

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

Original Application No. 102/2026

**In the matter of:**

Deepak Agarwal & Ors.

...Applicant

Versus

Union of India & Ors.

...Respondent

**NDOH- 20.05.2026**

**INDEX**

Sl. No.	Particulars	Page No.
1.	Status Report on behalf of Delhi Pollution Control Committee in terms of Order dated 10.02.2026.	
2.	<b><u>Annexure -1 (Colly)</u></b> Copy of inspection report along-with photographs dated 09.03.2026.	

Filed by



Delhi Pollution Control Committee

Place: Delhi

Dated: 16 May, 2026

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

Original Application No. 102/2026

**In the matter of:**

Deepak Agarwal & Ors.

...Applicant

Versus

Union of India & Ors.

...Respondent

**STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE (RESPONDENT NUMBER- 2) AND STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY -DELHI (RESPONDENT NUMBER- 3) IN COMPLIANCE WITH THE ORDER DATED 10.02.2026.**

**IT IS MOST RESPECTFULLY SHOWETH:**

I, Dr. BMS Reddy, Additional Director, Delhi Pollution Control Committee, 3<sup>rd</sup> Floor, Block-A, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Additional Director, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee/ SEIAA-Delhi in its ordinary course.
2. That the present status report-cum-affidavit is being filed in compliance with the directions passed by this Hon'ble Tribunal vide order dated 10.02.2026 in the above-mentioned matter concerning the issue of alleged

*Handwritten signature*



violation while constructing Central Square Complex (also known as DCM Flatted Factory Complex) situated at 20, Manohar Khurana Marg, Bara Hindu Rao, Delhi-110006.

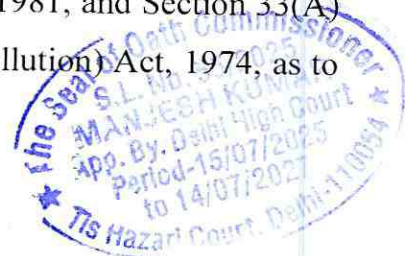
3. That the DPCC inspected the site in question on 20.03.2008 wherein it was observed that the project proponent M/s Purearth Infrastructure Limited has been constructing Flatted Factory Complex without obtaining Environmental Clearance (EC).
4. That on the basis of observation of inspection, DPCC issued order under Section 33 (A) of the Water Act-1974 directing the project proponent to stop the construction project. An EDC of Rs. 1 Crore along with Rs. 2 crore bank guarantee was also levied on the Project proponent. The bank guarantee was valid for three years, which was upto 2011, it expired due to efflux of time.
5. That the MoEF&CC on 22.08.2008 granted Environmental Clearance to the project and further on 30.11.2015 it was extended for next 5 years till November 2020. The EC dated 22.08.2008 was granted for construction of flatted factory complex on a plot area of 99,350 Sq. m. with total build up area of 2,14,962 Sq.m. Project proponent proposed to construct 4 plazas (Plaza 1, 2 & 3 will be 2 basements plus ground floor plus four floors and Plaza 4 will be ground plus 5 floors).
6. That the DPCC on 14.07.2008 issued Consent to Establish (CTE) for project of construction of central square flatted factory complex. Currently the project is having Consent to Operate (CTO) valid upto 14.06.2029.

*Kaury*



7. That the applicant herein has also filed W.P.(C) No. 8594/2024 which is pending before Hon'ble High Court of Delhi and now listed for 12.08.2026. The applicant has raised issue regarding non-compliances with regards to Plaza 1, 2 and 3 of the Central Square Complex (also known as DCM Flatted Factory Complex).
8. That the consent was issued over a decade ago, specifically more than 18 years prior to the filing of the present application in 2026. Under section 28 of the Water Act-1974, any person aggrieved by a consent order may prefer an appeal within 30 days of the order before the Appellate Authority. Therefore, challenge of the CTE at this juncture is barred by limitation under the Water Act-1974 as well as under the Limitation Act, 1963. That the present petition, filed in 2026, is well beyond the thirty days period and is, therefore, liable to be dismissed on this ground alone.
9. That no plea for condonation of delay has been made by the applicant, nor have any exceptional circumstances been demonstrated to justify such condonation, as held by the Hon'ble Supreme Court in M/s. P. D. Agarwal v. State of U.P. (1976) where the limitation period for filing an appeal was deemed rigid, though courts may condone delay in appropriate circumstances.
10. That the issuance of the CTE was conducted in accordance with applicable regulations:
  - a. That on 20.03.2008, an inspection was conducted, and the matter was considered in the 51st Consent Management Committee (CMC) meeting held on 23.04.2008.
  - b. That it was decided to issue a notice under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981, and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, as to

*Handwritten signature*



why construction should not be stopped due to the absence of EC and CTE.

