

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Execution Application No. 24/2022

In

Original Application No. 60/2022

In the matter of:

Alka Jain

.....Applicant

Versus

North Delhi Municipal Corporation & Ors.

.....Respondents

**NDOH: 16.12.2022**

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Filed By



(Satender Kumar)  
Sr. Environmental Engineer

Dated: 15 December, 2022

Place: Delhi

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

**Execution Application No. 24/2022**

**In**

**Original Application No. 60/2022**

**In the matter of:**

Alka Jain

.....Applicant

Versus

North Delhi Municipal Corporation & Ors.

.....Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED  
12.10.2022.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 12.09.2022 and was pleased to direct the DPCC to submit physical verification of the site and action taken report thereof.
2. That in compliance with the order dated 12.09.2022, DPCC had filed a status report on 11.10.2022, which is available on the records of this Hon'ble Tribunal. The report of DPCC was considered by this Hon'ble Tribunal during the hearing held on 12.10.2022.



3. That, no directions were issued to DPCC by this Hon'ble Tribunal while disposing off the Original Application Number 60/2022 on 16.02.2022. It is pertinent to note that DPCC was not even amongst the array of respondent in Original Application Number 60/2022.
4. That this Hon'ble Tribunal vide order dated 12.10.2022, was pleased to direct DPCC to verify the facts regarding who had dumped the construction/demolition materials on the site in question and take appropriate action for imposition of environmental compensation by issuing notice to the person concern.
5. That, in compliance of the order dated 12.10.2022, DPCC officials inspected the site on 09.11.2022. Local enquiry reveals that the construction material which was dumped on cemented road side was been removed by MCD on 23.09.2022. During inspection, no construction material was found dumped from corner of Teacher's Lane to Ramjas Day Boarding School on the cemented Road. In past, as per local enquiry, following two persons were found to have dumped construction material:
  - (i) M/s Mohan Singh, First Floor, 420/6, Teachers lane, Upper Anand Parbat, Delhi.
  - (ii) M/s Prem Cr-1, Ground Floor, Cemented Road, Anand Parbat, Industrial Area.

Copy of the inspection reports dated 09.11.2022 are enclosed herewith as ANNEXURE-1 (Colly).



6. That, DPCC issued Show Cause Notice for imposition of Environmental Compensation (EC) of Rs. 5,000/- for violation the Dust mitigation norms by dumping Construction/ Building material on Public Road. Copy of the Show cause Notice dated 09.12.2022 are enclosed herewith as **ANNEXURE-2 (Colly)**.

7. The field staff of DPCC informed that only the above named persons had dumped the construction/building material and no other person was involved in dumping of construction material on the alleged site.

The present status report may kindly be taken on record.



(Satender Kumar)

Sr. Environmental Engineer

Dated: 15 December, 2022

Place: Delhi



Inspection Report

Annexure-1 (Colly)

1. Name & Address of the Unit : M/s Mohan Singh  
CR-1, first floor, Cemented  
Road, Anand Prabhat  
(Residence add: 420/6  
Teachers lane, Upper Anand Prabhat)
2. Owner/ Partner's Name & Contact Details(Phone & E-mail) : Sh. Mohan Singh
3. Date of Inspection : 09.11.2021
4. Name & Designation of the Persons contacted at the industry : No responsible person available
5. Kind of Industry : Building Material Supplier
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 RI
15. Plot Area : .....
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)

① No construction material found dumped from corner of Teacher's lane to Ranjas Day boarding school at Cemented Road.

② local enquiry reveals that the construction material which was dumped roadside has been removed by WCD on 23.09.2022 at cemented road belongs to Sh. Mohan Singh, 420/6, Teacher's lane, Upper Anand Parbat

Signatures, Name & Designation of inspecting officials.  
 [Signature]   
 Harshit JEE



Inspection Report

1. Name & Address of the Unit : M/s Prem  
C.R-1, Ground Floor  
Cemented Road  
Anand Park Ind. Area
2. Owner/ Partner's Name & Contact Details(Phone & E-mail) : Sh. Prem
3. Date of Inspection : 09.11.2022
4. Name & Designation of the Persons contacted at the industry : No responsible person available
5. Kind of Industry : Building Material Supplier
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.).....
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B. Effluent Discharge : (a) Domestic/ Trade Effluent  
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## Remarks (if Any)

- 1) No construction material found dumped from corner of Teacher's Lane to Ramjas Day boarding school at Cemented Road.
- 2) Local enquiry reveals that the construction material which was dumped Roadside has been removed by MCO on 23.09.2022 at cemented road belongs to Sh. Prem, CR-1, Ground floor, Cemented Road, Anand Pasbat

Signatures, Name & Designation of inspecting officials.

