

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI
ORIGINAL APPLICATION No. 792/2018**

IN THE MATTER OF:

Ram Prakash

.... Applicant

VERSUS

Govt. of NCT of Delhi

... Respondents

NDOH – 19.07.2019

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Filed by :

(Delhi Pollution Control Committee)
Respondent

New Delhi

Dated :

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI
ORIGINAL APPLICATION No. 792/2018**

IN THE MATTER OF:

Ram Prakash Applicant

VERSUS

Govt. of NCT of Delhi ... Respondents

**ADDITIONAL ACTION TAKEN REPORT ON BEHALF OF
DPCC WITH RESPECT TO ORDER DATED 15.04.2019**

IT IS MOST RESPECTFULLY SHOWETH:

1. That total no. of 09 units at the main road Gali No. 5, Near Radha Krishna Mandir, Village-Jagatpur, Delhi-84, were found and inspected by the officials of DPCC & NDMC on 12.02.2019. That the copy of the list of the 09 units inspected is herewith marked and annexed as **ANNEXURE-A**.
2. That Environmental Compensation for an amount of Rs. 50,000/- each was imposed on all the 9 units on 12.04.2019 including Directions for closure u/s 31(A) of Air Act, 1981 and u/s 33(A) of Water Act, 1974 on 12.04.2019 for the violation observed during the inspection.
3. That North Delhi Municipal Corporation vide letter dated 11.4.2019, reported that the occupiers of all the nine units have themselves vacated their premises and presently there is no illegal and polluting



activity found in any of the premises. That the photographs were duly taken during action. That the photographs are herewith marked and annexed as **ANNEXURE-B (colly)**.

4. All the nine units were also inspected on 25.4.2019 by the officials of DPCC and found premises were vacant.
5. That out of these nine units, only one unit namely M/s Ujjwal Sawera Samiti, Kh. No. 11/7, Ch.Binnarayan Gali No. 5/3, has deposited environmental compensation of Rs. 50,000/- .
6. That further, recovery certificates were issued on 14.05.2019 followed by reminders on 24.06.2019 and 05.07.2019 for recovery of Rs. 50,000/- each from 08 defaulting units as arrears of land revenue and the same may be remitted to DPCC. That the copy of the letters dated 14.05.2019, 24.06.2019 and 05.07.2019 are herewith marked and annexed as **ANNEXURE-C (colly)**.



(Satender Kumar)
Environmental Engineer

Joint inspection of units in view of Hon'ble NGT orders dated 12.12.2018 in OA No.792/2018 in the matter of Ram Prakash Vs. Govt. of NCT of D.C.

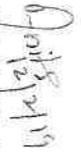
Sl. No	Name and Address of the Unit	Name of Owner/Occupier	Activity of Unit	MCD License	Date of Inspection	Remarks
2	HP Roadways Parking and Washing Unit (operated by Sh. Krishan Kumar & Washing Unit run by M/s S. K. Enterprises), Gali No.5, Main Road Jagatpur Village, Delhi-110084. (Office Address:- Sh. Anil Kumar, Manager, HP Roadways, 3rd Floor, JSBT Building, Kashmir Gate, Delhi-110006 (Mob. No. 8743954941)	Sh. Krishan Kumar Mob. No. 9212268754 Sh. Arvind Kumar Mob. No.9711641787, Site Incharge of M/s S K Enterprises Sh. Sanjay Kumar, Mob. No. 9910406287	Parking and Washing of HP Roadways Buses (45-50 buses/day)	No	12.02.2019	Washing of approx 50 buses per day. ETP Installed but not in operation. Waste water is being discharged directly into open drain through bypass of ETP. One Borewell found in use. CA No.:
3	Ramji Jeans Dyeing Factory Kh. No. 11/17, (Opp. 11 Kw Electric Transformer Feeder Jagatpur-2 and adjacent to Electric Pole No. HT532-58/17), Gali No.5, Main Road, Jagatpur Village, Delhi-110084.	Sh. Ram Ji	Jeans Dyeing	No	12.02.2019	No ETP Installed. Waste water is being discharged directly into open drain.
4	Arjun Jeans Dyeing Factory Kh. No. 11/17, (Opp. 11 Kw Electric Transformer Feeder Jagatpur-2 and adjacent to Electric Pole No. HT532-58/17), Gali No.5, Main Road, Jagatpur Village, Delhi-110084.	Sh. Arjun	Jeans Dyeing	No	12.02.2019	No ETP Installed. Waste water is being discharged directly into open drain.
5	Md. Nafees Akhtar Rubber Tyre Retreading Factory, Kh. No. 11/7, Ch. Binnarayan Gali No. 5/3, Main Road Jagatpur Village, Delhi-110084.	Md. Nafees Akhtar	Rubber Tyre Retreading	No	12.02.2019	Air pollution caused due to Wood fired boiler etc. CA No:6002180645
5	Sh. Arjun Jeans Dyeing Factory, First Floor, Kh. No. 11/7, Ch. Binnarayan Gali No. 5/3, Main Road Jagatpur Village, Delhi-110084.	Sh. Arjun	Jeans Dyeing	No	12.02.2019	No ETP Installed. Waste water is being discharged directly into open drain. No channelisation system installed for spray painting activity. CA No:60016483392

