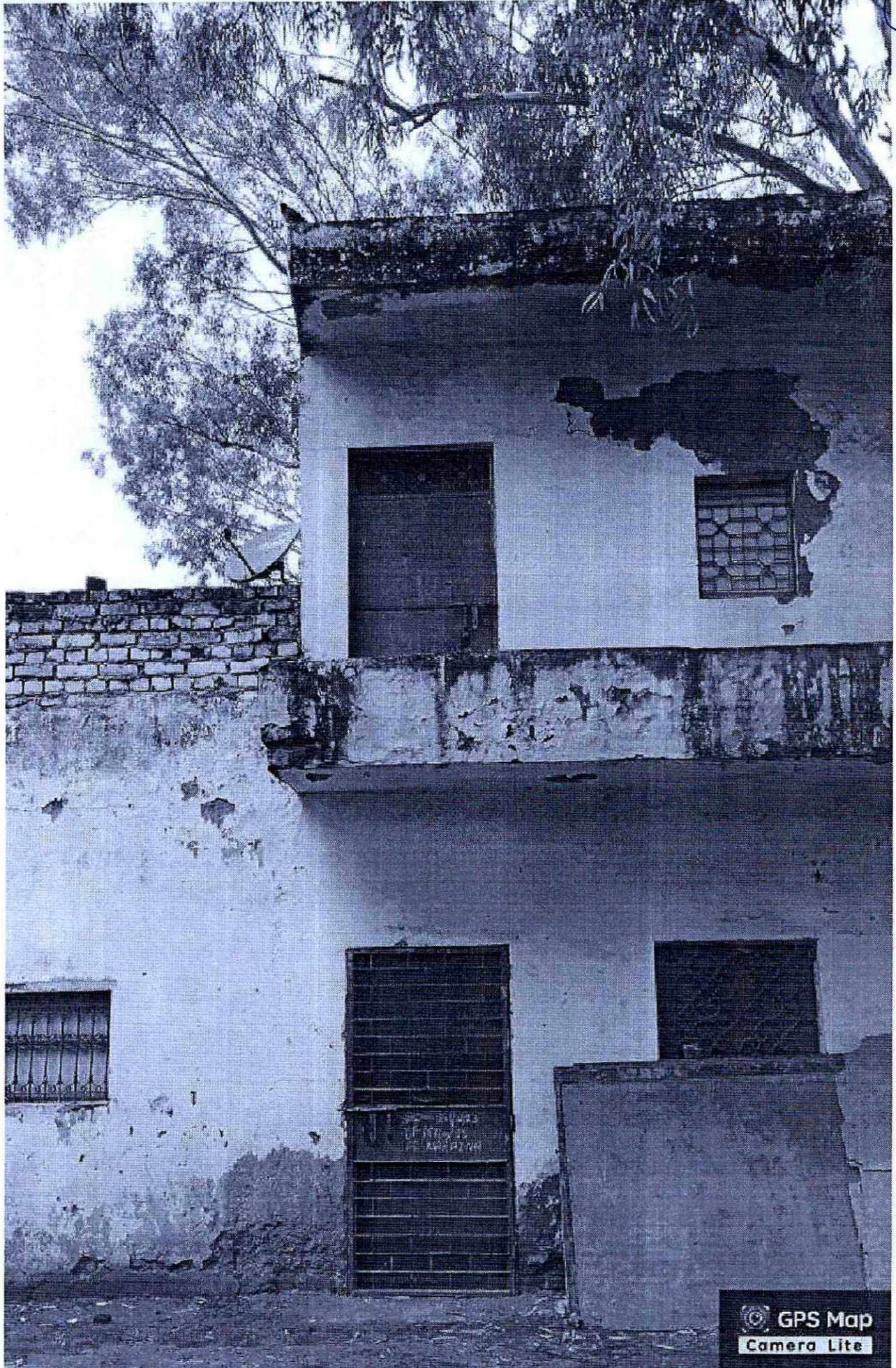
C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude
28.621818333333334°

