

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. NO. 270/2023

IN THE MATTER OF:-

MS. SHRANKHLA MITTAL

... Applicant

Versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

D.O.H:- 06/11/2023

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Through

Puja Kalra  
(Advocate)  
Standing Counsel for MCD  
Ch. No. 430/431, Lawyers Chambers  
Delhi High Court, New Delhi.

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 270/2023

**IN THE MATTER OF:-**

MS. SHRANKHLA MITTAL

... Applicant

Versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

**STATUS REPORT BY WAY OF AN AFFIDAVIT ON  
BEHALF OF THE RESPONDENT MUNICIPAL  
CORPORATION OF DELHI (MCD).**

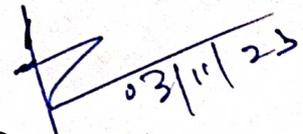
AFFIDAVIT OF DR. SANJAY SINHA S/O SH. B.K. SINHA AGED ABOUT 52 YEARS, DY. HEALTH OFFICER, SOUTH ZONE, MUNICIPAL CORPORATION OF DELHI, GREEN PARK NEW DELHI:-

I, the deponent above named, do hereby solemnly affirm as state as follows:

1. That I am presently posted as Deputy Health Officer, South Zone , MCD, Green Park, New Delhi and am conversant with the facts of the case, as such am competent to depose the instant affidavit, on the basis of the official record maintained and made available, on behalf of Respondent MCD.
2. That the instant status report / affidavit is being filed pursuant to the proceedings before this Hon'ble National Green Tribunal.

3. That on receiving the intimation regarding joint inspection, pursuant to order dated 29/08/2023, the joint inspections have been carried out by the Health Department of South Zone-MCD along with the officers of DPCC (Nodal Agency), SDM Hauz Khas and Delhi Police on 06/10/2023, 09/10/2023, 13/10/2023, 17/10/2023 and also on 28/10/2023 in night.
4. That during the aforesaid joint inspection, 04 Eating Houses / Restaurants were found running without having any Health Trade License i.e. in the name and style of (i) The Mansion Bar & Global Kitchen, (ii) Fork You (iii) Record Room and (iv) Hustle Bar. Taking immediate cognizance of the same, the necessary action under the relevant provision of DMC Act, 1957 have been initiated and the requisites Challans have also been issued / served upon the owners / occupiers. The copy of the Challans are annexed herewith as Annexure -A (Colly).
5. That further after noticing that the aforesaid 04 Restaurants / Eating Houses are still running, the requisite Show Cause Notices u/s 417 and 421 of DMC Act, 1957 have also been issued / sent, so as to explain within 03 days, as to why further punitive action should not be undertaken. The copy of the Show Cause Notices in this regard are annexed herewith as Annexure-B (Colly).

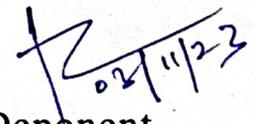
6. That further action in respect of the aforementioned Restaurants / Eating Houses will be taken in due course of time by following due process and procedure in this regards, as per law / DMC Act, 1957.

  
Deponent

Dr. Sanjay Sinha  
Dy. Health Officer/SZ/MCD

**VERIFICATION:**

Verified at Delhi on this \_\_\_ day of November-2023, that the contents of the above affidavit are true and correct to my knowledge derived from the official records maintained by the MCD and I believe the same to be true and correct.

  
Deponent

Dr. Sanjay Sinha  
Dy. Health Officer/SZ/MCD

**MUNICIPAL CORPORATION OF DELHI**  
**PUBLIC HEALTH DEPARTMENT, SOUTH ZONE**  
**GREEN PARK, AURBINDO MARG**  
**NEW DELHI-110016**

**BY HAND/ SPEED POST**

NO. DHO/SZ/2023/D-2599

Dated 03/11/2023

**SHOW CAUSE NOTICE**

Whereas, in connection with Court Case titled "Shrankhla Mittal Vs Govt Of Nct Of Delhi", The Hon'ble NGT had constituted a joint committee comprising of SDM (Hauz Khas) and representatives of DPCC and MCD vide order dated 29/08/2023 to undertake visits to the Hauz Khas area to verify factual position regarding restaurants operating in the area and compliance with norms of noise pollution. The joint inspection has been carried out on 6/10/2023, 9/10/2023, 13/10/2023, 17/10/2023 & 28/10/2023 (Night).