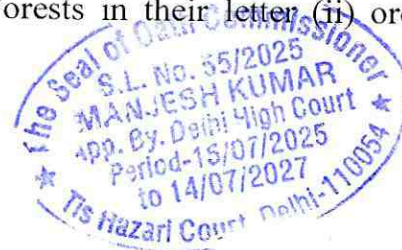
- c. That a copy of the notice was sent to the Additional Secretary, Ministry of Environment and Forests (MoEF), for action under the Environment (Protection) Act, 1986 (EPA).
- d. That on 28.04.2008, a notice was issued to M/s Purearth Infrastructure Limited under the aforementioned sections.
- e. That on 12.05.2008, M/s Purearth Infrastructure Limited applied for CTE, submitting requisite documents, including permission from the Municipal Corporation of Delhi (MCD) and a Feasibility Report.
- f. That replies to the notices under Sections 31(A) and 33(A) were submitted on 12.05.2008 and 13.05.2008, respectively, along with a request for a hearing.
- g. That in the 56th CMC meeting held on 21.05.2008, the unit was asked to provide complete project details, including plot area, built-up area, number of blocks, and stage of construction.
- h. That it was also required to confirm with MoEF regarding EC.
- i. That on 21.05.2008, the unit applied for EC to MoEF and submitted a project report on 27.05.2008.
- j. That the 58<sup>th</sup> CMC meeting held on 28.05.2008 decided to issue a notice to confirm the stage of construction for Blocks 1 to 4 and directed that no construction should proceed in Plaza 4 until EC was obtained.
- k. That the unit confirmed that no construction would commence in Plaza 4 and requested a hearing in July 2008.
- l. That in the CMC meeting held on 04.07.2008, it was noted that the unit had not started construction for Plaza 4, as directed.

*Wally*



- m. That the unit applied for EC, with a hearing scheduled for 17.07.2008.
- n. That the CMC imposed a penalty of Rs. 1 crore in cash and a Bank Guarantee of Rs. 2 crores, valid for three years, for compliance with environmental regulations.
- o. That the unit submitted the Bank Guarantee on 09.07.2008, and CTE was issued, valid until 13.07.2009.
11. That the role of DPCC is limited to the issuance of consents under the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974.
12. That the Consent to Operate (CTO) for Plaza 1 and 3 was issued on 29.06.2012 to M/s DCM Ltd. (Park Square), valid until 16.01.2015. That further, CTO for all three plazas was issued on 04.08.2014 to M/s DCM Ltd. (Central Square), valid until 08.07.2019, and renewed on 02.01.2020, valid until 08.07.2024.
13. That these consents were issued following due process and verification, and any challenge to these is also time-barred under Article 58 of the Limitation Act, 1963, as the right to sue accrued at the time of issuance of the respective consents.
14. That, with respect to letter(s) of MOEF in 2008 it is most respectfully submitted:
- (a) In the meeting of the Consent Management Committee has contemplated the available options with DPCC against the project proponent. The three options were (i) prosecution as advised by the Ministry of Environment and Forests in their letter (ii) order of

*Handwritten signature*



closure in exercise of powers under Section 31A of Air Act and 33A of Water Act and (iii) levy penalty and bank guarantee valid for three years to ensure compliance of environmental norms.

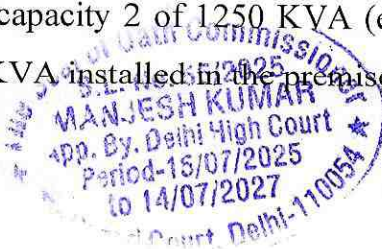
(b) The project proponent consciously opted to pay the penalty and provide the bank guarantee.

