

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI**

O.A. No. 17/2022

IN THE MATTER OF:

D.S. Katara & Anr.

...Applicants

Versus

Govt. of NCT of Delhi & Ors.

...Respondents

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Through


Prabsahay Kaur and Nandadevi Deka

Counsels for DDA

B-20B, 1st Floor, Nizamuddin East,

New Delhi - 110013

(M) 8130788166

(E) ndeka@niddchambers.co.in

Date: 29.05.2023

Place: New Delhi

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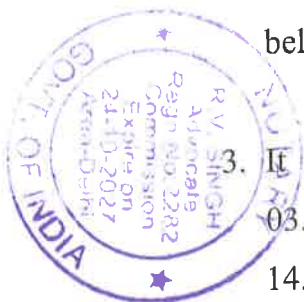
DETAILED COMPLIANCE AFFIDAVIT ON BEHALF OF
RESPONDENT/DDA IN THE CAPTIONED O.A.

MOST RESPECTFULLY SHOWETH:

I, Haeminder Singh Sidhu aged 53 years, S/o
Ajit Singh, designated as SE of DDA, W/o
SE/SCC-2, Plot D3&D4, Vasant Kunj, do hereby solemnly affirm
and state on oath as under

1. That I am presently working as SE/SCC-2 of Respondent DDA and as such am duly authorised and competent to affirm the present affidavit on behalf of Delhi Development Authority.
2. That the instant affidavit has been drafted under my instructions and I say that the facts therein are based upon case records which I believe to be accurate to the best of my knowledge and belief.

3. It is submitted that the Hon'ble Tribunal vide Order dated 03.03.2023 took cognisance of the compliance report dated 14.11.2022 and additional compliance report dated 02.03.2023 filed by DDA underlining steps taken by the latter to address issues



(Handwritten signature)

pertaining to the present O.A. However, vide the same Order, the Hon'ble Tribunal further directed DDA to file a detailed compliance report reflecting the action plan devised to resolve issues inherent to the present O.A.

4. In compliance with the Hon'ble Tribunal's Order dated 03.03.2023, DDA held a meeting between representatives of DPCC along with the Applicant Mr D.S. Kataria and the rest of the residents of the said society on 11.04.2023 so as to review the status of actions undertaken in the previous compliance reports. The meeting was held to address issues pertaining to two cases viz., O.A. 17/2022 and O.A. 517/2022, both pending adjudication before the Hon'ble Tribunal on 30.05.2023.

True copy of the Minutes of the Meeting dated 18.04.2023 is enclosed herewith and marked as **Annexure A-1**.

5. In the said meeting dated 11.04.2023 held in the office of the RWA, Sector E-2, Vasant Kunj, grievances pertaining to the instant case raised by residents of the subject society along with the corresponding action taken by DDA are delineated hereinunder:

Grievances Raised	Action Taken by DDA
<p>The ditch created behind the subject society to resolve the issue of waterlogging during the rainy season is in an unhygienic condition due to sewer/drain water being incessantly discharged from the unauthorised drain of K-2 Block, Village Mahipalpur.</p>	<p>DDA had floated a tender for the construction of an RCC wall behind subject society to prevent the seepage of dirty water into the said society which was awarded to M/s S. Kumar & Company on 24.05.2023 for an amount of Rs. 36,13,779 and a work duration of 45 days. Further, the construction of a drain to prevent the stagnation of sewage water has also been contemplated.</p> <p>Pertinent to state that DDA has</p>

	<p>already completed the water-proofing treatment and strengthening of the boundary wall of the society that runs along the drain in compliance with DPCC's directions vide letter dated 28.06.2022.</p>
<p>Cleaning of the pond is not carried out routinely.</p>	<p>The pond has already been cleaned in 2022 as per the directions of DPCC and photographs of the same were submitted before this Hon'ble Tribunal vide Additional Compliance Affidavit dated 02.03.2023. DDA had further submitted that it has issued a fresh tender for further routine cleaning of the pond/waterlogged area. The said tender was floated on 13.03.2023 and awarded to M/s Dhruv Parmanik on 27.04.2023 for an amount of Rs. 12,62,338 and a work duration of 45 days. The work has already commenced on site. Photographs of the clean land are enclosed along with this affidavit.</p>

True copies of the tenders awarded for the construction of the RCC wall behind the subject society and cleaning of waste/*malba* around the waterlogged area/pond at Rangpuri Pahari along with recent Photographs captured of the said area are enclosed herewith and marked as **Annexure A-2 (Colly)**.

6. Although not raised as an active grievance in the aforesaid meeting, it is submitted that DDA had also cleaned the *malba*

and/or garbage around the waterlogged area/pond at Rangpuri Pahadi which falls in the approach of Runway-28 and deputed a security guard to keep strict vigil in compliance with DPCC's directions vide letter dated 28.04.2022. The same was submitted before this Hon'ble Tribunal vide Additional Compliance Affidavit dated 02.03.2023. Thereafter, since the running tender for the deployment of the security guard expired in January 2023, DDA has taken steps to clean the entire area so as to prevent the illegal dumping of waste/malba. Further, it is reiterated that DDA has already awarded the tender for cleaning waste/malba around the waterlogged area/pond at Rangpuri Pahadi to M/s Dhruv Parmanik for an amount of Rs. 12,62,338 and a work duration of 45 days.

- 7. That in light of the aforesaid, DDA has discharged its compliance with DPCC's and this Hon'ble Tribunal's directions pertaining to issues raised by the Applicants in the captioned O.A.