Whereas, it has been brought to the notice of undersigned by the Area Public Health Inspector that you are running the trade of Eating House in the name & style of M/s Global Hospitality ( The Mention Bar & Kitchen) situated at T6 B, Second Floor & Third Floor, Hauz Khas Village, New Delhi without having Health Trade License under insanitary & unhygienic conditions from health point view for which prosecution action has been carried out vide chit challan no. 43215, dated 20/10/2023 for these violations as per DMC Act.

Therefore, you are hereby called upon to Show Cause as to why further punitive action not be undertaken against unlicensed health trade under Section 417, 421, 397 & 430 of DMC Act within 3 days of receipt of this letter, otherwise action will be undertaken as per provisions under DMC Act.

M/s Global Hospitality  
( The Mention Bar & Kitchen)  
T6 B, Second Floor & Third Floor,  
Hauz Khas Village,  
New Delhi

Dy Health Officer

South Zone  
Dr. Sanjay Sinha  
Dy. Health Officer/SZ

**MUNICIPAL CORPORATION OF DELHI**  
**PUBLIC HEALTH DEPARTMENT, SOUTH ZONE**  
**GREEN PARK, AURBINDO MARG**  
**NEW DELHI-110016**

**BY HAND/ SPEED POST**

NO. DHO/SZ/2023/D-2600

Dated 03/11/2023

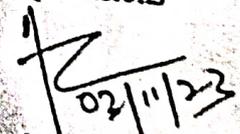
**SHOW CAUSE NOTICE**

Whereas, in connection with Court Case titled "Shrankhla Mittal Vs Govt Of Nct Of Delhi", The Hon'ble NGT had constituted a joint committee comprising of SDM (Hauz Khas) and representatives of DPCC and MCD vide order dated 29/08/2023 to undertake visits to the Hauz Khas area to verify factual position regarding restaurants operating in the area and compliance with norms of noise pollution. The joint inspection has been carried out on 6/10/2023, 9/10/2023, 13/10/2023, 17/10/2023 & 28/10/2023 (Night).

Whereas, it has been brought to the notice of undersigned by the Area Public Health Inspector that you are running the trade of Eating House in the name & style of M/s Record Room situated at 9A / 12B First Floor, Hauz Khas Village, New Delhi without having Health Trade License under insanitary & unhygienic conditions from health point view for which prosecution action has been carried out vide chit challan no. 43214, dated 20/10/2023 for these violations as per DMC Act.

Therefore, you are hereby called upon to Show Cause as to why further punitive action not be undertaken against unlicensed health trade under Section 417, 421, 397 & 430 of DMC Act within 3 days of receipt of this letter, otherwise action will be undertaken as per provisions under DMC Act.

M/s Record Room  
9A / 12B First Floor,  
Hauz Khas Village,  
New Delhi

  
Dy Health Officer

Dr. Savitha Birha  
Dy. Health Officer/SZ

**MUNICIPAL CORPORATION OF DELHI**  
**PUBLIC HEALTH DEPARTMENT, SOUTH ZONE**  
**GREEN PARK, AURBINDO MARG**  
**NEW DELHI-110016**

**BY HAND/ SPEED POST**

NO. DHO/SZ/2023 LD. 2602

Dated 03/11/2023

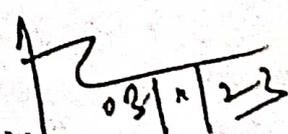
**SHOW CAUSE NOTICE**

Whereas, in connection with Court Case titled "Shrankhla Mittal Vs Govt Of Nct Of Delhi", The Hon'ble NGT had constituted a joint committee comprising of SDM (Hauz Khas) and representatives of DPCC and MCD vide order dated 29/08/2023 to undertake visits to the Hauz Khas area to verify factual position regarding restaurants operating in the area and compliance with norms of noise pollution. The joint inspection has been carried out on 6/10/2023, 9/10/2023, 13/10/2023, 17/10/2023 & 28/10/2023 (Night).

Whereas, it has been brought to the notice of undersigned by the Area Public Health Inspector that you are running the trade of Eating House in the name & style of M/s Fork You situated at 30, Second Floor, Hauz Khas Village, New Delhi without having Health Trade License under insanitary & unhygienic conditions from health point view for which prosecution action has been carried out vide chit challan no. 43213, dated 20/10/2023 for these violations as per DMC Act.