Longitude
77.14368166666667°

Local 12:24:37 PM
GMT 06:54:37 AM

Altitude 236 meters
Tuesday, 28.11.2023



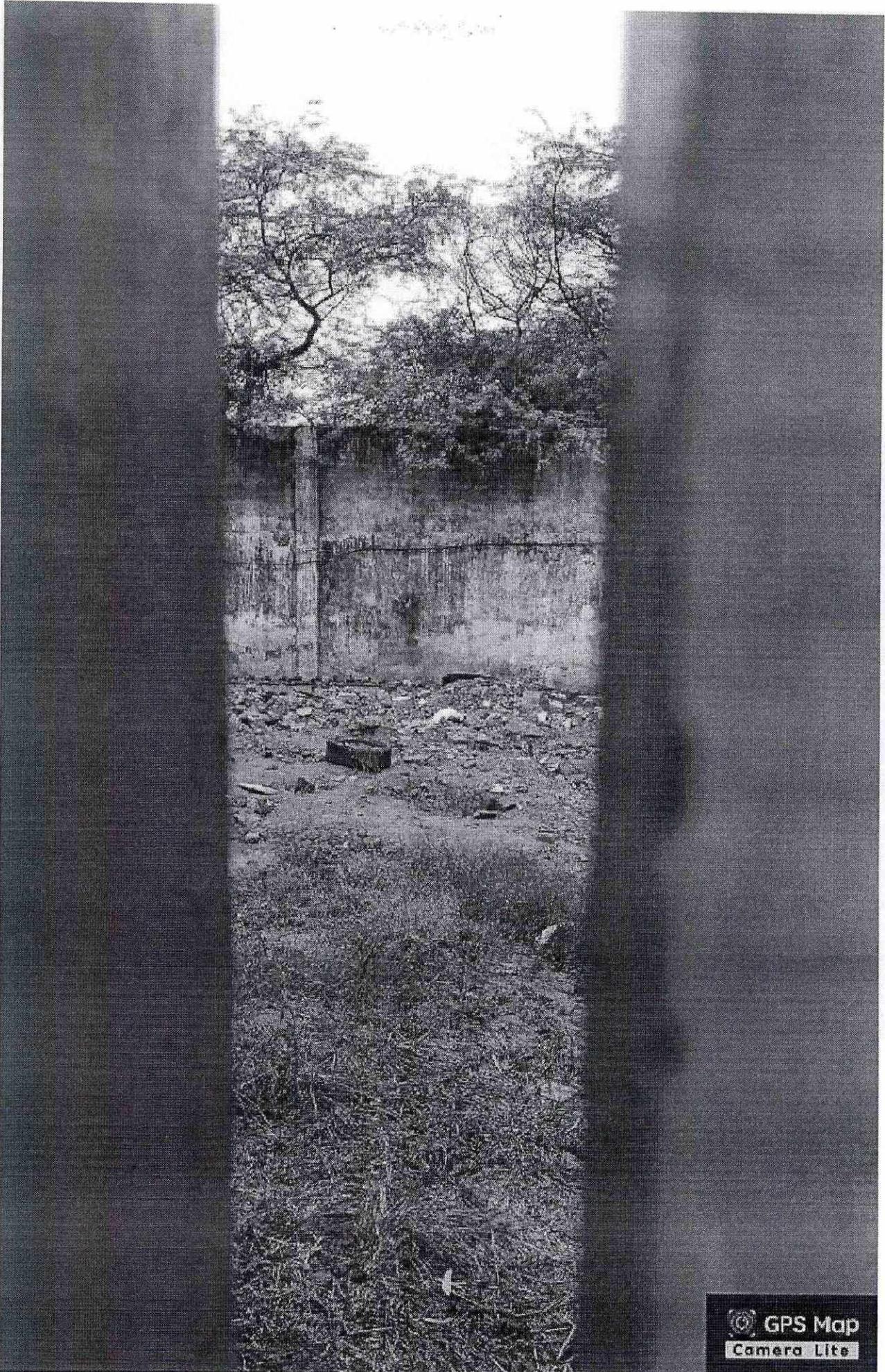
C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude
28.621875°

