

Original Application No. 16/2023

IN THE MATTER OF

JAGDEEP KUMAR

VS.

GOVT. OF NCT OF DELHI

MOST RESPECTFULLY SHOWETH:-

1. That this office has received an order dated 22.02.2023 from the Hon'ble National Green Tribunal vide which a joint committee comprising of Delhi Pollution Control Committee and District Magistrate, East Delhi, who shall look into a matter, visit the site, collect relevant information and submit a factual and action taken, if any, report within two months. District Magistrate, East Delhi will be nodal agency for coordination and compliance.
2. That the matter related to the property no. B-1757/9/10 and B-1757/10 (old no. B-1757/36) whereat several industrial units are running, though in the residential area industrial units cannot run and these industrial units are emitting polluted air causing air pollution affecting local people and creating health hazards.
3. That Sr. Env. Engineer, CMC-VII, Delhi Pollution Control Committee vide letter no. DPCC/CMC-VII/NGT/OA-16/2023/2023/1376-79 dated 20.03.2023 has forwarded to the said order to District Magistrate (East) & District Magistrate (Central) with the copy endorsed to SDM (Civil Lines) for taking necessary action as the alleged site is actually pertains to this office. Further, the DPCC has nominated Sh. Ashish, Junior Environmental Engineer (Mobile No. 8003044880) as member from DPCC for the aforesaid Joint Committee. (Copy of letter is enclosed herewith).
4. That accordingly, a meeting notice cum survey was issued vide letter no. F.SDM/KOT/DPCC/2023/7823-27 dated 31.03.2023 by this office with the request to the concerned agency / department attend the meeting on 03.04.2023 on 10:30 A.M. in the office of SDM (Kotwali). (Copy of meeting notice cum survey is enclosed herewith).

5. That the meeting was headed under the chairmanship of SDM (Kotwali) on dated 03.04.2023 and all the concerned agency / department was directed to inspect the above said alleged site.
6. That as decided in the meeting, the joint inspection was carried out at the site by the Tehsildar (Kotwali) along with Sh. Sohan Lal, LDC (CSPZ), MCD & Sh. Ashish, JEE, CMC-VII, DPCC on 03.04.2023. The detailed report is as under:-

*Joint inspection of alleged sites B-1757/9/10 and B-1757/10, Lankapuri, Hanuman Gate, Shastri Nagar, Delhi-110052 was conducted by officials of MCD, DPCC and District Magistrate (Central) on 03.04.2023 in presence of complainant Sh. Jagdeep Kumar.*

*During joint inspection, following observations were made:*

6. That
- (i) Both the alleged sites are situated in residential area at Lankapuri, Hanuman Gali, Shastri Nagar, Delhi-110052.
- (ii) At the ground floor of alleged site at B-1757/9/10, Lankapuri, Hanuman Gali, Shastri Nagar, Delhi-110052, an illegal unit found operational & engaged in stitching & tailoring of hosiery cloths with 10 stitching machines and another illegal unit found operational & engaged in the manufacturing of cartons from paper cardboards with 4 cutting & stapling machines. However, all the floors except the ground floor of this site are occupied by residents.
- (iii) At the ground floor of alleged site at B-1757/10, Lankapuri, Hanuman Gali, Shastri Nagar, Delhi-110052, an illegal unit found operational & engaged in the cutting & turning of metallic parts with 4 lathe machines. However, all the floors except the ground floor of this site are occupied by residents.
- (iv) All the 3 units mentioned above are operating illegally without having any license from the Government departments.

*The copy of report is enclosed herewith.*



7. That notices U/s 345A read with Section 347 and 419 of DMC Act, 1954 has been issued to the owner / occupier of property no. 1757/10, Lanka Puri, Shastri Nagar, Delhi-52 & 1757/09/10, Lanka Puri, Shastri Nagar, Delhi-52 by the MCD with the direction to stop the misuse in the above mentioned premises and also to bring the premises within the permitted use i.e. residential purpose only as per MPD-2021 within 48 hours of receipt of the notice and also file an affidavit in prescribed format, failing which the premises / industrial unit / factory under reference will be sealed without any further notice. The notices have been duly served upon to the owner / occupiers of the above said property on dated 25.04.2023 & 26.04.2023. (The copy of notices is enclosed herewith).