Therefore, you are hereby called upon to Show Cause as to why further punitive action not be undertaken against unlicensed health trade under Section 417, 421, 397 & 430 of DMC Act within 3 days of receipt of this letter, otherwise action will be undertaken as per provisions under DMC Act.

M/s Fork You  
30, Second Floor,  
Hauz Khas Village,  
New Delhi

  
Dy Health Officer

Dr. Sanjay Sinha  
Dy. Health Officer/SZ

**MUNICIPAL CORPORATION OF DELHI**  
**PUBLIC HEALTH DEPARTMENT, SOUTH ZONE**  
**GREEN PARK, AURBINDO MARG**  
**NEW DELHI-110016**

**BY HAND/ SPEED POST**

NO. DHO/SZ/2023/ID-2601

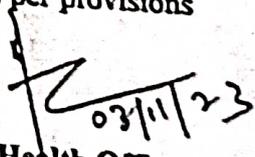
Dated 03/11/2023

**SHOW CAUSE NOTICE**

Whereas, in connection with Court Case titled "Shrankhla Mittal Vs Govt Of Nct Of Delhi", The Hon'ble NGT had constituted a joint committee comprising of SDM (Hauz Khas) and representatives of DPCC and MCD vide order dated 29/08/2023 to undertake visits to the Hauz Khas area to verify factual position regarding restaurants operating in the area and compliance with norms of noise pollution. The joint inspection has been carried out on 6/10/2023, 9/10/2023, 13/10/2023, 17/10/2023 & 28/10/2023 (Night).

Whereas, it has been brought to the notice of undersigned by the Area Public Health Inspector that you are running the trade of Eating House in the name & style of M/s Hustle situated at 30B Second Floor, Hauz Khas Village, New Delhi without having Health Trade License under insanitary & unhygienic conditions from health point view for which prosecution action has been carried out vide chit challan no. 43212, dated 20/10/2023 for these violations as per DMC Act.

Therefore, you are hereby called upon to Show Cause as to why further punitive action not be undertaken against unlicensed health trade under Section 417, 421, 397 & 430 of DMC Act within 3 days of receipt of this letter, otherwise action will be undertaken as per provisions under DMC Act.

  
03/11/23  
Dy Health Officer

South Zone  
Dr. Sanjay Singh  
Dy. Health Officer/SZ

M/s Hustle  
30B Second Floor,  
Hauz Khas Village,  
New Delhi

43215

दिल्ली नगर निगम

110

South Zone

4/C

स्तक नं.

क्षेत्र

चालान नं.

परिवाद

विभाग

श्री

सुपुत्र श्री

व्यवसाय

निवासी

की आज दिनांक

बजे

निम्नलिखित अपराध करते हुए देखा, जोकि दिल्ली नगर निगम अधिनियम, 1957 की धारा

1957 की धारा

417, 357, 461 के अन्तर्गत दण्डनीय है।

As the entrance house is running without  
MCO license & on security and hygiene  
condition from health point of view  
was double hospitality (no available  
at TGB STATE Hospital)

इसलिए परिवार तैयार करके अभियुक्त को सूचित किया गया है कि वह

दिनांक

20/10/2023 को 10 बजे श्री Kewal Singh

मेट्रोपॉलिटन / म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित

में उपस्थित

होकर अपराध का उत्तर दें।

अभियुक्त के हस्ताक्षर या अंगूठे का चिन्ह

परिवादी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर

श्री

Prakash Rawat

सुपुत्र श्री

को सूचना दी जाती है कि यह दिनांक

20/10/2023 को श्री

Kewal Singh

मेट्रोपॉलिटन / म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित

Court No. 202, Sadar Court of Delhi

होकर अपराध

461 दिल्ली नगर निगम अधिनियम, 1957 के अन्तर्गत उत्तर दें।

दिनांक

20/10/2023

पृष्ठ उलटिये

परिवादी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर

1957 के अधिनियम के अन्तर्गत दण्डनीय है।  
1957 के अधिनियम के अन्तर्गत दण्डनीय है।

पुस्तक नं. 43211 क्षेत्र South Zone

चालान नं. परिवाद PH Health विभाग

श्री Sunil Gortam/Rahul Patra व्यवसाय

निवासी 9A FF/Howrah Road को आज दिनांक 20/11/2023

बजे 4:20 नलिखित अपराध करते हुए देखा, जोकि दिल्ली नगर निगम अधिनियम, 1957 की धारा 461 के अन्तर्गत दण्डनीय है।