Local 12:26:30 PM
GMT 06:56:30 AM

Longitude
77.14378833333333°

Altitude 236 meters
Tuesday, 28.11.2023



GPS Map
Camera Lite

J4CV+QQJ, Poultry Farm Rd, Block ED, Inder Puri, New Delhi, Delhi 110012, India

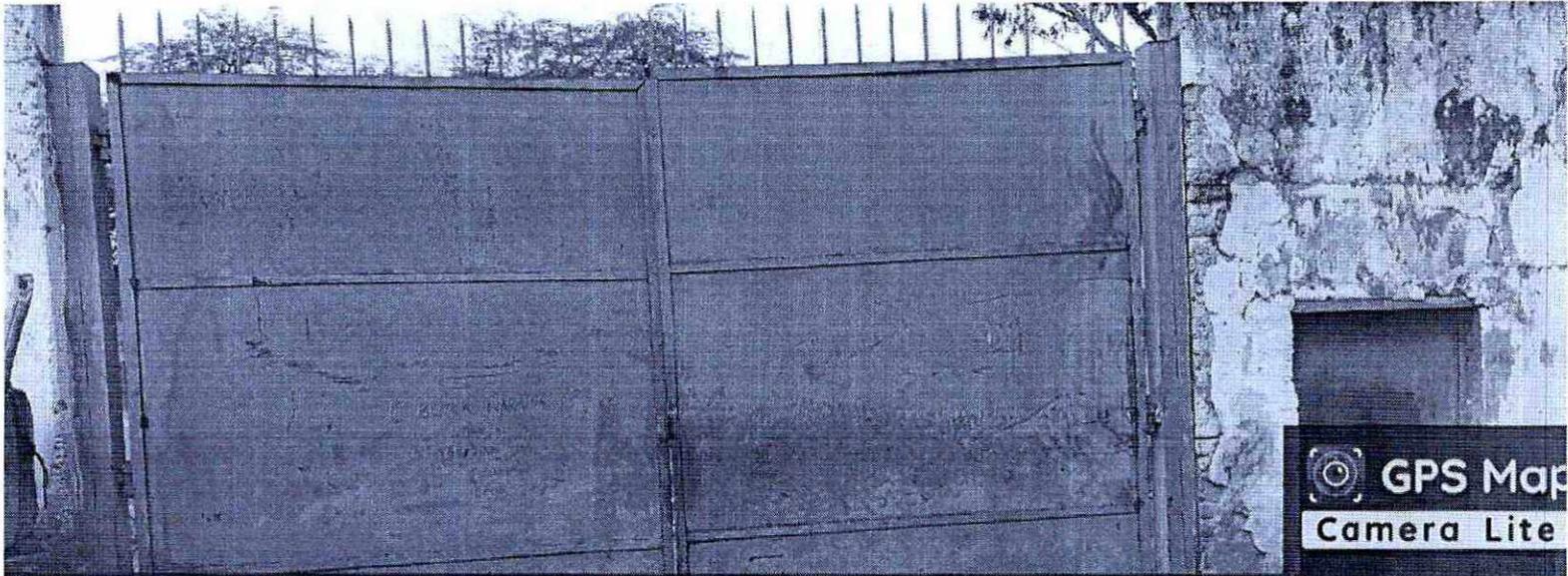
Latitude
28.621946666666666°

Longitude
77.14447166666667°

Local 12:25:16 PM
GMT 06:55:16 AM

Altitude 235 meters