[Handwritten Signature]

DEPONENT

VERIFICATION:

I, the above-named deponent, do hereby verify at New Delhi on this 26 day of MAY 2023 that the contents of this affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

[Handwritten Signature]
I identify the deponent/Person who has signed in my presence
D/194/B/2022



[Handwritten Signature]

DEPONENT

Superintending Engineer
Southern Civil Circle-2
Delhi Development Authority
D-3 & 4, Vasant Kunj, New Delhi

solemnly affirmed before me, notary
ever & explained to the deponent

[Handwritten Signature]
Notary Public, DELHI

29 MAY 2023

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE EXECUTIVE ENGINEER
SOUTHERN PROJECT DIVISION -1, DDA
D-2, VASANT KUNJ, NEW DELHI -110070
EMAIL :- eespd1dda@gmail.com
PHONE NO. 011-26122318



दिल्ली विकास प्राधिकरण,
अधिशासी अभियंता, SPD-1
दि० वि० प्रा०, डी -2, वसंत कुंज, नई दिल्ली -110070
ई मेल:- eespd1dda@gmail.com
दूरभाष संख्या : 011-26122318

5

क्रमांक: F15(14)AE(P)/SPD-1/DDA/369

दिनांक: 18.04.2023

MINUTES OF MEETING

(DS Kataria & Ors. Versus Govt. of NCT of Delhi)


In Compliance of order issued by Hon'ble NGT Court vide dated 03.03.2023 in the matter of **DS Kataria & Ors. Versus Govt. of NCT of Delhi** for review of action taken status of the work executed by DDA, a meeting was held on 11.04.2023 at 11.00 AM in the office of RWA, Sector E-2, Vasant Kunj between the representatives of DPCC, RWA & DDA in the presence of following:-

1. Pramod Meena, EE/SPD-1/DDA.
2. Sachin Kumar, AE(C)/SPD-1/DDA.
3. Sarim Zameer, JEE (DPCC).
4. D.S. Kataria, President, RWA, E-2, Vasant Kunj.
5. Sunil Kumar Sharma, Secretary, RWA, E-2, Vasant Kunj.
6. Residents of E-2, Vasant Kunj.

In the above meeting, following grievances of the residents were discussed in the matter of **DS Kataria & Ors. Versus Govt. of NCT of Delhi i.e. OA No. 17/2022 and OA No. 517/2022 :-**


SL. NO.	GRIEVANCES RAISED	ACTION TAKEN BY DDA
1.	During rainy season, the E-2 pocket is facing water logging issue, therefore, an artificial ditch created adjoining to Pkt. E-2 to resolve the issue of water logging, but the sewerage / drain water continuously enter in said area from unauthorized nallah of K-2 Block, Village Mahipalpur, which creates unhygienic conditions.	The water proofing work of existing RR wall of Pocket E-2 was already completed by the then staff in October-2022 and the same was submitted in the Hon'ble Court. As per direction of DPCC, this office has also floated a tender for RCC wall to prevent the unhygienic water comes in the said land.
2.	The cleaning of pond is not done on regular basis.	The pond was already cleaned in the year -2022 by then staff of DDA and the same was submitted before the Hon'ble Court and as per request of RWA and DPCC. Furthermore, this office has already started the work for cleaning of pond.

3.	The Heavy vehicles / trucks are continuously passing through E-1 & E-2 Road, which causes dust and sound pollution. Therefore, a height barrier is to be installed on E-1 & E-2 road to restrict the entry of heavy vehicles. However, this road was constructed by DDA exclusively for E-1 & E-2 pocket only. There are also securities issues in late night hours.	The issue of barricading pertains to Traffic Police, Delhi.
4.	DDA has stopped daily sprinkling of water on the road of E-1 & E-2	The work for sprinkling of water was completed in the month of March-2023 & as per direction of DPCC, this office will again float a tender for the same as soon as possible.


 18/04/23
 अधिशासी अभियंता,
 दक्षिणी परियोजना खंड -1
 दि० वि० प्रा०, डी-2, वसंत कुंज
 OIC

प्रतिलिपि :-

1. मुख्य अभियंता, (दक्षिण पूर्व क्षेत्र), दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
2. अधीक्षण अभियंता, (मुख्य कार्यालय व योजना) दक्षिणी पूर्व क्षेत्र, दि० वि० प्रा०, को कृपया सूचनार्थ हेतु।
3. अधीक्षण अभियंता, दक्षिणी असैनिक परिमंडल -2, दि० वि० प्रा० को कृपया सूचनार्थ हेतु।
4. अध्यक्ष, RWA, E-2, वसंत कुंज, नई दिल्ली -110070 को कृपया सूचनार्थ हेतु।
5. सहायक अभियंता-III दक्षिणी परियोजना खंड -1, दि० वि० प्रा० को आवश्यक कार्यवाही हेतु।
6. कार्यालय प्रतिलिपि।
7. रक्षक मिसिल प्रतिलिपि।


 18/04/23
 अधिशासी अभियंता,
 दक्षिणी परियोजना खंड -1
 दि० वि० प्रा०, डी-2, वसंत कुंज
 OIC



दिल्ली विकास प्राधिकरण
अधिशासी अभियंता कार्यालय
दक्षिणी परियोजना खंड- 1,
डी-2, वसंत कुंज, नई दिल्ली- 110070
फ़ोन नंबर :- 011-26122318
ईमेल :- ddased7@gmail.com

ANNEXURE A-2 (GOLLY)
DELHI DEVELOPMENT AUTHORITY
OFFICE OF
THE EXECUTIVE ENGINEER
SOUTHERN PROJECT DIVISION NO. 1
D2, VASANT KUNJ,
NEW DELHI-110070
PHONE NO :- 011-26122318
EMAIL ID :- eespd1dda@gmail.com

संख्या:- F50(14)EE/SPD-I/DDA/Award/2023-24/ 507

दिनांक:- 24.05.2023

सेवा में,

M/s S. Kumar & Company
Flat No. 69, SFS Flats,
Pocket-1, Sector-22,
Dwarka, New Delhi-110077.