15. That Section 14 of the NGT Act-2010 provides that environmental disputes matters must be filed within **6 months** from when the cause of action "first arose," extendable by another 60 days. Further, Section 15 compensation/restoration claims have a **5-year** limitation. The present facts and circumstances are shows that project is underway since the year of 2018.

16. That in compliance with the order dated 10.02.2026, DPCC officials conducted an inspection of the site on 09.03.2026. Following are the main observations of the inspection:

- a) Project Proponent has valid CTO valid up to 14.06.2029.
- b) Project Proponent has obtained Environmental clearance (EC) on 22/08/2008
- c) Currently there are 3 plazas which are fully constructed (Plaza-1, Plaza-2 and Plaza-3).
- d) Plaza-4 is not constructed yet (No construction activity was going on during the inspection).
- e) At the location of the plaza-4, a trench is seen which was barricaded with wind breakers /barriers of 2.5 meter approximately height.
- f) STP of capacity 800 KLD (240 KLD + 560KLD) installed in the premises.
- g) 4 DG sets of capacity 2 of 1250 KVA (each), 1 of 1010 KVA and 1 of 500 KVA installed in the premises. However, 2 DG Set

*hull*



- of 1250 KVA (each) were non-operational during inspection.
- h) C&D materials seen at few places which were covered with green net and tarpaulin.
- i) One borewell is installed in the premises with the approval of the Delhi Jal Board.

Copy of inspection report dated 09.03.2026 along with photographs is annexed herewith and marked as **ANNEXURE 1** (Colly).

17. It is, therefore, respectfully prayed that this Hon'ble Tribunal may kindly take the present affidavit on record.

*[Signature]*  
**DEPONENT**

Identity of deponent who has signed is not present.

**VERIFICATION** 16 MAY 2026

I, the above-named deponent, declare the contents of the present status report are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

16 MAY 2026

Verified at New Delhi on this \_\_\_ day of May, 2026.

*[Signature]*  
**DEPONENT**

139/26  
 S.L. No. 55/2025  
 MANJESH KUMAR  
 App. By. Delhi High Court.  
 Period-15/07/2025  
 to 14/07/2027  
 The Hazari Court, Delhi-110054

IDENTIFIED THAT THE DEPONENT  
 Shri/Smt./K...  
 S/o W/o D/o...  
 R/o...  
 Identified by Shri/Smt...  
 has solemnly affirmed before me at  
 Delhi on... at S. No. 139/26  
 that the Contents of the affidavit which have  
 been read and explained to him are true and  
 correct to his knowledge.  
 Notary Commission...

16 MAY 2026

	<b>DELHI POLLUTION CONTROL COMMITTEE</b> <b>DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI</b> <b>3 rd FLOOR, BLOCK-1, DMRC IT PARK BUILDING,</b> <b>SHASTRI PARK, DELHI-110053</b> visit us at : <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a>	
---	---	---

INSPECTION REPORT DATED ..... 03/03/2026

Sl.No.	Description	Status
1.	Application	CTE/ CTO/ CTR <i>N/A</i>
2.	Name of Agency /Agency	<i>DEM Ltd.</i>
3 (i).	Office Address	<i>Park Square, Manohar Lal Khurana Marg Rohatak Road, Delhi-110006</i>
(ii)	Phone No.	<i>9810498432</i>
(iii)	Email ID	<i>ss.sharma@pureearth.in</i>
4.	Name & Address of the Project.	<i>Central Square flatted complex 20, Manohar Lal Khurana Marg Bara Hindu Rao, Delhi</i>
5.	Kind of Building	<i>flatted factory complex</i>
6 (i).	Total Plot area.	<i>99,350.00m<sup>2</sup></i>
(ii).	Built-Up area.	<i>2,14,962.00 m<sup>2</sup></i>
(iii).	No. of Basements	<i>Plaza-1 → Basement-1 Plaza-3 → Basement-1 Plaza-2 → Basement-2 Plaza-4 (Not constructed)</i>
(iv).	No. of floors	<i>G+4 in all 3 plazas</i>
7 (i).	Status of Environmental Clearance	<i>obtained dated 22/08/2008</i>