Tuesday, 28.11.2023

10



GPS Map
Camera Lite

C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude

28.62195166666667°

Longitude

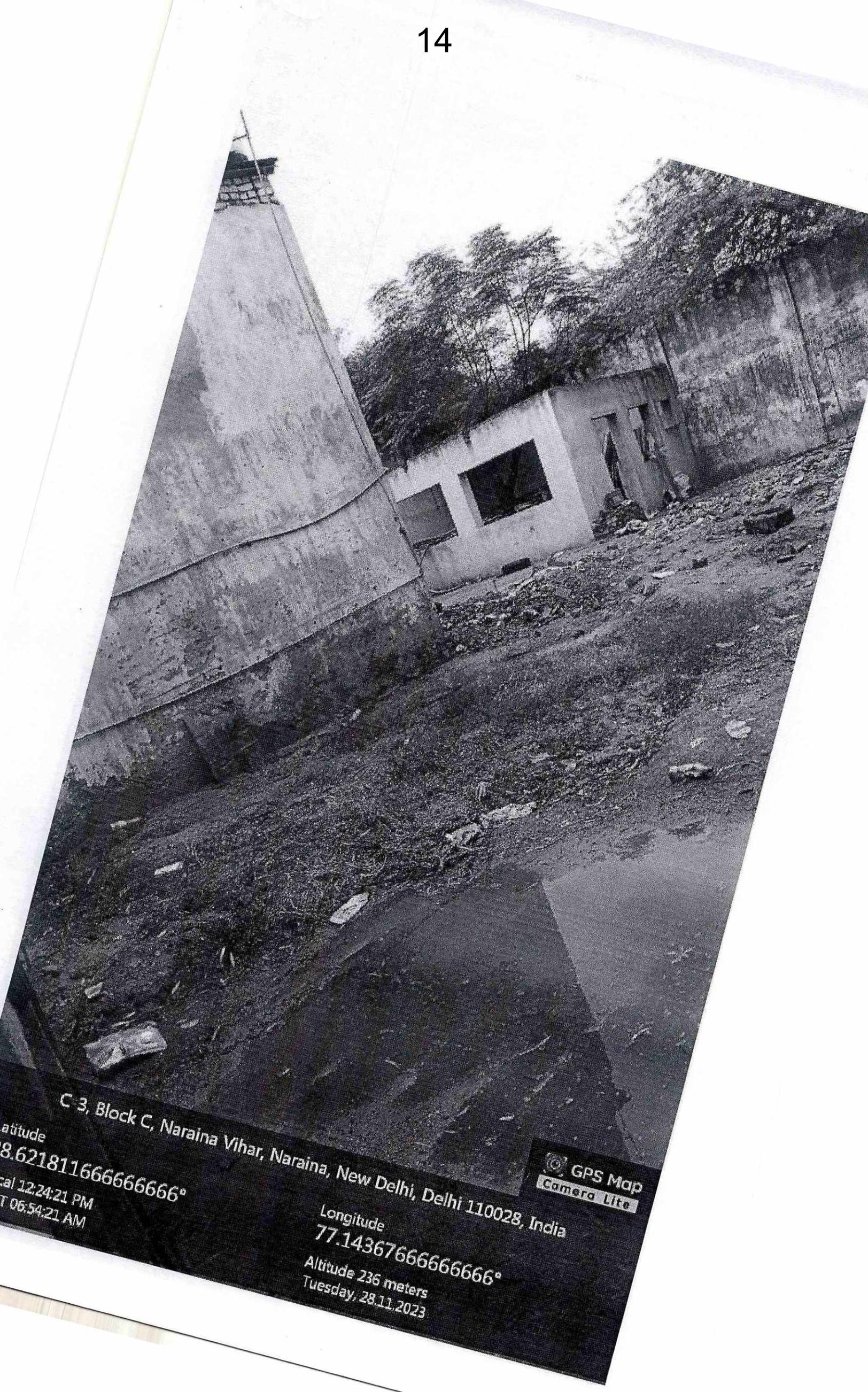
77.14380666666666°

Local 12:23:04 PM

GMT 06:53:04 AM

Altitude 236 meters

Tuesday, 28.11.2023



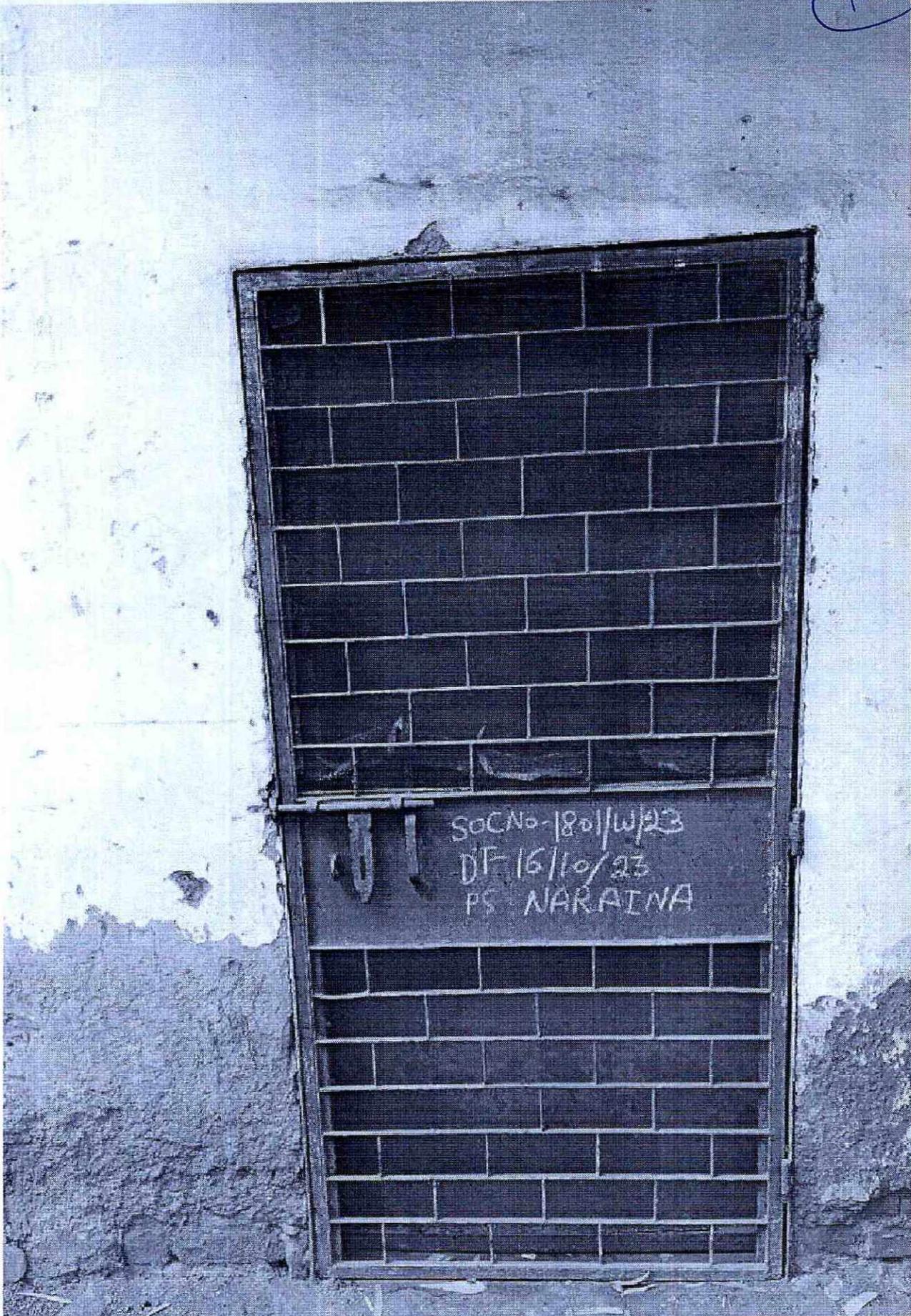
C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