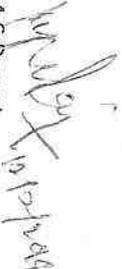
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4

Joint inspection of units in view of Hon'ble NGT orders dated 12.12.2018 in OA No.792/2018 in the matter of Ram Prakash Vs. Govt. of NCTD

S.No	Name and Address of the Unit	Name of Owner/Occupier	Activity of Unit	MCD License	Date of Inspection	Remarks
5	Ujiwal Sawera Samiti Kkh. No. 11/7, Ch. Binnarayan Gali No. 5/3, Main Road Jagatpur Village, Delhi-110084.	Sh. Ravindra Pal (President)	Mid-day Meal (Food Preparation)	No	12.02.2019	Diesel fired boiler with inadequate stack height exists, One Borewell in use, Oil Grease trap installed but not properly maintained/ cleaned. CA No.:60020232413
7	Sh. Jitendra Kumar Electroplating Factory, Kh. No. 13/1/14, Gali No.5, Main Road, Jagatpur Village, Delhi-110084	Sh. Jitendra Kumar	Electroplating	No	12.02.2019	No ETP installed. Waste water is being discharged directly into open drain. CA No.:60015397833
8	Namkeen Manufacturing Unit, 13/1/14 Main Road, Jagatpur Village, Delhi-110084	No Information provided	Namkeen Manufacturing	No	12.02.2019	No ETP installed. Waste water is being discharged directly into open drain
9	Indraprastha Automobiles Pvt. Ltd. Gali No.5, Main Road (Adj. to Allahabad Bank), Jagatpur Village, Delhi-110084. (Office Address: B-72/4, Wazirpur Indl. Area, Delhi-110052)	M/s Indraprastha Automobiles Pvt. Ltd.	Washing and Parking of Mahindra Cars (approx 50 cars)	No	12.02.2019	No ETP installed. Waste water is being discharged directly into open drain. Washing done on washing bay through pressure jet water pipe. CA No.:60014868339.


