



No.: CM-13011/16/2024-LAW-HO-CPCB-HO 3574

August 16, 2024

To,

The Member Secretary
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi – 110006

Subject: Directions under section 18 (1) (b) of the Water (Prevention and Control of Pollution) act, 1974, and & the Air (Prevention & Control of Pollution) Act, 1981 regarding non-compliance status of M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi – 110061.

WHEREAS, amongst others, under section 17 of the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the State and to secure the execution thereof; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollution from various categories of industries under the Environment (Protection) Act, 1986 and the Rule framed there under; and

WHEREAS, in the Hon'ble National Green Tribunal Original Application No. 195/2023 titled "Vivek Mahna Versus Govt. of NCT of Delhi", applicant's grievance relates to use of green area and parks in village Bijwasan and Bhartal, New Delhi for holding wedding and other social functions causing air pollution and discharging sewage on open land and roads causing water pollution in the area; and

WHEREAS, Hon'ble NGT vide its order dated 11.01.2024 in the above matter, directed the following:

"...6. In the circumstances of the case, we direct the Member Secretary, CPCB to get the fresh inspection done when the function is going on and ascertain the correct position and file the report...."; and

WHEREAS, M/s Krishna Green by Mapple Gold (herein after referred as "The unit") is a Banquet Hall located at H 1, Pushpanjali Farms NH-8, Link Road Dwarka, Bharthal Road, Delhi-110061 & possesses Consent to Operate dated 29.08.2023 under Air & Water, Act issued from Delhi Pollution Control Committee (DPCC) which is valid from 26.05.2023 to 25.05.2033 and under Orange category; and

WHEREAS, a team of officials from CPCB inspected the unit on 22.02.2024 & 25.02.2024. During said inspection, following violations were observed:

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'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

1. The Effluent Treatment Plant (ETP) installed in unit for treatment of waste water generated from kitchen was found non-operational and the drainage system was found choked during the inspection. No flow meters were installed at the ETP inlet & outlet by the unit and no arrangement observed for storage of untreated water during ETP maintenance period. The logbook was also not maintained to record the ETP operation & maintenance. Other than this, information on utilization of treated water was not provided, and no documents regarding the ETP layout and capacity were provided by the unit during the inspection violating the condition of Consent to Operate (CTO) dated 29.08.2023 issued by DPCC.
2. Non-adherence to Rule 4(1) (a) of the Solid Waste Management Rules, 2016, by the unit as the unit was not segregating dry and wet waste or providing separate bins, and had failed to install a composting or bio-methanation facility as mandated by Rule 4(8) of the said rules.
3. Only two diesel generators with capacities of 250 kVA and 500 kVA are mentioned in the CTO, but a total of six diesel generators of capacities 250 kVA (2 Nos), 125 (3 Nos) and 380 kVA (01 No.) were found installed in the unit, violating CTO condition. Further all six diesel generators are found noncompliant to Direction 76 dated 29.09.2023 issued by Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) requiring Dual Fuel Kits or Retro-fitted Emission Control Devices (RECD). The timeline for compliance of said direction was 30.09.2023. The logbooks for the generators were also not maintained.
4. Music was being played on the DJ system beyond 10:00 PM in the open lawn area of the unit which is a violation of Rule 5(2) of Noise pollution (Regulation and Control) Rules, 2000.
5. Vehicles were parked in adjacent properties with Plot No. H-3 and H-4. However, vehicles were also parked on service road violating the guidelines mentioned in permission dated 27.04.2009 issued by MCD. Further, the documentation provided by unit indicates a parking agreement only with H-3; and

WHEREAS, as evident from the above non compliances observed by the inspection team that the Unit found non-complying w.r.t the stipulated consent conditions of PCC; and

WHEREAS, the report has been submitted to Hon'ble NGT on 07.03.2024 by CPCB and vide its Order dated 06.05.2024, Hon'ble NGT directed the following,

“...11. When once the violations have been found by the CPCB, appropriate action is also required to be taken by it by duly following the principles of 'Natural Justice'.

12. Hence, we dispose of the OA directing the Member Secretary, CPCB to take appropriate action in accordance with law against the violators by duly following the principles of natural justice and submit action taken report before the before the Registrar General of the Tribunal....”; and

NOW, THEREFORE, in exercise of the powers conferred under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, Delhi Pollution Control Committee (DPCC) is hereby directed to take immediate necessary action against the Unit [M/s Krishna Green by Mapple Gold, H 1, Pushpanjali Farms, NH-8, Link Road Dwarka, Bharthal Road, Delhi - 110061] for violating consent conditions including levying of environmental compensation by duly following the principles of 'Natural Justice' and ensure that the unit is permitted to operate with compliance of the following:

1. Proper parking arrangements. Functions shall only be booked according to the parking capacity/parking agreement, and no vehicles are to be parked on adjacent roads or service roads.
2. Proper operation and maintenance of its Effluent Treatment Plant (ETP) and septic tank and must not discharge any untreated effluent outside the premises.
3. Installation of flow meter at the inlet and outlet of the ETP and maintain proper records for the same.
4. Having necessary arrangements for the storage of untreated water during the maintenance of the ETP, maintenance of logbook regarding the operation and maintenance of the ETP, and explore provisions regarding the utilization of treated water.
5. Adherence to the provisions of the Solid Waste Management Rules, 2016. The unit shall place a sufficient number of separate bins for waste segregation at the source and install facilities for composting or bio-methanation for the treatment of biodegradable waste.
6. Compliance with CAQM Direction No. 76 dated 29.09.2023, as amended, and other directions issued by CAQM from time to time regarding the use of DG sets in the Delhi NCR area, and also maintain logbooks for the same.
7. Compliance with the Noise Pollution (Regulation and Control) Rules, 2000.
 - a. According to Rule 5(2) of the Noise Pollution (Regulation and Control) Rules, 2000, sound-producing or musical instruments shall not be used during night-time (10:00 PM to 6:00 AM) except in closed premises.
 - b. As per Rule 5A(2), sound-emitting firecrackers shall not be burst in silence zones or during night-time.

The action taken report shall be sent to CPCB within 30 days from the date of issuance of this direction. DPCC shall also acknowledge the receipt of this direction to the CPCB within 15 days from the date of receipt.


(Bharat Kumar Sharma)
Member Secretary

Copy to:

- 1 The Commissioner
Delhi Municipal Corporation
Dr. S.P.M. Civic Centre, Minto Road
New Delhi – 100002 : For kind information,
please.
- 2 The District Magistrate, South West Delhi
South West District
Old Terminal Tax Building,
Kapashera, New Delhi – 37 : For kind information,
please.
- 3 The Director (CP Division)
Ministry of Environment, Forest & Climate Change
1st Floor, Jal Wing, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110003 : For kind information,
please.
- 4 The Divisional Head
Law Division,
Central Pollution Control Board,
Delhi - 110032 : For kind information and
record, please.
- ✓ 5 The Divisional Head
IT Division,
Central Pollution Control Board,
Delhi - 110032 : With request to upload on
CPCB Website, please.
- 6 The Divisional Head
UPC-I Division,
Central Pollution Control Board,
Delhi - 110032 : For record, please

(Bharat Kumar Sharma)
Member Secretary