विषय:- Protection of land under South Zone, DDA. SH:- C/o RCC boundary Wall for vacant land behind E-2, Pkt. Vasant Kunj.

Estimated Cost Rs. 57,07,169.00 Tender Amount Rs. 36,13,779.00
Percentage for Clause 12:- @ 36.68% below the estimated cost.

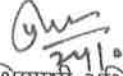
- Ref :- 1. Performance Guarantee (FDR A/c no. 41932633122 Dated 20.05.2023 for ₹ 1,81,000/- (Rs. One lac eighty one thousand only) SBI, submitted by you vide your letter no. NIL dated 20.05.2023.
2. This office letter of intent/Acceptance of your tender issue vide no F50(33)EE/SPD-1/DDA2022-23/442 dated 10.05.2023.

महोदय,

You are requested to contact **AE-V** of this Division & start the work at once. Please note that time allowed for carrying out the work as entered in the tender shall be reckoned from the 10th day after the date of issue of this letter.

You are also requested to attend this office to sign the agreement on stamp paper (non-judicial) worth RS 100/- (Rs one hundred only) within seven days from the date of issue of this letter. Please note that if you fail to attend this office of the undersigned within seven days, the acceptance of the work is liable to be withdrawn, EMD and performance guarantee shall be forfeited.

Time allowed for execution of the work shall be 45 (Forty five) days.


24/05/23
अधिशासी अभियंता
द. प. खंड-1/डीडीए

(FORMING PART OF BID DOCUMENT AND TO BE POSTED ON WEBSITE)

On-line percentage rate bids are invited through e-Tendering mode by the Executive Engineer, SPD-1/DDA, D-2, Vasant Kunj, New Delhi-110070 on behalf of VC/DDA upto 3.00 P.M. on the date mentioned against the work from contractors registered with DDA for the following works:-

NIT No.	33/EE/SPD-1/DDA/2022-23
Name of Work	Protection of DDA land under South Zone, DDA
Sub Head	Construction of RCC boundary Wall for vacant land behind E-2 pkt, Vasant Kunj.
Estimated Cost Put to Bid	Rs. 57,07,169.00
Earnest Money	Rs. 1,14,143.00
Period of Completion	45 Days'
Last Date and Time of Submission of Tender	20.04.2023 up to 3.00 PM
Time and Date of Opening of Bid Eligibility Criteria	21.04.2023 at 3.30 P.M.
Time and Date of Opening of Financial Bid	Financial Bid will be opened after evaluation of Bid Document / Eligibility Criteria.

1. The intending bidder must read the terms and conditions of CPWD-6 carefully. He should only submit his bid if he considers himself eligible and he is in possession of all the documents required.
2. The intending tenderer shall have to register themselves with **GST**.
3. Information and Instructions for bidders posted on website shall form part of bid document.
4. The bid document consisting of plans, specification, the scheduled of quantity of various types of items to be executed and the set of terms and conditions of the contract to be complied with and other necessary documents can be seen and downloaded from website Central Public Procurement Portal for e-Procurement at <https://eprocure.gov.in/eprocure/app> or www.dda.org.in free of cost. For any assistance one-tendering please contact M/s. National Information Centre on 1800-3070-2232.
5. But the bid can only be submitted after uploading the mandatory scanned documents such as unique transaction reference of RTGS/NEFT towards cost of bid document, EMD and other documents as specified.

6. Those contractors not registered on the website mentioned above, are required to get registered beforehand. If needed they can be imparted training on online bidding process as per details available on the website.
7. The intending bidder must have valid class-II/III digital signature to submit the bid.
8. On opening date, the contractor can login and see the bid opening process. After opening of bids he will receive the competitor bid sheets.
*To be filled by the Executive Engineer, before up loading the tender on web site.
9. Bidder can upload documents in the form of JPG format and PDF format.

NOTE:-

- 1) The Bidders should ensure before tendering in DDA that the requisite fee has already been deposited with CRB. The bidders should also enroll on the above mentioned website before tender submission.
- 2) The Bidders will use one UTR for one work only. In case it is found that he has used one UTR number for different tenders, all the tenders submitted by him will be rejected and he will be debarred from further tendering in DDA in future.
- 3) Further all updates, corrigenda, Agenda, Amendments, Time extensions, Clarifications etc., (if any) to the tender will be hosted in the above website only. There will not be any publication of the same through newspapers or any other media. Bidders should regularly visit above website to keep themselves updated.
- 4) The bidder should furnish Earnest Money in the form of RTGS/NEFT. The Earnest Money will be returned to unsuccessful bidders. Earnest Money of successful bidders. Earnest Money of unsuccessful bidder will be returned only after receiving the performance Guarantee. However, no interest shall be payable on the earnest money.

The Tender shall be submitted online in two part, Technical and Price bid -: Technical Bid

The bidders are required to scanned following documents in technical bid.

1. Scanned copy of Earnest Money deposited through RTGS/NEFT.
2. Scanned copy of Proof of registration in Contractors Registration Board (CRB) of DDA.
3. Scanned copy of Proof of Payment of e-tendering fee (annually) including GST amount in CRB of DDA.
4. Scanned copy of GST Registration.
5. Scanned copy of Tender Acceptance Letter as per NIT format (it is mandatory to be given on Company Letter Head).
6. Scanned copy of registration with EPFO and ESI certificate.
7. Scanned copy of Pan No. of firm/ agency.
8. Scanned copy of registration certificate of partnership firm under partnership Act. 1952, in case of partnership firm .
9. Scanned copy of Article Association and Memorandum of Association, in case of Company.
10. Scanned copy of power of attorney for authorized signatory, in case of company / partnership firm.
11. Scanned copy of cross cheque.

