

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

Original Application No. 707/2023

Saira Begum

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 05.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR.A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal & Mr. S.A. Zaidi, Advs. for Applicant

Respondent: Mr. Kush Sharma, Adv. for DPCC (Through VC)
Ms. Suman Arora, Adv. for CPCB
Mr. Ankit Anandrajshah, Adv. for R - 5
Mr. Vikrant Chowdhary & Mr. Mohammad Anas, Advs. for R - 7 to 19

ORDER

1. In this Original Application, the grievance of the applicant is that respondent nos. 7 to 19 are red category polluting units operating in the residential area of Gali Kuan Wali, Lal Darwaza, Sirki Walan, Lal Kuan, Delhi. As per the allegation, the units are involved in the process of washing and polishing of nuts and bolts by use of hydrochloric acid and are causing air and water pollution. Further allegation relates to illegal drawing of water from the borewells without obtaining NOC. Tribunal, considering the grievance of the applicant by order dated 28.11.2023 had constituted a joint Committee and had also issued notice to the respondents.

2. The joint Committee report has been filed which is on page 53 of the paper book. The observations of the joint Committee after visiting the sites of the respondents are as under:-

Date of Joint inspection: 12.01.2024

S.No.	Name of the owner/ occupier of premises	Respondent No.	Observation made during Joint Inspection	Action taken Remarks
1.	Shamshad (Owner)	14	Date of inspection: 12.01.2024. Permanent wall permanent wall found erected inside the premises.	Premises sealed and electricity disconnected
2.	Abid(Owner)	09	Date of inspection: 12.01.2024. Premises found locked and owner/occupier not opened the gate.	Premises sealed and electricity disconnected
3.	Arif and Mujahid (Owner)	07	Date of inspection: 12.01.2024. During inspection premises was found vacant. However. permanent wall found erected inside promises	Premises sealed and electricity disconnected
4.	Sajid Mirza (Owner)	11	Date of inspection: 12.01.2024. Borewell found exist inside the premise. Equipment related to Electroplating process found exists.	Premises sealed and electricity disconnected
5.	Iqbal (Owner)	17	Date of inspection: 12.01.2024. Wall found erected at the main gate. Neighbours informed owner of premises refused and did not cooperate with join team. Notice for inspection served/ pasted on wall of premises for 29.01.2024	Water Supply disconnected on the spot

Date of Joint inspection: 29.01.2024

5.	Iqbal (Owner) (Re-inspected)	17	Date of Inspection: 29.01.2024 Premises found vacant	Water supply already disconnected on 12.01.2024.
6.	Rasis (Owner)	08	Date of Inspection: 29.01.2024 Premises found vacant	No action required
7.	Babuji(Tenent)	10	Date of Inspection: 29.01.2024 Premises found vacant	No action required
8.	Saify (Tenent)	12	Date of Inspection:	No action required

			29.01.2024 <i>Premises found vacant</i>	
9.	<i>Dhorab (Tenent)</i>	13	<i>Date of Inspection:</i> 29.01.2024 <i>Premises found vacant</i>	<i>No action required</i>
10.	<i>Mujahid (Owner)</i>	15	<i>Date of Inspection:</i> 29.01.2024 <i>Premises found vacant</i>	<i>No action required</i>
11.	<i>Daniyal (Owner)</i>	16	<i>Date of Inspection:</i> 29.01.2024 <i>Premises found vacant</i>	<i>No action required</i>
12.	<i>Shababuddin (Tenant)</i>	18	<i>Date of Inspection:</i> 29.01.2024 <i>Premises found vacant</i>	<i>No action required</i>
13.	<i>Asad (Tenant)</i>	19	<i>Date of Inspection:</i> 29.01.2024 <i>Premises found vacant</i>	<i>No action required</i>

3. The reply on behalf of the CPCB has also been filed stating that “Industry or process involving metal surface treatment or process such as pickling/electroplating” are categorized under ‘Red’ Category and it need to obtain Consent to Establish (CTE) and Consent to Operate (CTO) from the concerned SPCB/PCC.

4. Learned Counsel appearing for respondent nos. 7 to 19 seeks time to file objection to the report of the joint Committee. Let the same be filed within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. List on 18.04.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 05, 2024
Original Application No. 707/2023
SN.