Latitude
28.621811666666666°
Local Time: 12:24:21 PM
Time: 06:54:21 AM

Longitude
77.143676666666666°
Altitude 236 meters
Tuesday, 28.11.2023

GPS Map
Camera Lite

12



GPS Map
Camera Lite

C-3, Block C, Naraina Vihar, Naraina, New Delhi, Delhi 110028, India

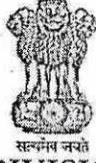
Latitude
28.621875°

Longitude
77.14378333333335°

Local 12:26:22 PM
GMT 06:56:22 AM

Altitude 236 meters
Tuesday, 28.11.2023

Annexure-2



| |
|-----------------------------------|
| Delhi Pollution Control Committee |
| Dairy No. 140748 |
| 06 NOV 2023 |
| cmfy |
| Sign. of Receiving Officer |

OFFICE OF THE SUB-DIVISIONAL MAGISTRATE: DELHI CANTT.
NEW DELHI DISTRICT

12/1, JAM NAGAR HOUSE, SHAHJAHAN ROAD, NEW DELHI - 110011

F.No. SDM/DC/NDD/MISC/2023/ 2326

Dated 25/10/2023

To

| | | |
|--|--|---|
| The Director, Building Department, Delhi Development Authority, Vikas Sadan, INA, New Delhi | The Assit. Comm., Karol Bagh Zone, MCD Anand Parbat, New Delhi | The Sr. Env. Engineer, ✓ Delhi Pollution Control Committee, Kashmere Gate, Delhi |
| The ACP Delhi Cantt Sub-Division, PS Delhi Cantt. | | |

Sub: Action taken report in the incident of hazardous/poisonous chemical/gas leakage at C Block, Naraina Vihar, New Delhi.

Sir,

This is to inform you that information was received on the helpline number of District Disaster Management Centre (DDMA) at 02:16 AM on 16/10/2023 thereby informing that some hazardous chemical/gas leakage in area of C-Block, Naraina Vihar, Delhi Cantt Sub-Division.

Accordingly, a prompt action was taken by the DDMA and informed to all the Emergency Support Functionaries (ESF) i.e. Fire Department, GNCTD, Delhi Police and NDRF. All the departments/ESFs were reached at the site including DDMA and found that the area was in containment of smell due to some chemicals which are stored in a nearby godown/factory situated near railway line behind Indane Gas Godown,



EE, DC-10
13/11
En. S. S. S. S. S.
14/11/23

Naraina Vihar, C-Block. NDRF team took the preventive action and for assessment the chemicals stored, FSL team, Delhi has been called and area has been secured.

The District Administration/SDM Vasant Vihar has also visited the site and take assessment from all teams and informed to me that the incident has occur due to illegal & inappropriate storage of chemicals in a godown in open space without proper arrangements. The preventive action has been taken by NDRF team in consultation with appropriate support agencies.