 Smt. Anita Ved
 Asst. Commissioner
 C.L. Zone, North DMC


 M.S. Rawat
 Env. Engineer
 DPCC


 Surrender Singh
 Env. Engineer
 DPCC

Annexure - B

5
HTE



M/s S. K. Enterprises
Gali No 5, Main Road
Sagar Pur Vill. Delhi

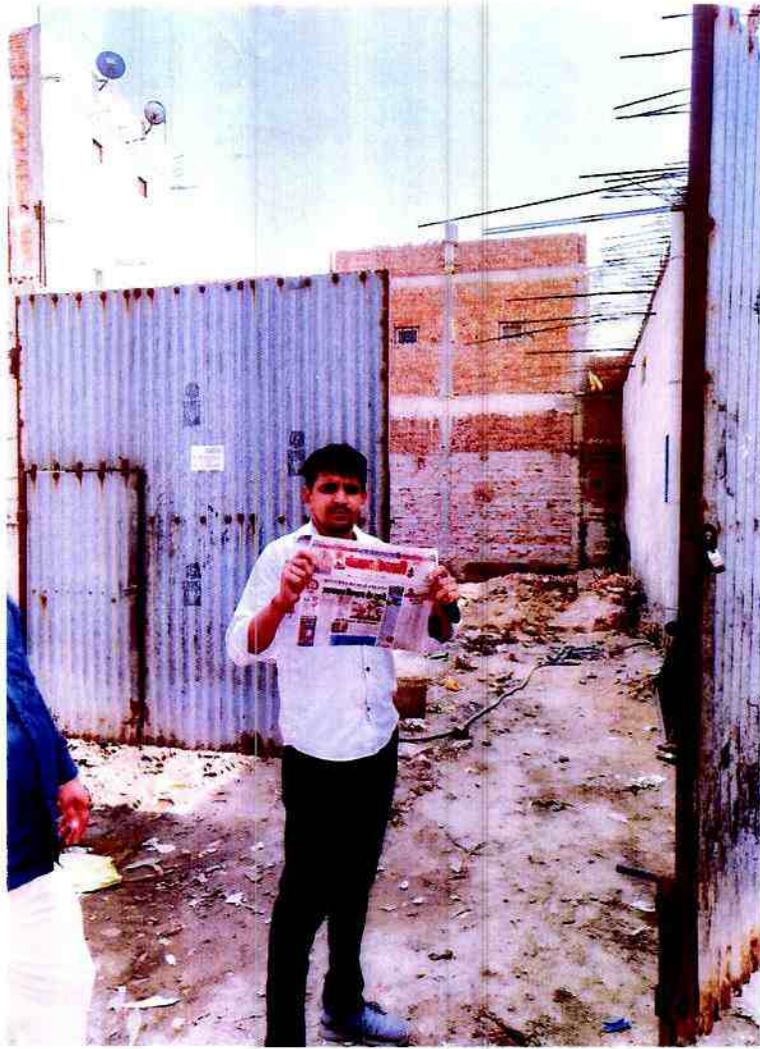


M/s. Ramji Enterprises
 Kh.No. 11/17, Coli No. 5,
 Main Road Rajatpur
 Village Dehli 84.





Mrs. Arjun Teans Dyeing Factory
Gali No. 5. Kh. No. 11/17,
Main Road Tagatpur Village.
Delhi - 110084.

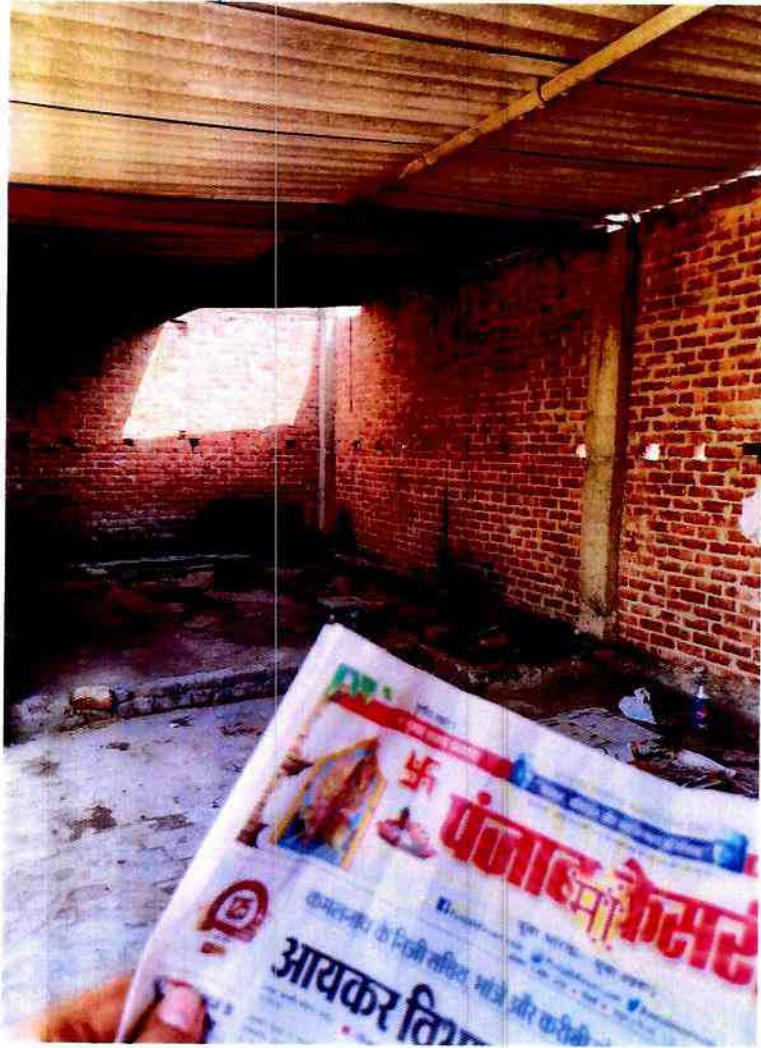


Mr. Md. Nafes Akhtar
 Rubber Tyre factory
 Plot No. 5/3
 K.H.No. 11/07,
 Main Road Jagatpur
 Village, Delhi-84



Asjun Jeans

9



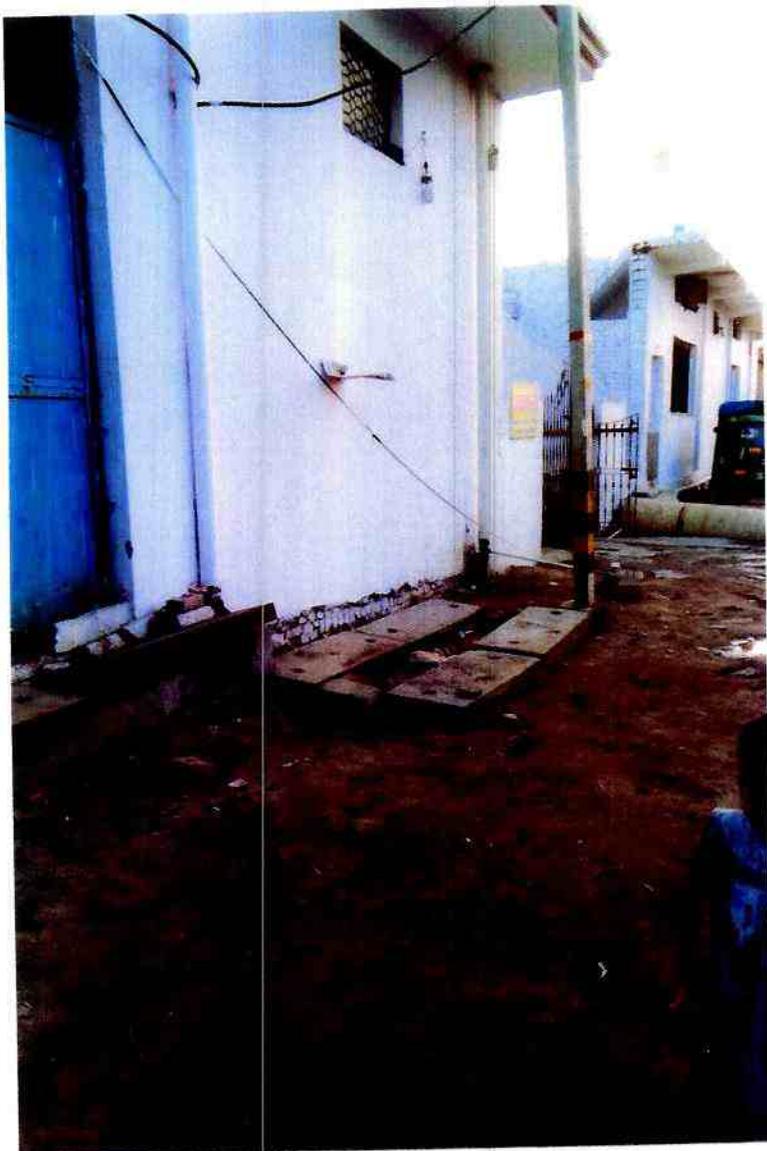
M/s. Asjun Jeans Dyeing Factory
1st Floor, Gali No. 5/3, R.H. No 11/07
Main Road Tajatpur Village.
Delhi - 84.