How the East India House is Run  
to be a license and quantity and  
Control from health point of view  
N/A Record Room at 9A, FF/12B  
Howrah Village N Delhi

इसलिए परिवार तैयार करके अभियुक्त को सूचित किया गया है कि वह दिनांक 20/11/2023 को बजे श्री Kenul Singh मेट्रोपोलिटन/म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित Court N Delhi में उपस्थित होकर अपराध का उत्तर दें।

अभियुक्त के हस्ताक्षर या अंगूठे का चिन्ह

परिवादी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर

श्री Sunil Gortam/Rahul Patra सुपुत्र श्री

को सूचना दी जायी है कि वह दिनांक 20/11/2023 को श्री Kenul Singh मेट्रोपोलिटन/म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित में बजे उपस्थित होकर अपराध का उत्तर दें।

412 2543BP1

दिनांक पृष्ठ चलदिये  
परिवादी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर

43213 दिल्ली नगर निगम

2/c

पुस्तक नं.

क्षेत्र

South Zone

चालान नं.

परिवाद

PHI

विभाग

Health

श्री

Pris Pal

सुपुत्र श्री

व्यवसाय

Carpenter

निवासी

30 FF Home Khas

को अज्ञ दिनांक

20/10/2023

बजे

4/11/2023

निर्दिष्ट अपराध करते हुए देखा, जो कि दिल्ली नगर निगम अधिनियम 1957 की धारा 481 के अन्तर्गत दण्डनीय है।

Dept Chella 23602/272

found the Carpenters Ramp without MCO license and insurance and unhygienic condition from health post @ view the fork you at 30, SF Home Khas VII

इसलिए परिवाद तैयार करके अभियुक्त को सूचित किया गया है कि वह

दिनांक

8/11/2023

को बजे श्री

Kenned

मैट्रोपोलिटन/

Court of Delhi Municipal Magistrate के न्यायालय स्थित में उपस्थित

होकर अपराध का उत्तर दें।

अभियुक्त के हस्ताक्षर या अंगुठे का चिह्न

[Handwritten signature]

परिवादी के हस्ताक्षर प्रतिवेदनकर्ता के हस्ताक्षर

Pris Pal

श्री

सुपुत्र श्री

को सूचना दी जाती है कि यह दिनांक

8/11/2023

को श्री

Kenned

मैट्रोपोलिटन/म्युनिसिपल मैजिस्ट्रेट के न्यायालय स्थित

में बजे उपस्थित

होकर अपराध 481 दिल्ली नगर निगम अधिनियम, 1957 के अन्तर्गत उत्तर दें।

दिनांक

20/10/2023

पृष्ठ उलटिये

परिवादी के हस्ताक्षर प्रतिवेदनकर्ता के हस्ताक्षर

43212

दिल्ली नगर निगम

Health  
Law

दस्तावेज नं.

113

क्षेत्र

घालान नं.

Munish

परिवार

विभाग

श्री

B 30 SF Howkha

सुपुत्र श्री

व्यवसाय

Eating

निवासी

को अज्ञ दिनांक 20/10/2022

बजे

लिखित अपराध करते हुए देखा, जोकि दिल्ली नगर निगम अधिनियम

1957 के धारा

461 के अन्तर्गत दण्डनीय है।

And the Eating House is Run without  
NCC License and Sanitary and unhygienic  
Condition from health point of view  
HUTAL at B 30 SF Howkha village  
New Delh,

इसलिए परिचय से यार करके अभियुक्त के सूचित किया गया है कि यह

दिनांक 20 को सत्र को श्री Metropolitan Court N Delh

म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित

में उपस्थित

होकर अपराध का उत्तर दें।  
अभियुक्त के हस्ताक्षर या अंगठे का चिन्ह

परिवारी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर

Munish

श्री

सुपुत्र श्री

Kenwal Singh

को सूचना दी जाती है कि यह दिनांक 20 को श्री Metropolitan Court N Delh

में उपस्थित

में उपस्थित

होकर अपराध 461 दिल्ली नगर निगम अधिनियम, 1957 के अन्तर्गत उत्तर दें।

दिनांक

20/10/2022

उलटिये

परिवारी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर