

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENTAL, (GOVT. OF NCT OF DELHI) 3rd FLOOR, BLOCK-1, DMRC IT PARK, SHASTRI PARK DELHI-110053 visit us at : http://dpcc.delhigovt.nic.in	
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F. No. DPCC/(10)(10)(12)/Leg-25/ 284-87

Date: 30/04/25

To,

1. M/s Art of Hospitality
Site Incharge/ Manager, (Sh. Parminder Singh/Sh. Akshay/Sh. Vishal)
Project: Construction of Barat Ghar, Sports Complex,
Common Wealth Games, Delhi- 110090
2. M/s Art of Hospitality (Director/Owner/Prop.),
C-3, Opposite Kendriya Vihar,
Gate No. - 2, Sector - 51, Noida,
Uttar Pradesh- 201303

SUBJECT: SHOW CAUSE NOTICE FOR CLOSURE AND SHOW CAUSE NOTICE IMPOSITION OF EC IN VIEW OF CAQM DIRECTION NO. 85 DATED 02.12.2024 AND ORDERS PASSED BY HON'BLE NATIONAL GREEN TRIBUNAL IN O.A. NO.21 OF 2014 AND O.A. NO. 95 OF 2014 IN THE MATTER OF VARDHAMAN KAUSHIK VS. UNION OF INDIA & OTHERS AND SANJAY KULSHRESHTHA VS UNION OF INDIA & ORS, :AIR/DUST POLLUTION FROM CONSTRUCTION AND DEMOLITION ACTIVITY

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM_{2.5} & PM₁₀) are deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And whereas, Hon'ble Supreme Court of India and the Hon'ble National Green Tribunal vide various orders have directed the Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environmental pollution in Delhi and also fixed compensation to be paid for violations in terms of section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

And whereas, as per Statutory Direction No. 14 of the Commission (CAQM) dated 11.06.2021 and subsequent directions, all current/upcoming C&D projects on the

plot area equal to or greater than 500 square meters under the territorial jurisdiction of Urban Local Bodies in the National Capital Region are required to be mandatorily registered on the Web portal of the respective NCR State PCBs/DPCC and to ensure all the dust pollution control norms, etc.

And whereas, Hon'ble National Green Tribunal passed orders dated 04.12.2014, 10.04.2015 and 20.07.2016 in O.A. No.21 of 2014, O.A. No. 95 of 2014 and in MA No. 360 of 2016 in the matter of Vardhaman Kaushik Vs. Union of India & others and Sanjay Kulshreshtha Vs Union of India &ors observing that it primarily results from demolition & construction activity going on in NCR Delhi.

And whereas, Hon'ble National Green Tribunal (NGT) vide above said orders dated 04.12.2014, 10.04.2015 and 20.07.2016 issued certain directions in respect of air pollution from dust resulting from demolition and construction activity.

And whereas, CAQM issued the Standard Schedule for Environmental Compensation (EC) dated 01.01.2025 for imposition of EC charges on non-complying Construction & Demolition Projects / activities.

And whereas, a copy of Original Application under Section 14 of the National Green Tribunal Act, 2010 titled as Commonwealth Games Village Residents Welfare Association, Through its Authorized Representative Versus Delhi Development Authority & Ors. filed before the Hon'ble National Green Tribunal, Principal Bench at New Delhi has been received in this office, in reference to which a physical inspection of the said site was carried out by DPCC officials on 02.04.2025 to ascertain the facts and during inspection following are the violations/observations:

1. Construction site: Construction of Barat Ghar, Address: Sports Complex, Common Wealth Games Delhi- 110090, Agency: Art of Hospitality (Address of Agency: C-3 Opposite Kendriya Vihar, Gate No. - 2 , Sector - 51, Noida , Uttar Pradesh- 201303)
2. Plot Area: 4600 sq. meter
3. No Continuous wind breaking wall provided.
4. No tarpaulin/Green Net on scaffolding provided.
5. Loose sand found uncovered.
6. Site is greater than 500 sqm and not registered on the DPCC Dust Portal.
7. Two DG Sets of capacity 125 kVA each non-compliant to CAQM Direction 76 are also found at the site.
8. No camera, video fencing and sensor are provided at the site.

And whereas, as per CAQM EC Schedule dated 01.01.2025 EC charges for non-registration of Construction & Demolition Projects / activities on the web-portal of

the concerned SPCB / DPCC is Rs. 1,20,000 (Rupees One Lakh twenty thousand only) for projects with total area construction < 20,000 sq. mtr.

And whereas, as per DPCC EC Policy dated 30.03.2022 EC charges for non-complying Construction & Demolition Projects/ activities for plot area above 500 sqm to 20,000 sqm BUA (constructed area) is Rs. 50,000/- (Rupees Fifty Thousand only).