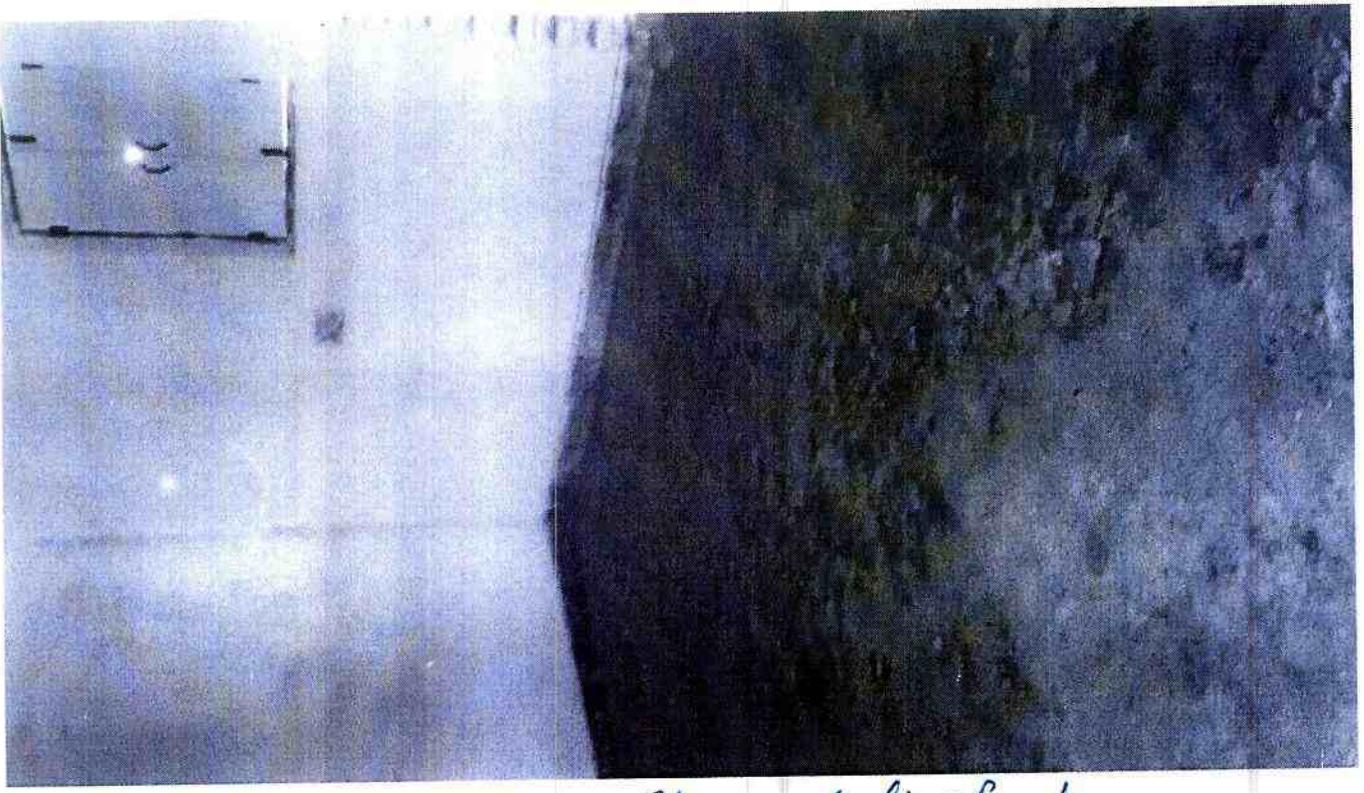
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