During the enquiry of the incident site, it was found that the said godown belongs to Sh. Shashi Aggarwal where the such chemicals have been stored in open space and without proper arrangements which is injurious to the health and physical comfort of the community, and that in consequence such trade or occupation should be prohibited/regulated or such merchandise should be removed in the public interest.

Further, after the investigation, it was also found that Sh. Shashi Aggarwal operating commercial activity in a residential area from long time without taking permission/license from the competent authority. Moreover, it has also come to notice that the said premises belongs to DDA and above said premises was on lease period. After the incident, some complaints through telephonically have been received to the undersigned from the residents of the above said area thereby complaining that the chemical/gas is still leakage and it would be harmful to the public health.

It is observed that it is the responsibility of civic agencies/licensing agencies to ensure or put up check on such godown where chemicals have been stored without proper arrangement and in open space and in case they are doing business/trade without obtaining permission/license from the competent authority, the department/agency should take coercive action and also registered the case against owner so that public health will not be effected.



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Now, therefore, you are requested to take necessary action against the owner/occupant of the premises of Godown situated near railway line, behind Indane Gas Godam, C-Block Naraina Vihar, New Delhi and provide the following action taken report which are as under:

1. The Assistant Commissioner, Karol Bagh Zone, MCD is hereby requested to take such preventive measures and to carry immediately audit of all such godown in the area and to furnish report within 03 days of receipt of the notice.
2. The SHO, Naraina Vihar, is hereby requested to take appropriate action against the owner/occupant of the godown under relevant act and provisions and to submit report to the undersigned within 03 days of receipt of the notice.
3. The Direction (Building Department), DDA is hereby requested to provide the current status of the land alongwith the record/documents with regards to the above said premises and clarify whether the land was on lease or not? And whom to it was given. The report shall be provided within 03 days of received of this notice.
4. The Sr. Env. Engineer (DPCC) is hereby requested to take action against the trader/occupant and provide the action taken report within 03 days of received of this notice.



AR
(AMBIKA RATNOO, DANICS)
SDM(DELHI CANTT.)
NEW DELHI DISTRICT

Copy for information:

1. PA to District Magistrate, New Delhi District.

Annexure-3

By Speed Post



DELHI POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
 4th & 5th FLOOR, ISBT, BUILDING, KASHMERE GATE, DELHI-6
 visit us at: <http://dpcc.delhigovt.nic.in>



F.No: DPCC/CMC-IV/2023/37/ 2593-96

Dated: 29/03/2023

To,

The Deputy Commissioner (Karol Bagh Zone),
 Municipal Corporation of Delhi,
 Deshbandhu Gupta Road, Christian Colony,
 Block 17 B, Dev Nagar, Anand Parbat, Delhi, 110005

Sub: - Redressal of issue pertaining to Gas Leak from Godown in Naraina Vihar.

Sir/Madam

Please find enclosed herewith the copy of letter received in this office from SDM (Delhi Cantt) regarding incident of Chemical/ Gas Leak on 16/10/2023 at 02:16AM in a godown (C-Block, Naraina Vihar, behind Indane Gas godown, near Railway Line).

DPCC officials carried out the inspection on 28/11/2023 and it was observed that site has been locked and it was learnt from the neighbours that the site has been closed since incident and earlier trading work used to be done and no manufacturing activity. The said unit was involved in trading of thinners. Also no such smell of chemical/gas was felt during the inspection. The godown was vacant and no trace of any activity was observed.

The commercial activity of storage of chemical in residential area which is illegal perse, as per the judgment of the Hon'ble Supreme Court dated 16.02.20206 in MC Mehta matter {WP© 4677/ 1985},

In view of above and in pursuance of Hon'ble Supreme Court Order and provisions of the Master Plan-2021, the MCD is required to ensure action appropriately for such kind of commercial activities in residential areas. May kindly take appropriate action and inform the same to the SDM (Delhi Cantt.)

Yours Sincerely

(Signature)
 (Pankaj Kapil)
 Additional Director

Copy to:

1. The Commissioner, Municipal Corporation of Delhi, Dr. S.P.M. Civic Centre, Minto Road Ajmeri Gate, New Delhi-110002.
2. SDM (Delhi Cantt.) 12/1, Jainnagar House, Shahjahan Road, New Delhi-110011 3. Master File, CMC-IV with respect to letter number SDM/DC/NDD/MISc/2023/ 2326 dated 25.10.2023.