Note:- The bidders are advised to scan/upload the documents strictly as per

order given above. Price Bid: -

1. Schedule of Price bid in the form of BOQ.xls

Executive Engineer SPD-1/DDA



दिल्ली विकास प्राधिकरण
अधिसापी अभियंता कार्यालय
दक्षिणी परियोजना खंड- 1,
डी-2, वसंत कुंज, नई दिल्ली- 110070
फ़ोन नंबर :- 011-26122318
ईमेल :- ddaxed7@gmail.com

DELHI DEVELOPMENT AUTHORITY
OFFICE OF
THE EXECUTIVE ENGINEER
SOUTHERN PROJECT DIVISION NO.1
D2, VASANT KUNJ,
NEW DELHI-110070
PHONE NO :- 011-26122318
EMAIL ID :- cespd1dda@gmail.com

संख्या:- F50(05)EE/SPD-1/DDA/Award/2023-24/405

दिनांक:- 27.04.2023

सेवा में,

M/s. Dhruv Parmanik,
19/120 Dakshinpuri Extension,
New Delhi-110062

विषय:- Protection of land under South Zone. SH:- Cleaning & removing of malba, general waste, dead animal etc. from water logging area of 122 bigha vacant land at Ragnpuri Village.

Estimated Cost Rs. 14,20,112/- Tender Amount Rs. 12,62,338/-
Percentage for Clause 12:- @ 11.11% below the estimated cost.

- Ref :- 1. Performance Guarantee (FDR A/c no. 50300783622340 Dated 21.04.2023 for ₹ 37,870/- (Rs. Thirty seven thousand eight hundred and seventy only) HDFC bank, submitted by you vide your letter no. NIL dated 21.04.2023.
2. This office letter of Intent/Acceptance of your tender issue vide no F5(29)EE/SPD-1/DDA/345 dated 13.04.2023.

महोदय,

You are requested to contact AE-V of this Division & start the work at once. Please note that time allowed for carrying out the work as entered in the tender shall be reckoned from the 10th day after the date of issue of this letter.

You are also requested to attend this office to sign the agreement on stamp paper (non-judicial) worth RS 100/- (Rs one hundred only) within seven days from the date of issue of this letter. Please note that if you fail to attend this office of the undersigned within seven days, the acceptance of the work is liable to be withdrawn, EMD and performance guarantee shall be forfeited.

Time allowed for execution of the work shall be 45 (Forty five) days.

अधिसापी अभियंता
द. प. खंड-1/डीडीए

प्रतिलिपि:-

1. Chief Engineer/South Zone/DDA
2. Superintending Engineer/SCC-2/DDA
3. Sr. A.O. (CAU)/SZ/DDA.
4. Sr. A.O. (W) - I/DDA.
5. All AE's, AE (P), HC, A.A.O/SPD -1/DDA.
6. I.T.O, I.P. Estate, New Delhi.
7. Labour Commissioner, Delhi Admin, 15, Rajpur Road, New Delhi.
8. Commissioner, Sales Tax Department, NCT of Delhi, I.T.O., New Delhi.
9. Spare copy for agreement

अधिसापी अभियंता
द. प. खंड-1/डीडीए

MC 27/04/23



GPS Map Camera

New Delhi, Delhi, India

Flat 750-800, Vasant Kunj, Mahipalpur Village,

Vasant Kunj, New Delhi, Delhi 110070, India

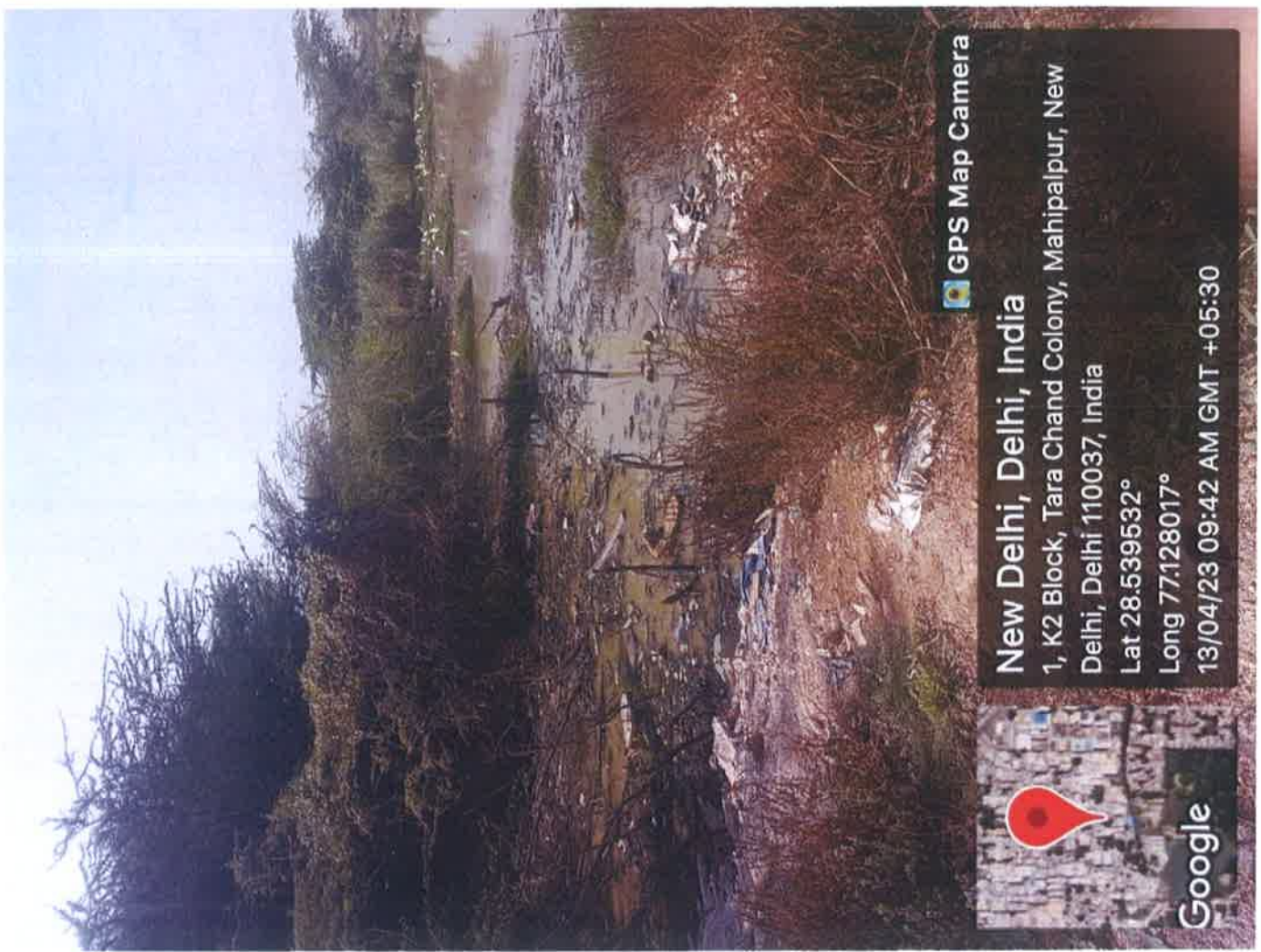
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Long 77.127671°