8. That this office is pursuing with the MCD for further action in the matter.

9. Submitted for kind perusal of Hon'ble NGT please.

10. This issues with the prior approval of District Magistrate (Central).



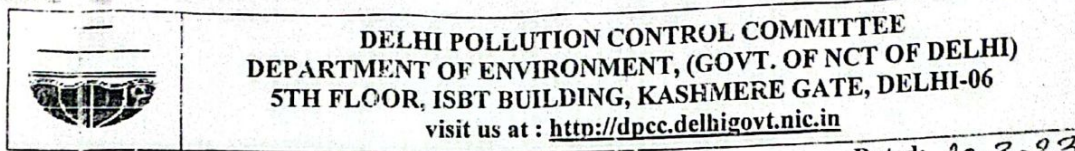
*(Signature)*  
16/05/2023  
(ARVIND RANA)  
SUB-DIVISIONAL MAGISTRATE  
SUB-DIVISION : KOTWALI

8. That

9. Sub

10. This

By Speed Post



F. No. DPCC/CMC-VII/NGT/OA-16/2023/2023 | 1376-79

Dated: 20-3-23

To,

1. District Magistrate (East)  
Office of District Magistrate  
L.M. Bundh, Shastri Nagar,  
Delhi - 110031
- ✓ The District Magistrate (Central)  
Office of the District Magistrate  
14, Daryaganj, Delhi - 110002

Sub.: Regarding nomination w.r.t. Orders passed by Hon'ble NGT in O.A. No. 16/2023 in the matter "Jagdeep Kumar Vs. Govt. of NCT of Delhi".

Sir,

This has reference to the order dated 22.03.2023 passed by Hon'ble National Green Tribunal in Original Application No. 16/2023 in the matter of "Jagdeep Kumar Vs. Govt. of NCT of Delhi" (copy enclosed) regarding running of several illegal industrial units at B- 1757/9/10 and B- 1757/10 (old no. B-1757/36), Lankapuri, Hanuman Gali, Shastri Nagar, Delhi-110052. The Hon'ble NGT has issued following directions as reproduced below:-

- "....."
3. In our view the matter can be looked into by the local administration, for the purpose whereof, we constitute a joint Committee comprising Delhi Pollution Control Committee and District Magistrate, East Delhi, who shall look into the matter, visit the site, collect relevant information and submit a factual and action taken, if any, report within two months.
  4. District Magistrate, East Delhi will be nodal agency for coordination and compliance..."

It is pertinent to mention here that the alleged site is actually pertains to Central District, Delhi.

In this context, Sh. Ashish, Junior Environmental Engineer (Mobile No.- 8003044880) is hereby nominated as member from DPCC for the aforesaid Joint Committee.

This may be treated as most urgent as ATR is to be filed before the Hon'ble NGT within two months.

This issues with the approval of the Competent Authority

Encl.: As above

Yours sincerely

*[Signature]*  
 Sr. Env. Engineer  
 CMC-VII

Copy to:-

1. The SDM (Civil Lines), Office of SDM Civil Lines, NDPL Office Building near Panchayat Bhawan, Burari, Delhi-110084.
2. Sh. Ashish, Junior Environmental Engineer (DPCC)



GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (KOTWALI)  
14, DARYA GANJ, NEW DELHI-110002.

No. F. SDM/KOT/DPCC/2023/7823-27

Dated: 3/03/23

**MEETING NOTICE CUM SURVEY**

Please refer to the order of Hon'ble NGT issued on 22.02.2023 in Original Application No. 16/2023 titled as Jagdeep Kumar Vs. Govt. of NCT of Delhi vide which the Hon'ble NGT constituted a joint Committee for compliance and submit report in respect of property no. B-1757/9/10 and B-1757/10 (Old no. B-1757/36) whereat several industrial units are running and are emitting polluted air causing air pollution affecting local people and creating health hazards.

In view of above, a meeting under the chairmanship of Sub-Divisional Magistrate (Kotwali) is scheduled to be held on 03/04/2023 on 10:30 A.M. in the office of SDM (Kotwali).

All the representatives are requested to make it convenient to attend the meeting in person on the schedule date & time.

*[Signature]*  
(KULDIP SINGH)  
TEHSILDAR (KOTWALI)  
DISTRICT CENTRAL

To

1. Assistant Commissioner, City-SP Zone, MCD, Old Hindu College Building, Bara Bazar, Kashmere Gate, Delhi.
2. Sh. Ashish, Junior Environmental Engineer (Mobile No. 8003044880), Delhi Pollution Control Committee, Department of Environment, Govt. of NCT of Delhi, 5<sup>th</sup> Floor, ISBT Building, Kashmere Gate, Delhi-110006.
3. ACP (Sarai Rohilla)

Copy to:-

1. Deputy Commissioner, City-SP Zone, MCD, Old Hindu College Building, Bara Bazar, Kashmere Gate, Delhi.
2. Member Secretary, Delhi Pollution Control Committee, Department of Environment, Govt. of NCT of Delhi, 6th floor, C wing, Delhi Secretariat, I P Estate, Delhi-110002.

**MUNICIPAL CORPORATION OF DELHI**  
**OFFICE OF THE ASSISTANT COMMISSIONER, CITY-SP ZONE**  
**OLD HINDU COLLEGE BUILDING, NIGAM BHAWAN,**  
**KASHMERE GATE, DELHI- 110006**

**Subject:** Joint inspection report.

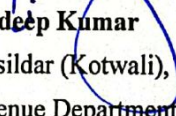
**Reference:** Order passed by Hon'ble NGT in O.A No. 16/2023 - "Jagdeep Kumar Vs Govt. of NCT of Delhi"


Joint inspection of alleged sites B-1757/9/10 and B-1757/10, Lankapuri, Hanuman Gali, Shastri Nagar, Delhi- 110052 was conducted by officials of MCD, DPCC and District Magistrate (Central) on 03.04.2023 in presence of complainant Sh. Jagdeep Kumar.