And whereas, plot area of your project is 4600 sqm.

And whereas, you are liable to pay Rs. 1,70,000/- (Rupees One Lakh Seventy Thousand only) {Rs. 1,20,000 + Rs. 50,000= Rs. 1,70,000/-} in the form of DD in favour of "**Delhi Pollution Control Committee**" payable at Delhi.

Now therefore, in view of above said non-conformities you are hereby issued a Show Cause Notice as to why aforesaid Environmental Compensation (EC) amount Rs. 1,70,000/- (Rupees One Lakh Seventy thousand Only) should not be imposed/confirmed upon you for the deficiencies of C&D norms observed by DPCC during physical inspection at the above- said site.

You shall register your said project with DPCC dust portal and ensure all the compliances of dust mitigation norms and submit the compliance report along with said EC to this office within 15 days of issue of this notice failing which penal action shall be taken as per Law.

This is being issued with the approval of the Competent Authority, DPCC.

Yours sincerely,



M. S. Rawat
SEE, CFC-I

Copy to:

1. Master file CFC-I
- ✓ 2. The Incharge, IT Cell, with request to upload on DPCC website.

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F. No. DPCC/(10)(10)(12)/Leg-25 / 276-80

Dated: 30/04/25

To,

1. M/s Art of Hospitality
Site Incharge/Manager, (Sh. Parminder Singh/Sh. Akshay/Sh. Vishal)
Project: Construction of Barat Ghar, Sports
Complex, Common Wealth Games, Delhi- 110090
2. M/s Art of Hospitality (Director/Owner/Prop.),
C-3, Opposite Kendriya Vihar, Gate No.- 2,
Sector - 51, Noida, Uttar Pradesh- 201303

**Subject: DIRECTIONS FOR STOPPAGE/CLOSURE OF DG SET(S) AND
SHOW CAUSE NOTICE FOR IMPOSITION OF EC IN VIEW OF
CAQM DIRECTIONS 76 (AS AMENDED TO DATE) AND
DIRECTION NO. 87**

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM_{2.5} & PM₁₀) are deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And whereas, Hon'ble Supreme Court of India and the Hon'ble National Green Tribunal vide various orders have directed the Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environmental pollution in Delhi and also fixed compensation to be paid for violations in terms of section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

And whereas, for regulated use of DG sets the CAQM has issued Direction No. 73 dated 02.06.2023, revised Direction No. 76 dated 29.09.2023 and an amendment dated 11.12.2024 and for adopting the prescribed schedule for all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.

And whereas, vide Direction no. 87 the Commission, in exercise of the powers conferred upon the Commission under Section 14(2), authorizes the Member Secretary, Delhi Pollution Control Committee to file a complaint/ prosecution before jurisdictional judicial magistrate, in case of gross violations of directions / orders in respect of operation of industries and regulations on DG Sets in their

respective jurisdiction, besides ordering closure of such industrial units / sealing of such DG Sets and imposition / realization of environment compensation charges in such cases of gross violations, including that of the GRAP Schedule.

And whereas, in accordance to the Standard Schedule for EC dated 01.01.2025 issued by the Commission, for each day of violation, *** Rate of EC Charges per day of operation of the non-compliant DG Set shall be levied from 01.10.2023 onwards are as follows:**

- i. Rs. 7,500 for DG Sets between 20 kW - 125 kW capacity
- ii. Rs. 15,000 for DG Sets > 125 kW but < 800 kW capacity
- iii. Rs. 25,000 for DG Sets of 800 kW or higher capacity

And whereas, CAQM vide its letter dated 31.01.2025 has given concurrence that EC shall be levied considering the total number of days for which non-complying DG set(s) were operated after 01.10.2023 to date of closure directions issued by DPCC/removal of non-compliant DG set/compliance of CAQM direction No.76 as amended. Further maintenance of log book for operation of DG set is mandatory and according to the actual operation of such DG set(s) you are hereby directed to deposit Environmental Compensation substantiating with the **verified/signed copy of log book (must be attached)** as given in the **Table-A** below along with an undertaking about the correctness of the statement:

S. no.	No. of DG Set (X)	DG Set capacity	No. of days of operation of non- compliant DG set (N)	* Rate of EC/day (R)	Total EC in Rs. (XxNxR)

OR

In the absence of logbook/established record of non- compliant DG set(s) operations, the operation of DG set is considered from 01.10.2023 till date removal of the non- compliant DG/compliance of CAQM Direction No. 76 and you are hereby directed to deposit Environmental Compensation as per the calculation/formulae given in the **Table-B** below:

S. no.	No. of DG Set (X)	DG Set capacity	No. of days of operation of DG set (N)	*Rate of EC/day (R)	Total EC in Rs. (XxNxR)