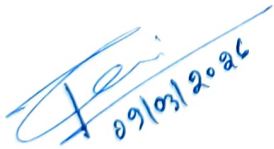
(ii).	Status of Consent to Establish	Obtained dated 14.07.2008			
(iii).	Status of Consent to Operate	Valid CTO upto 14/06/2029			
8.	Operational status of the project	operational			
9.	Sanctioned Power Load (C.A. no.).	CA No. 60020240168 Sanctioned load - 1395 KVA/kw			
10.	Details of DG sets	KVA	Acoustic	Stack ht above GL(Mts)	Stack ht above RL(Mts)
		2x1250	Yes	Adequate	(31.0 m approx)
		1x1010	Yes	Adequate	"
		1x500	Yes	Adequate	"
11.	Details of Boilers/ Hot Water generators (fuel, stack ht).	Nil			
12.	Source of Water	DJB & Borewell			
13.	No of bore wells & DJB permission/ CGWA registration	1 with DJB permission			
14 (i).	Water consumption (Fresh)	20 KLD (648 proposed) KLD as per EC			
(ii)	Water consumption (treated)	19 KLD (716 proposed) KLD as per EC			
15.	Capacity of STP	800 KLD (240 KLD (operational) + 560 KLD as per EC)			
16 (i).	Treated Water used in HVAC cooling	Nil (294 KLD proposed) as per EC)			
(ii).	Treated Water used in Flushing	10 KLD (278 KLD proposed) as per EC)			
(iii).	Treated Water used in Horticulture/ Gardening etc.	9 KLD (75 KLD proposed) as per EC)			

17.	Log Book & Flow meter installed for		Flow Meter	Log Book
		Bore well	Yes	Yes
		Inlet of STP	Yes	Yes
		Outlet of STP	Yes	Yes
		HVAC cooling	Yes	Yes
		Flushing	Yes	Yes
		Horticulture/ Gardening	Yes	Yes
18.	Measures adopted to control dust emissions (construction phase)	N/A		
19.	Excavated top soil stored at site.(construction phase)	N/A		
20 (i).	Covering of Construction material during transportation	N/A		
(ii).	Covering of Construction material stored at site	Complying as few C&D materials found stored at site but covered.		
(iii).	Provisions for cleaning of dust from vehicles	N/A		
21.	No. of Rain Water Harvesting Pits	08		
22.	Status of solar water heating	No		
23.	Green Belt	9305.8 m <sup>2</sup> (as informed)		
24.	First Aid Room	Yes/No	(kit available)	
25.	Details of energy saving Measures	Solar Lights LED/CFL	50 kw solar installed	
26.	Space for garbage collection	Provided/Not provided		
27.	Measures for composting of organic waste.	Provided/Not provided		

28. Other remarks, if any.

During inspection following is observed:-

- ① Currently there are 3 plazas which are fully constructed (Plaza-1, Plaza-2 and Plaza-3)
- ② Plaza-4 is not constructed yet. (No construction going on)
- ③ At the location of plaza-4, a trench is seen which is covered with wind breakers or barriers of height 2.5 metre approximately. (Partially filled with soil)
- ④ STP of capacity 800 KLD (240 KLD + 560 KLD) installed in the premises.
- ⑤ 4 DG sets of capacity 2x1250 KVA, 1x1010 KVA and 1x500 KVA installed in the premises. However DG of capacity 2x1250 KVA were non-operational during inspection.
- ⑥ C&D materials could be seen at few places which were covered with green net and tarpaulin.

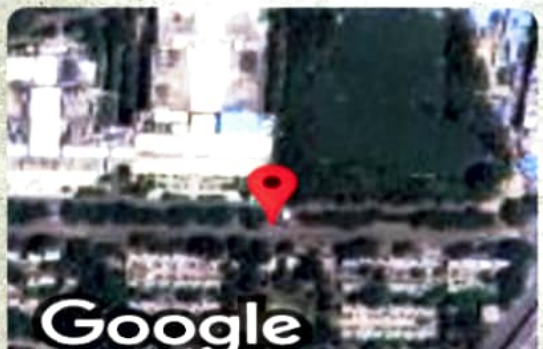
<p>S.S. Sharma</p> <p>Signature of persons present during inspection.</p>	<p>SHAYAM SUNDER SHARMA SVP (Projects &amp; Procurement)</p> <p>Name &amp; designation of persons present during inspection.</p>
<p> 29/03/2026</p> <p>Signature of inspecting officials.</p>	<p>Raghendra Rai, JEE EIA, cell</p> <p>Name &amp; designation of inspecting officials.</p>