During joint inspection, following observations were made:

1. Both the alleged sites are situated in residential area at Lankapuri, Hanuman Gali, Shastri Nagar, Delhi- 110052.
2. At the ground floor of alleged site at B-1757/9/10, Lankapuri, Hanuman Gali, Shastri Nagar, Delhi- 110052, an illegal unit found operational & engaged in stitching & tailoring of hosiery cloths with 10 stitching machines and another illegal unit found operational & engaged in the manufacturing of cartons from paper cardboards with 4 cutting & stapling machines. However, all the floors except the ground floor of this site are occupied by residents.
3. At the ground floor of alleged site at B-1757/10, Lankapuri, Hanuman Gali, Shastri Nagar, Delhi- 110052, an illegal unit found operational & engaged in the cutting & turning of metallic parts with 4 lathe machines. However, all the floors except the ground floor of this site are occupied by residents.
4. All the 3 units mentioned above are operating illegally without having any license from the government departments.

In view of above, process of issuing notices to both the alleged sites has been initiated on 10.04.2023.

  
**Kuldeep Kumar**  
Tehsildar (Kotwali),  
Revenue Department

  
**Sohan Lal**  
LDC (CSPZ),  
MCD

  
**Ashish**  
JEE, CMC-VII  
DPCC



MUNICIPAL CORPORATION OF DELHI  
OFFICE OF THE DEPUTY COMMISSIONER  
CITY-SADAR PAHAR GANJ ZONE  
NIGAM BHAWAN, KASHIMERE GATE, DELHI-110006

No:-DC/CSPZ/MCD/2023/D-22  
To,

17  
Azadi Ka  
Amrit Mahot  
Date:-25/04/2023

M/s Shubh Kant Choudhary,  
1757/10, Lanka Puri, Shastri Nagar,  
Delhi-110052

Notice u/s 345A read with Section 347 and 419 of DMC Act, 1957

Whereas, the Public/Owners/Occupiers, in general by way of publication of a public notice in the leading Newspapers, was advised to stop the misuse/running Trade/Factories/Industrial Activities which are not covered within ambit of the MPD-2021 and bring the same within the ambit of law.

Whereas, it has been brought to the notice of the undersigned that Property/Portion of the property bearing No: B- 1757/10, Lanka Puri, Shastri Nagar (FLOOR-GF) (Ward-70) is being used for the purpose other than residential by running trade/factory/industrial i.e. (Machine Work) activities in the name/style of Sh./M/s. Shubh Kant Choudhary owner/occupier in violation of the existing policy of the MCD and also against the provisions of the MPD-2021, which amounts to misuse of the premises.

Now, therefore, I, Ankita Mishra, IAS, Dy. Commissioner, City-S.P.Zone, Municipal Corporation of Delhi in exercise of the powers vested with me under Section 345A, 347 & 419 of the DMC Act, read with section 491 of the Act and Rules and Regulations made thereunder, after considering the reports/ facts placed before me, hereby direct you to stop the misuse in the above mentioned premises and also to bring the premises within the permitted use i.e. residential purpose only as per MPD-2021 within 48 hours of receipt of this notice and also file an affidavit in prescribed format, failing which the premises/industrial unit/ factory under reference will be sealed without any further notice to you.

*Ankita Mishra*  
DEPUTY COMMISSIONER  
CITY-S.P.ZONE

3/कुज 25-4-23

881064/687



MUNICIPAL CORPORATION OF DELHI  
OFFICE OF THE DEPUTY COMMISSIONER  
CITY-SADAR PAHAR GANJ ZONE  
NIGAM BHAWAN, KASHMERE GATE, DELHI-110006

18

No:-DC/CSPZ/MCD/2023/D- 28

Date:- 2

To,

M/s Owner/ Occupier,  
1757/09/10, Lanka Puri, Shastri Nagar,  
Delhi-110052

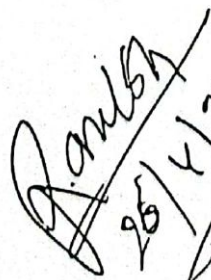
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Now, therefore, I, Ankita Mishra, IAS, Dy. Commissioner, City-S.P.Zone, Municipal Corporation of Delhi in exercise of the powers vested with me under Section 345A, 347 & 419 of the DMC Act, read with section 491 of the Act and Rules and Regulations made thereunder, after considering the reports/ facts placed before me, hereby direct you to stop the misuse in the above mentioned premises and also to bring the premises within the permitted use i.e. for residential purpose only as per MPD-2021 within 48 hours of receipt of this notice and also file an affidavit in prescribed format, failing which the premises/industrial unit/ factory under reference will be sealed without any further notice to you.

  
DEPUTY COMMISSIONER  
CITY-S.P.ZONE

  
26/4/23  
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