13/04/23 09:43 AM GMT +05:30



Google



GPS Map Camera

New Delhi, Delhi, India

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Delhi, Delhi 110037, India

Lat 28.539532°

Long 77.128017°

13/04/23 09:42 AM GMT +05:30



Google



New Delhi, Delhi Division | 2023.04.12 11:18





GPS Map Camera

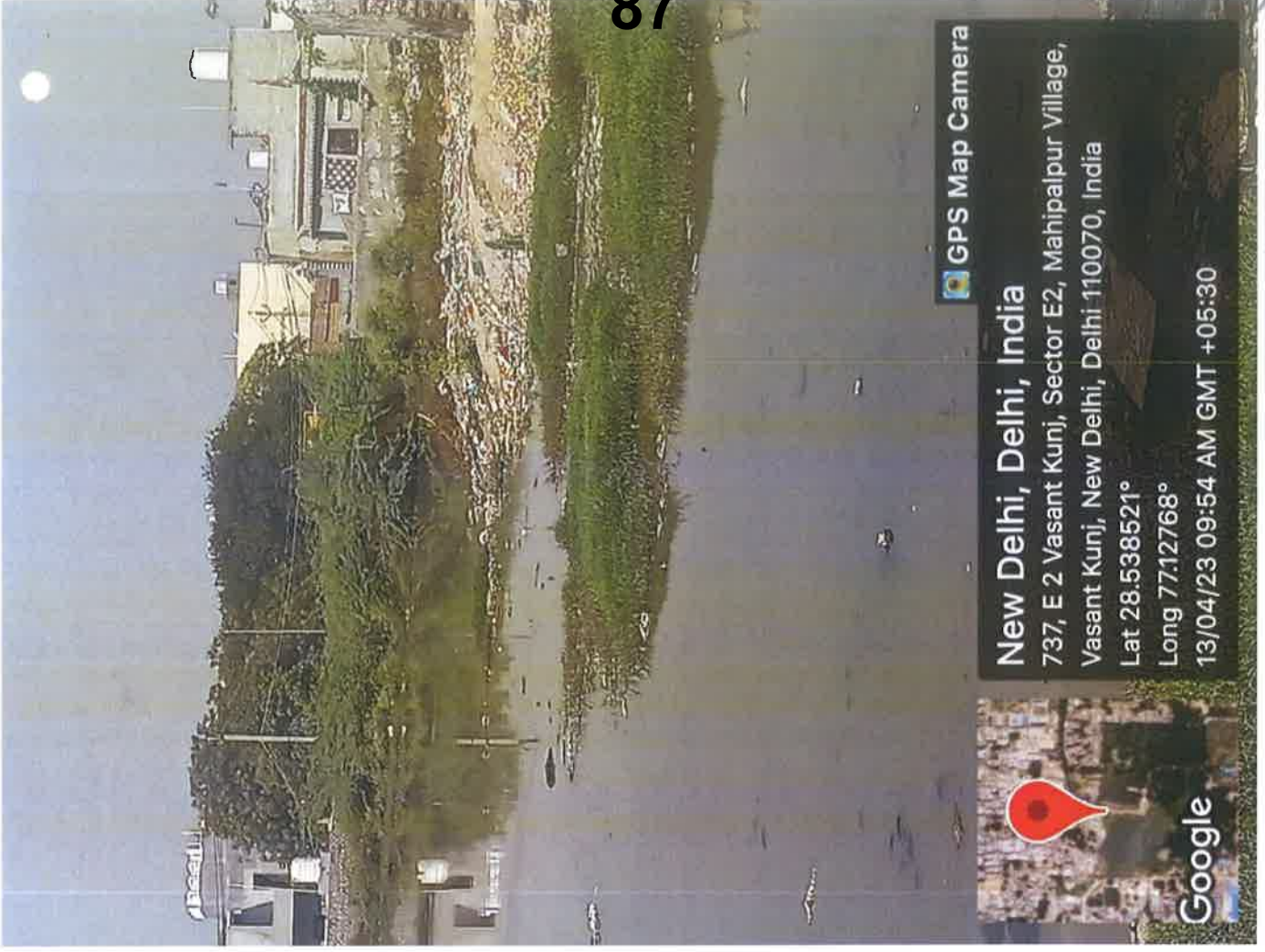
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New Delhi, Delhi, India