M  
9/11/22  
Harshit  
JEE



**DELHI POLLUTION CONTROL COMMITTEE**  
**DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)**  
**5<sup>th</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006**  
 visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-VII/E-133912/ii/2022/1030-31

Dated: 09-12-22

**Sub: Show Cause Notice for imposition of Environmental Compensation (EC).**

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

And whereas, Central Pollution Control Board has delegated all its powers and functions under Air (Prevention and Control of Pollution) Act, 1981 in respect of NCT 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 (1) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, Delhi faces grave air pollution particularly in winter season and level of pollutants like Particulate Matter Concentration (PM<sub>2.5</sub> and PM<sub>10</sub>) goes much beyond the prescribed standards for Ambient Air Quality.

And whereas, the Commission for Air Quality Management in NCR and adjoining areas has repeatedly taken up the matter relating to air pollution with Government of NCT of Delhi and various organizations and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR from time to time.

And whereas, Hon'ble NGT vide its order dated 12.10.2022 in matter of "Alka Jain Vs. North Delhi Municipal Corporation & Ors." ordered for inspection of alleged site from Corner of Teachers Lane to Ramjas Day Boarding School at Cemented Road, Upper Anand Parbat.

And whereas, an inspection of alleged site was conducted by DPCC officials on 09.11.2022 and it was observed that you, **Sh. Mohan Singh, 420/6, Teachers Lane, Upper Anand Parbat, Delhi** (hereinafter referred as addressee), are violating the Dust mitigation norms by dumping Construction/Building material on Public Road.

Now, therefore, the Competent Authority in DPCC in exercise of powers conferred upon it has decided to issue the following proposed directions:

1. That the addressee shall deposit Environment Compensation (EC) of **Rs. 5,000/- (Rupees Five Thousand Only)** in favour of "Delhi Pollution Control Committee" for non-compliance of the guidelines issued by DPCC for dust pollution control.

By way of this notice you the addressee are hereby called upon to show cause as to why the above said direction should not be confirmed. Your reply if any should be submitted with Delhi Pollution Control Committee **within 15 days** from the service of this Show Cause Notice along with compliance report. Failure to comply with the above directions will attract penal action under the provisions.

This is being issued with the approval of Competent Authority.

(M.S. Rawat)  
E.E, CMC-VII

To,

**Sh. Mohan Singh,**  
**420/6, Teachers Lane,**  
**Upper Anand Parbat, Delhi -110005**

Copy to:

Master File, CMC-VII



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**DELHI POLLUTION CONTROL COMMITTEE**  
**DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)**  
**5<sup>th</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006**  
 visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-VII/E-133912/i/2022/ 1032-33

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And whereas, an inspection of alleged site was conducted by DPCC officials on **09.11.2022** and it was observed that you, **Sh. Prem, CR-1, Ground Floor, Cemented Road, Anand Parbat, Delhi** (hereinafter referred as addressee), are violating the Dust mitigation norms by dumping Construction/Building material on Public Road.

Now, therefore, the Competent Authority in DPCC in exercise of powers conferred upon it has decided to issue the following proposed directions:

1. That the addressee shall deposit Environment Compensation (EC) of **Rs. 5,000/- (Rupees Five Thousand Only)** in favour of "**Delhi Pollution Control Committee**" for non-compliance of the guidelines issued by DPCC for dust pollution control.

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 (M.S. Rawat)  
 E.E, CMC-VII

To,

**Sh. Prem, CR-1,**  
**Ground Floor, Cemented Road,**  
**Anand Parbat, Delhi-110005**

Copy to:

Master File, CMC-VII