RESTRICTED AREA  
DEEP EXCAVATION AHEAD




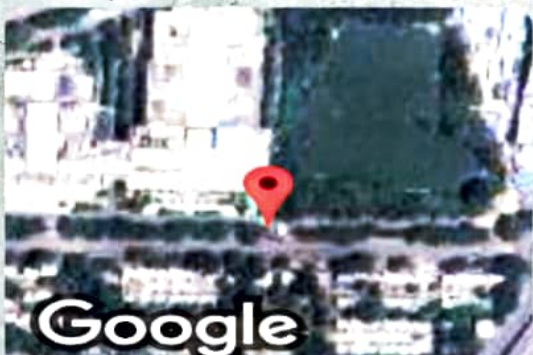
GPS Map Camera



New Delhi, Delhi, India 🇮🇳  
11, Block T, Beri Wala Bagh, Sarai Rohilla,  
New Delhi, Delhi 110006, India  
Lat 28.662856° Long 77.2034°  
Monday, 09/03/2026 04:03 PM GMT +05:30



 GPS Map Camera



**New Delhi, Delhi, India** 

11, Block T, Beri Wala Bagh, Sarai Rohilla,  
New Delhi, Delhi 110006, India

Lat 28.662959° Long 77.203403°

Monday, 09/03/2026 04:07 PM GMT +05:30

**DG SET  
DECOMMISSIONED  
(NOT IN USE)**

**DG No.1  
KVA-1250**



GPS Map Camera

**Delhi, Delhi, India** 

Central Square Mall Plaza-1, Central Square Mall, Beri Wala Bagh, Kishan Ganj, Delhi, Delhi 110006, India

Lat 28.663641° Long 77.202955°

Monday, 09/03/2026 04:11 PM GMT +05:30







GPS Map Camera

**New Delhi, Delhi, India** 


Kishanganj, Beri Wala Bagh, Sarai Rohilla,  
 Beri Wala Bagh, Kishan Ganj, New Delhi, Delhi  
 110007, India

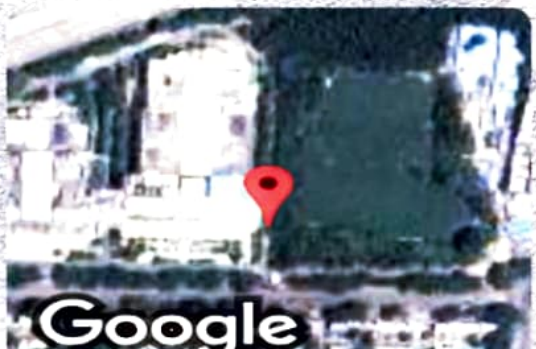
Lat 28.664503° Long 77.202798°


Monday, 09/03/2026 04:14 PM GMT +05:30





 GPS Map Camera



**Delhi, Delhi, India**   
 Unit No, 211, P-3, central Square, Bara Hindu  
 Rao, Kishan Ganj, Delhi, Delhi 110006, India  
 Lat 28.663326° Long 77.203445°  
 Monday, 09/03/2026 04:47 PM GMT +05:30