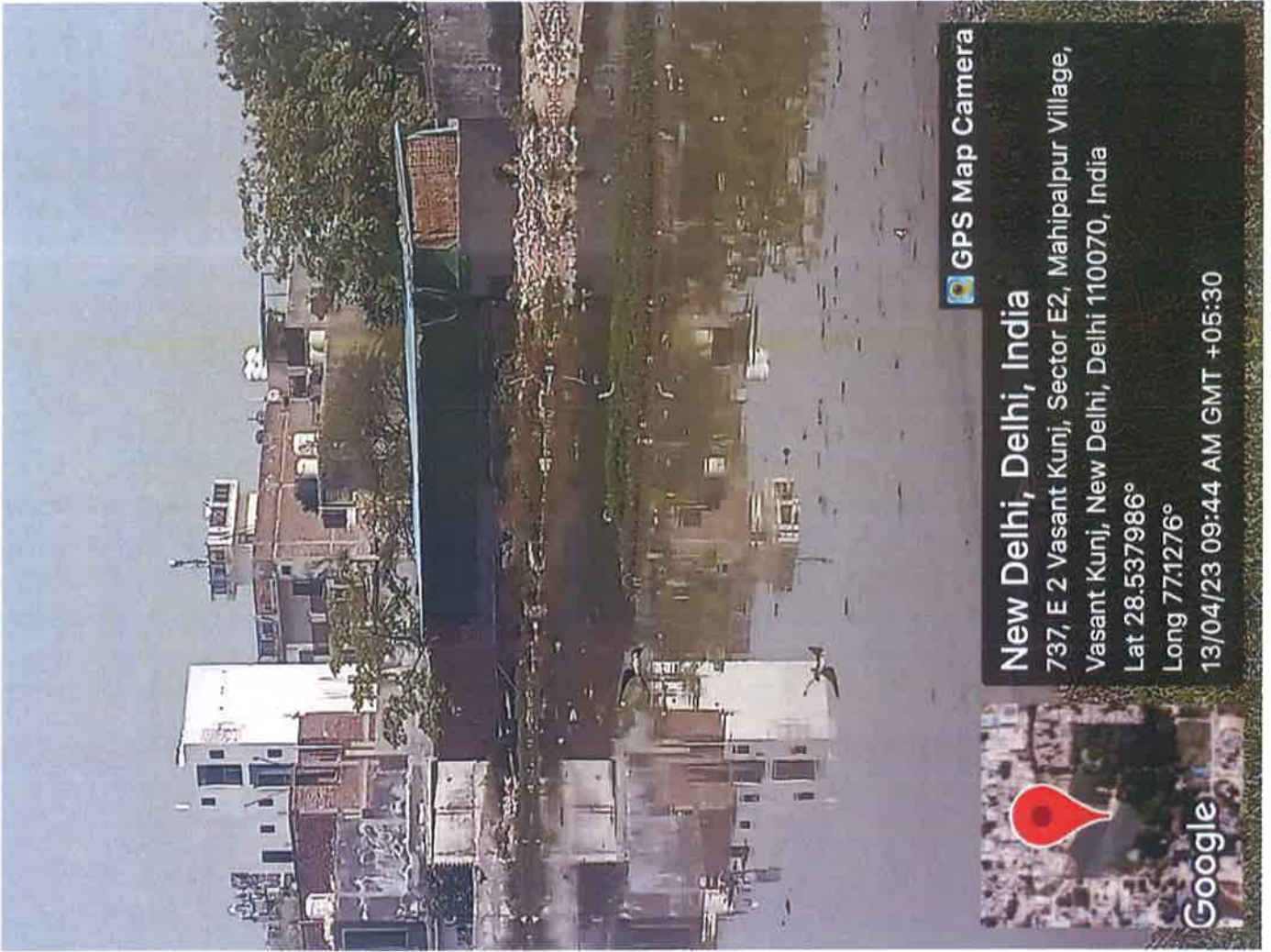
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Vasant Kunj, New Delhi, Delhi 110070, India

Lat 28.538521°

Long 77.12768°

13/04/23 09:54 AM GMT +05:30





GPS Map Camera

New Delhi, Delhi, India

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Vasant Kunj, New Delhi, Delhi 110070, India

