

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 106/2019

In the matter of :

Deepak

.....Petitioner

Vs

Govt. of NCT of Delhi

.....Respondent

**ADDITIONAL STATUS REPORT ON BEHALF OF DELHI
POLLUTION CONTROL COMMITTEE**

1. That This Hon'ble Tribunal take up the matter on 02.07.2019 and pleased to direct for updated status.
2. That a status report was filed by DPCC on 29.06.2019 via email, which is available on the records of this Hon'ble Tribunal. In the report it was mentioned that, joint team of officials of DPCC, SDM (Alipur), North DMC & TPDDL inspected 13 units in village Jindpur&Mukhmelpur. All these 13 units were effectively closed and electricity connection disconnected. The environmental damages compensation has been imposed to the tune of Rs. 11,42,36,250/-.

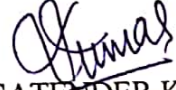


3. That out of 13 units, one unit has deposited environmental compensation of Rs. 43,50,000/-. For remaining 12 units, recovery certificate has been sent to the SDM (Alipur).
4. That Directions were issued to SDM (Alipur) and Delhi Police on 26.06.2019 followed with reminders on 11.07.2019, 24.09.2019, 15.10.2019 and 26.11.2019 to take necessary steps to ensure that no D.J. Set to be allowed to ply after 10.00 P.M. in the party halls and also to remove the encroachment from the pond and other locations of village Jindpur & Mukhmelpur, Delhi-110036.
5. That aggrieved by the orders of DPCC for recovery of EDC, out of these 12 units, 03 units have filed appeal before Hon'ble NGT and one unit has filed writ petition before the Hon'ble High Court of Delhi on the quantum of Environmental Compensation imposed. That as directed by the Hon'ble Courts, appellants were heard and fresh speaking orders are being passed shortly.
6. That the SDM (Alipur) vide its letter dated 29.11.2019 has informed that the survey work for demarcation on encroachment has been started and encroachment (if any) detected during demarcation shall be removed. SHO was directed to remain vigil and take action against the violators immediately. A meeting with the representative of Marriage Halls in the vicinity was also



called on 16.11.2019 and they have been sensitized to ban the playing of DJ system in odd hours and be strictly adhered to it.

7. That with regard to the recovery of Environmental Compensation, it is informed by the SDM (Alipur) that warrant of arrest were issued against violators / polluters on whom Environmental Compensation has been levied through SHO, Alipur for producing on or before 20.10.2019 and consequently, they have appeared and given written submission seeking more time to comply. Thereafter, notices to each of the violators / polluters, through SHO Alipur, have been issued to deposit the recovery amount as environmental compensation by 09.12.2019. Copy of letter dated 29.11.2019 is annexed as **Annexure-A**.


(SATENDER KUMAR)
SR. ENV. ENGINEER

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (NORTH)
D.M. NORTH OFFICE COMPLEX, G.T. KARNAL ROAD, ALIPUR, DELHI-36.

F. No. SDM/ALP/Misc/19/13467

dated:-29.11.2019

To

The Sr. Env. Engineer
Delhi Pollution Control Committee
First Floor, E- Block, Vikas Bhawan
Upper Bela Road, Civil Lines, Delhi-54

Sub: (1) Demarcation & Removal of unauthorized encroachment from the Pond at Khasra No.49(1-15), village Jindpur. And
(2) Report reg. recovery of environmental damages compensation from 12 units located in Jindpur & Mukhmelpur including stoppage of D.J. during odd hours in the Marriage Hall of vicinity with reference to Hon'ble NGT order dated 25.03.19 in the case titled as Deepak Vs GNCT of Delhi in original application no. 106/2019

Sir,

This is with reference to your letter vide no. F.No.DPCC/MC-V/NGT/OA-106/2019/11616-617 dated 26.11.19 on subject cited above. In this regard, status report on action taken may be seen as under:

1. On receipt of recovery certificate from DPCC against the polluting units at village Jindpur and Mukhmelpur, notice dated 30.07.19 was issued and it was directed to deposit the environment compensation by 16.08.19 but no payment has been made by the judgment debtor. However, some JDs have submitted that their appeals are pending before the DPCC.
2. Since, environmental compensation was not deposited then warrant of arrest was issued against to the JDs through SHO, Alipur for producing the JDs on or before 20.10.2019.
3. There after, JDs have appeared and given written submission stating that " I seek some more time for relief to decide this matter from our side to right direction as a plot owner of ----- (address of resopective plot). Due to very heavy amount of fine I want some more time.
4. However, till date no amount has been deposited by JDs. Hnece, once again, notices to each JDs, through SHO Alipur, have been issued to deposit the recovery amount as environmental compensation by 09.12.2019.

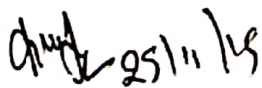
29/11/19

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5. Further, as to demarcation and encroachment removal from the pond at khasra no. 49 (1-15) of village- Jindpur, it is informed that joint survey was carried out and it was decided to carry out demarcation by TSM as surrounding area is built-up.
6. Accordingly, BDO (North) has been requested to arrange TSM Survey to carry out the demarcation proceeding. On 01.11.19, mustkil stone (reference point) has been shown to surveyor in the presence of the available stake holder.
7. Now survey work is going on and survey report will be submitted by the surveyor after completion which will be checked by the revenue official from the revenue record.
8. Once, the encroachment is identified upon the subject land, encroachment removal proceeding will be initiated as per rule.
9. Further, in reference to the implementation of ban on DJ system, it is stated that directions were issued to the concerned SHOs to remain vigil and take action against the violators immediately.
10. Further, a meeting with the representative of Marriage Halls in the vicinity was also called on 16.11.19. In the said meeting, all have been sensitized to ban the playing of DJ system in odd hours and they have been directed to strictly adhere the time schedule.
11. Further, field officials of Alipur Sub Division have also been directed to make regular visit to enforce the ban on playing DJ system effectively.

This is for information and further necessary action at your end.


(KRISHAN KUMAR)
SDM (ALIPUR)