GPS Map Camera

New Delhi, Delhi, India 

7039, Beri Wala Bagh, Kishan Ganj, New Delhi, Delhi 110006, India

Lat 28.664526° Long 77.203158°

Monday, 09/03/2026 04:49 PM GMT +05:30





GPS Map Camera

New Delhi, Delhi, India 🇮🇳

T1, Gaushala Marg, Beri Wala Bagh, Kishan Ganj, New Delhi, Delhi 110006, India

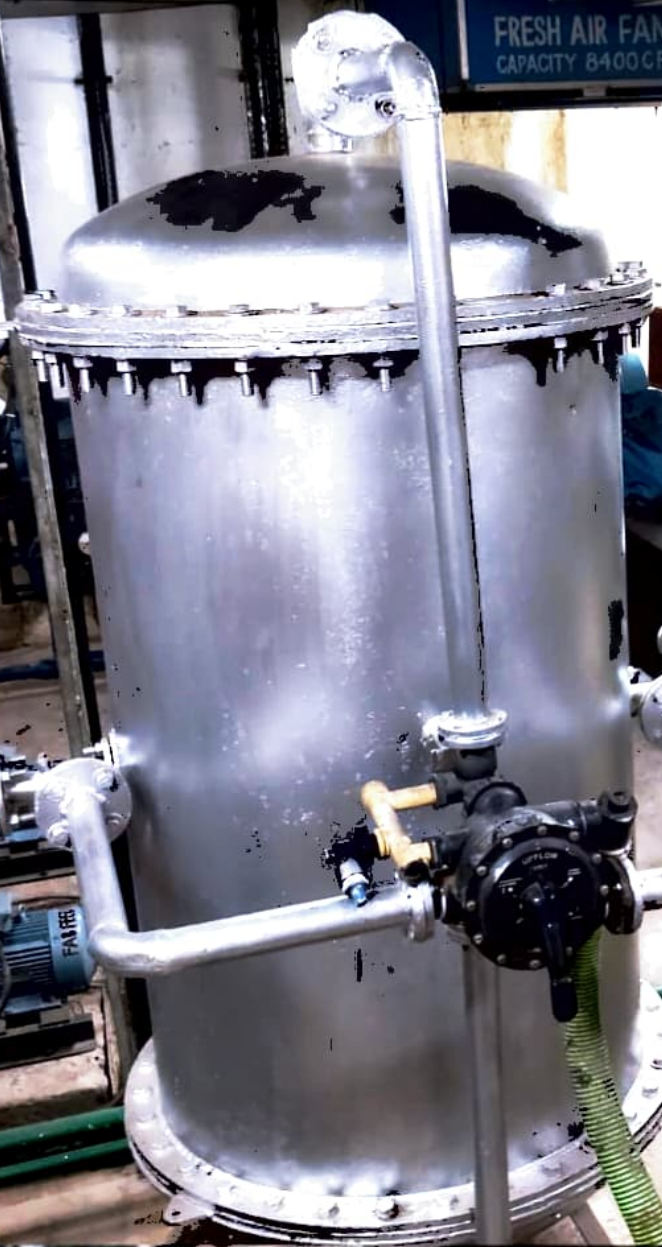
Lat 28.6631° Long 77.20008°

Monday, 09/03/2026 04:31 PM GMT +05:30



FRESH AIR FAN-2  
CAPACITY 8400CFM

AIR-BLOWER-2




GPS Map Camera

New Delhi, Delhi, India 🇮🇳  
T1, Gaushala Marg, Beri Wala Bagh, Kishan  
Ganj, New Delhi, Delhi 110006, India  
Lat 28.663096° Long 77.200068°  
Monday, 09/03/2026 04:31 PM GMT +05:30