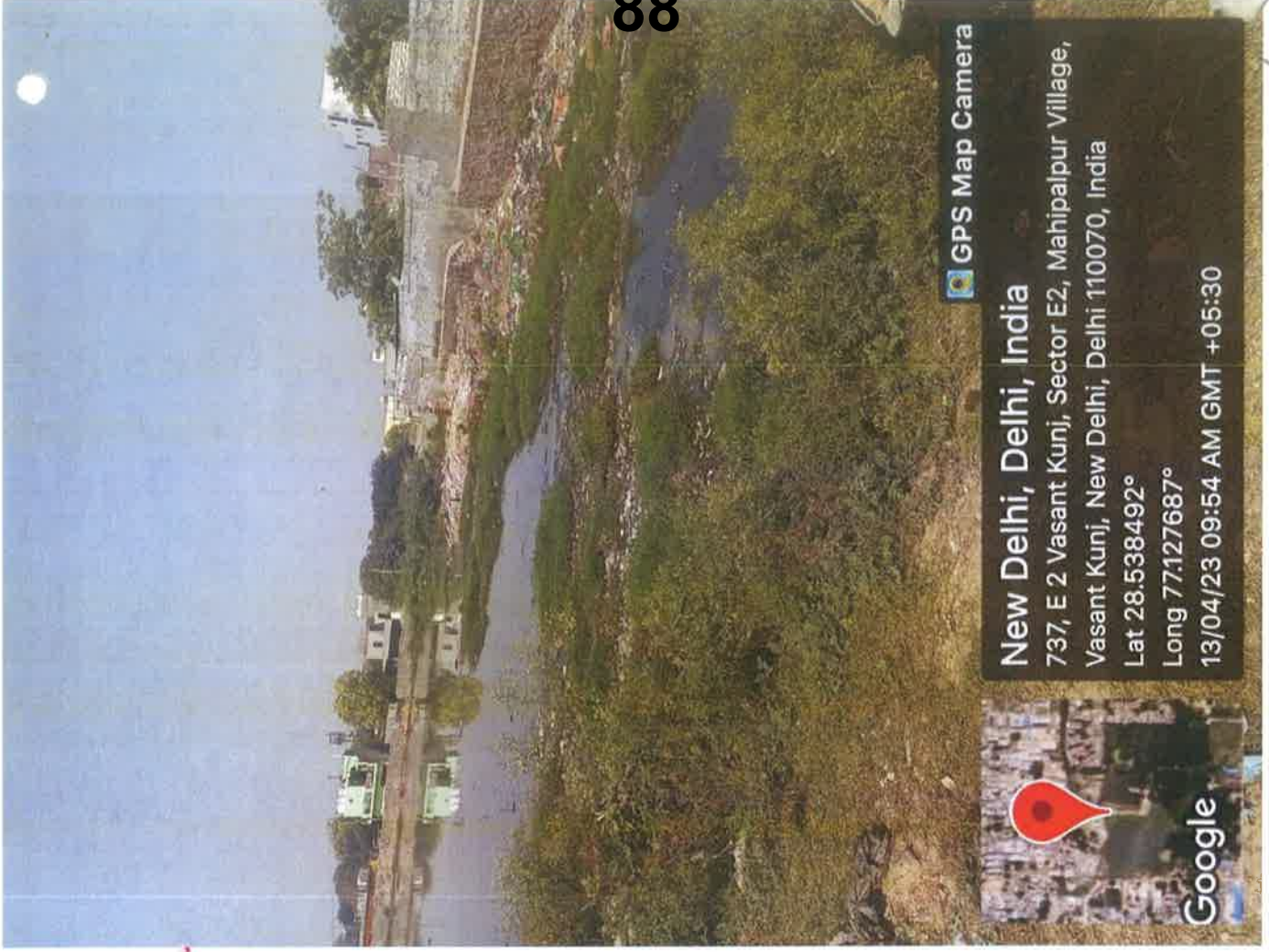
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Long 77.1276°

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Google



GPS Map Camera

New Delhi, Delhi, India

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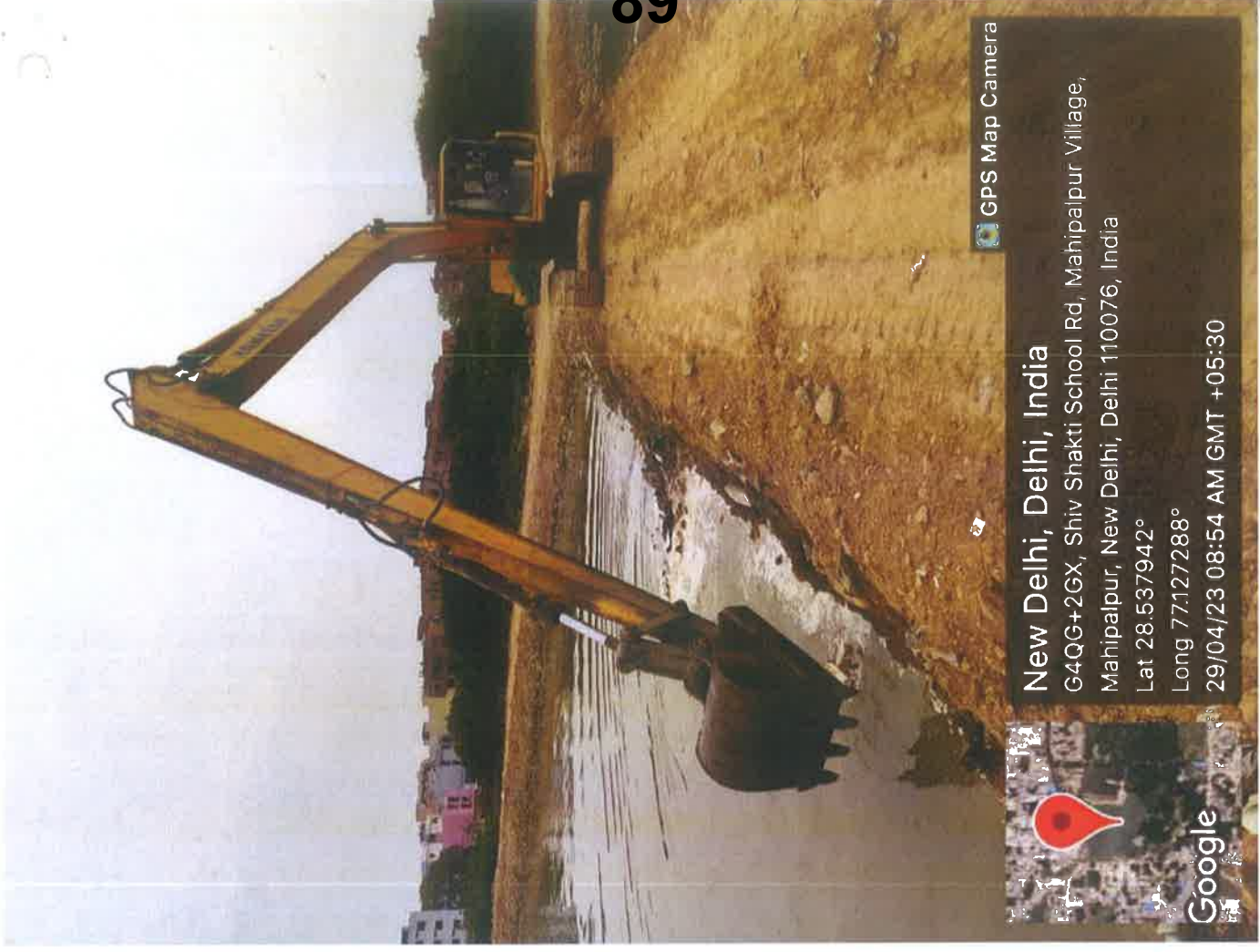
Lat 28.538492°

Long 77.127687°

13/04/23 09:54 AM GMT +05:30



Google



GPS Map Camera

New Delhi, Delhi, India

G4QG+2GX, Shiv Shakti School Rd, Mahipalpur Village,

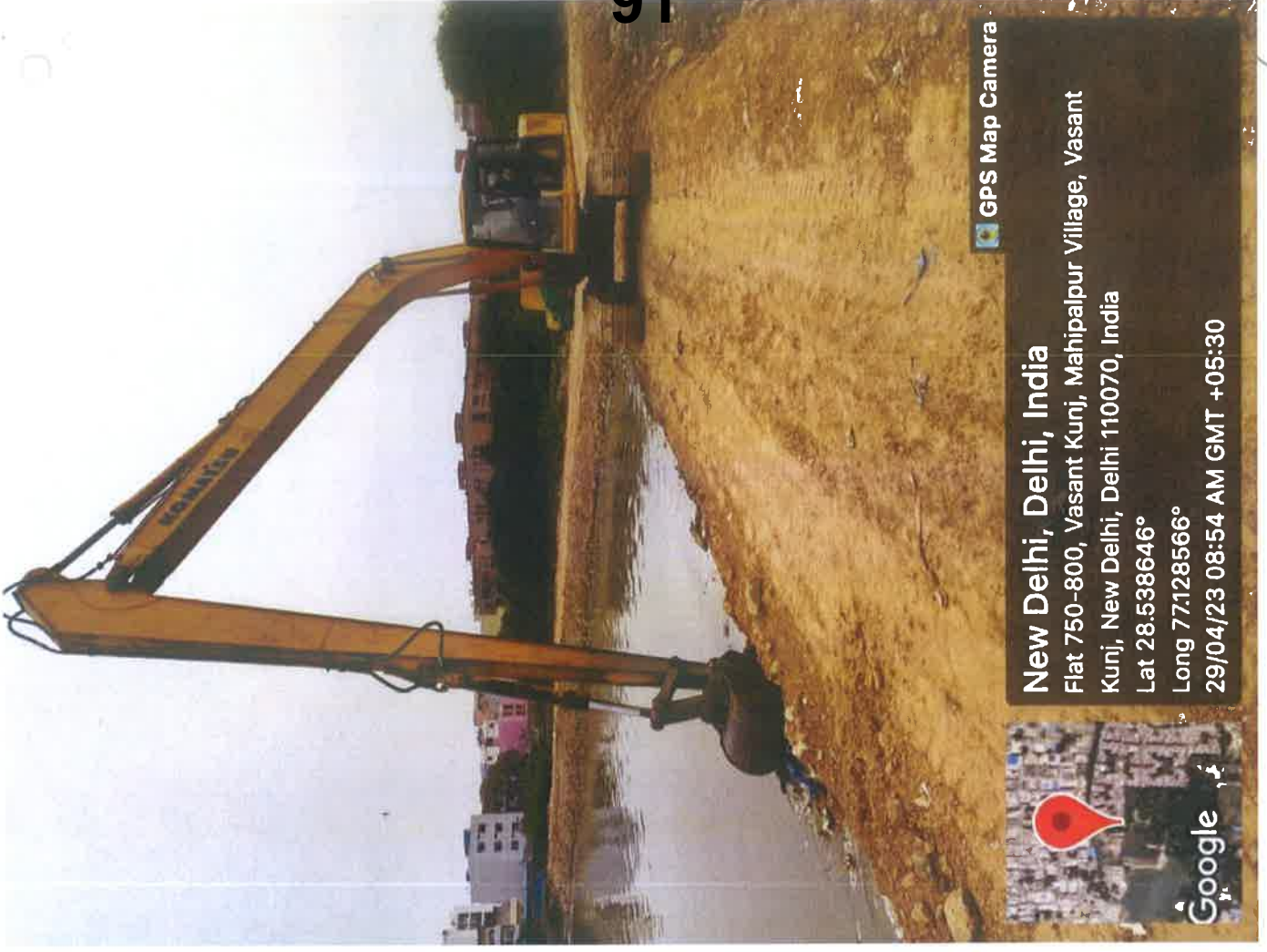
Mahipalpur, New Delhi, Delhi 110076, India

Lat 28.537942°

Long 77.127288°

29/04/23 08:54 AM GMT +05:30





GPS Map Camera

New Delhi, Delhi, India

Flat 750-800, Vasant Kunj, Mahipalpur Village, Vasant

Kunj, New Delhi, Delhi 110070, India

Lat 28.538646°

Long 77.128566°

29/04/23 08:54 AM GMT +05:30



Google