GPS Map Camera

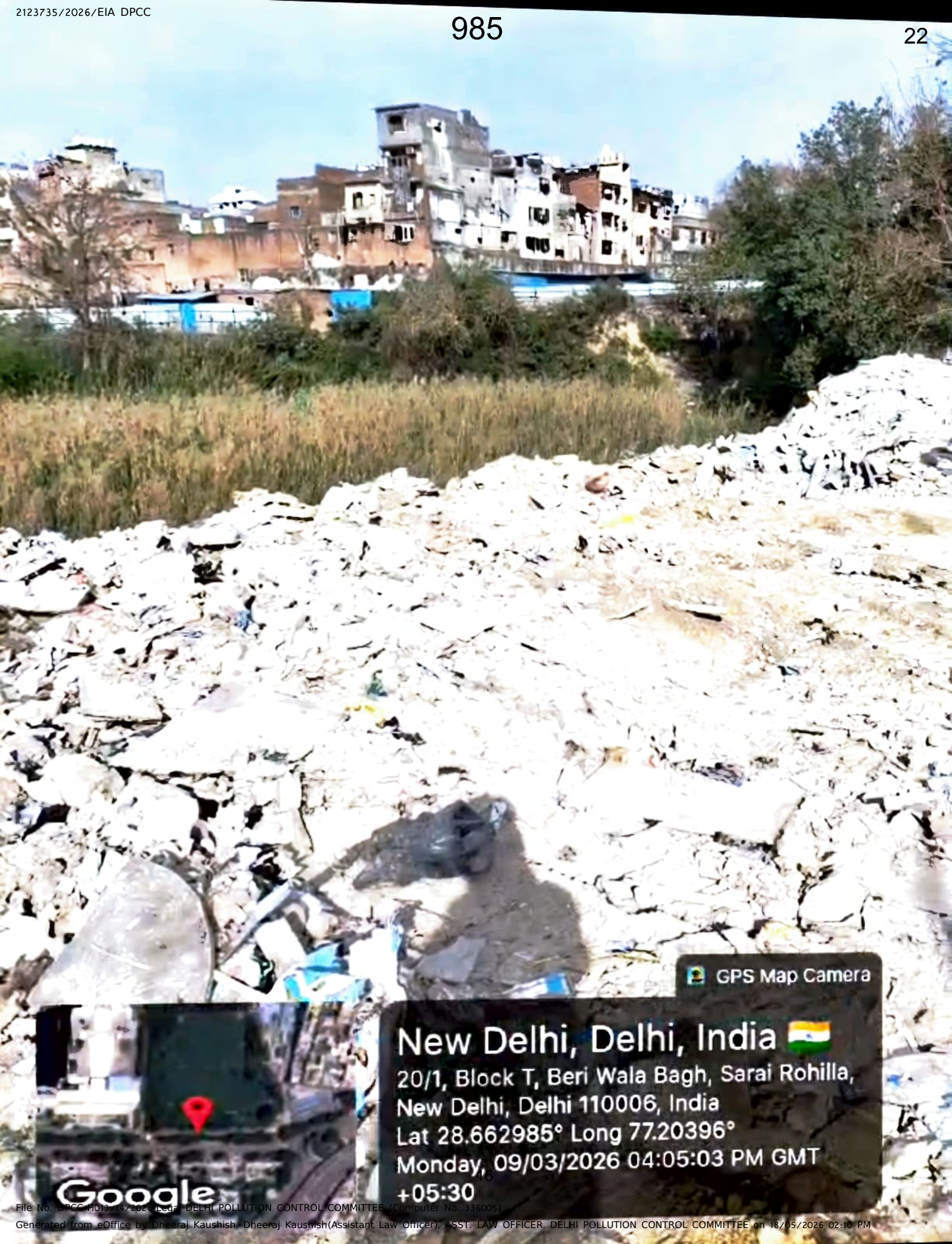
New Delhi, Delhi, India 

20/1, Block T, Beri Wala Bagh, Sarai Rohilla,  
New Delhi, Delhi 110006, India


Lat 28.662914° Long 77.203986°

Monday, 09/03/2026 04:04:49 PM GMT  
+05:30





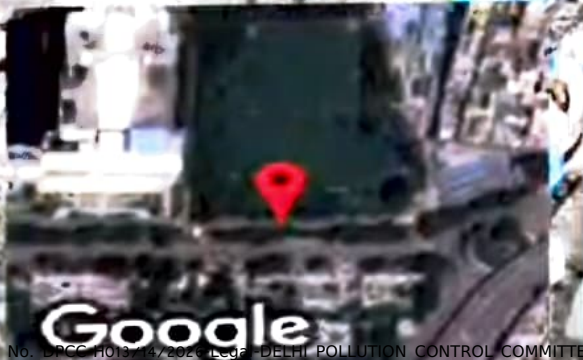
GPS Map Camera

New Delhi, Delhi, India 

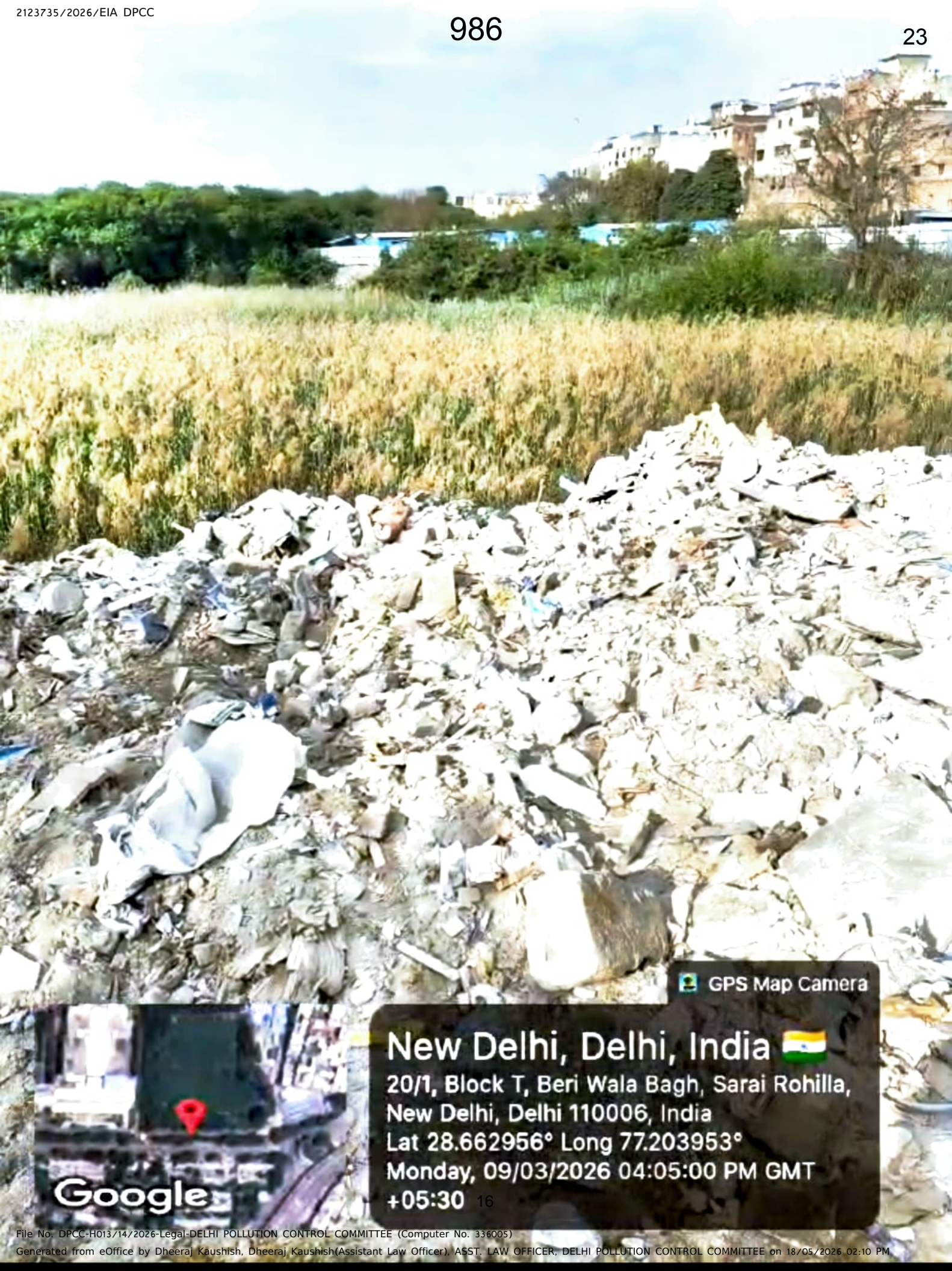
20/1, Block T, Beri Wala Bagh, Sarai Rohilla,  
New Delhi, Delhi 110006, India

Lat 28.662985° Long 77.20396°

Monday, 09/03/2026 04:05:03 PM GMT  
+05:30



Google



GPS Map Camera



**New Delhi, Delhi, India** 🇮🇳  
20/1, Block T, Beri Wala Bagh, Sarai Rohilla,  
New Delhi, Delhi 110006, India  
Lat 28.662956° Long 77.203953°  
Monday, 09/03/2026 04:05:00 PM GMT  
+05:30 16



GPS Map Camera

**New Delhi, Delhi, India** 🇮🇳  
 20/1, Block T, Beri Wala Bagh, Sarai Rohilla,  
 New Delhi, Delhi 110006, India  
 Lat 28.662994° Long 77.203974°  
 Monday, 09/03/2026 04:05:14 PM GMT  
 +05:30 <sup>17</sup>