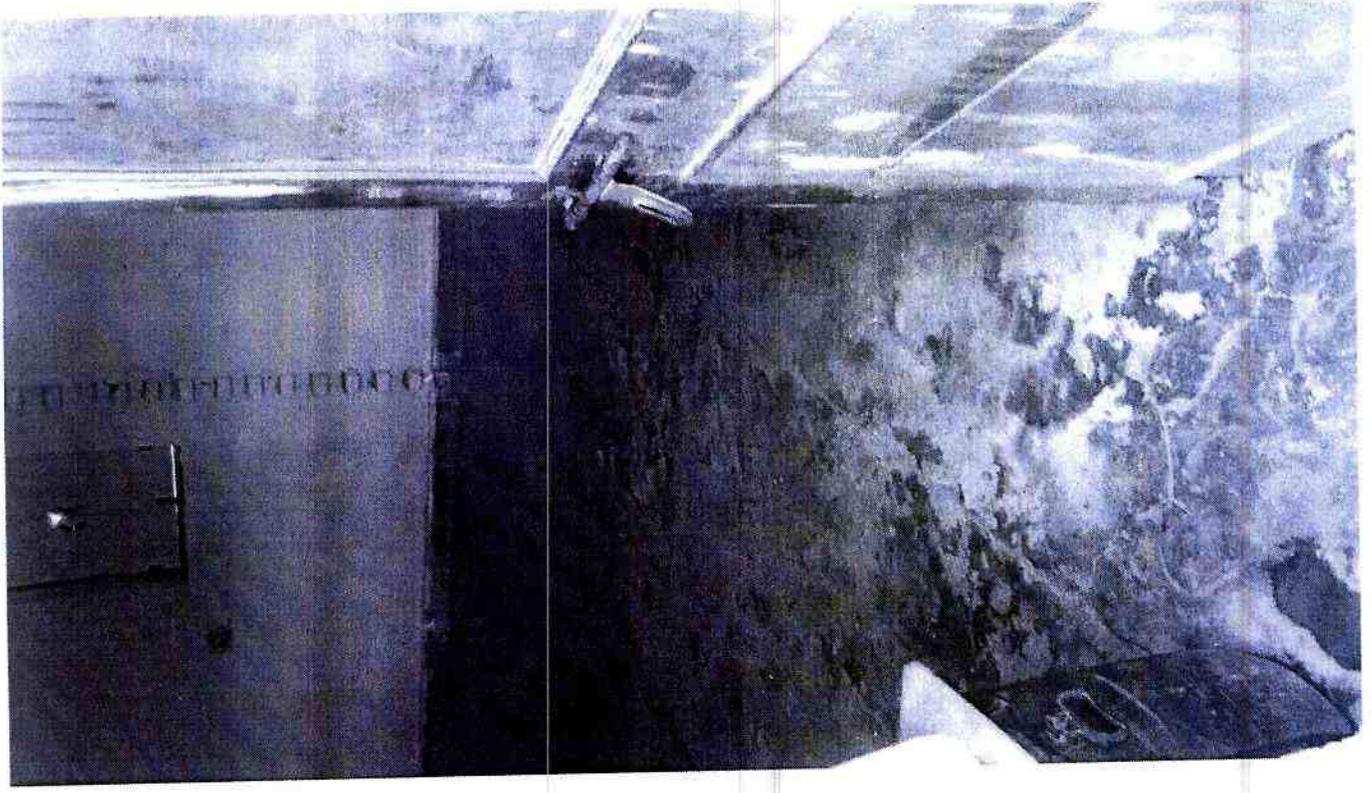


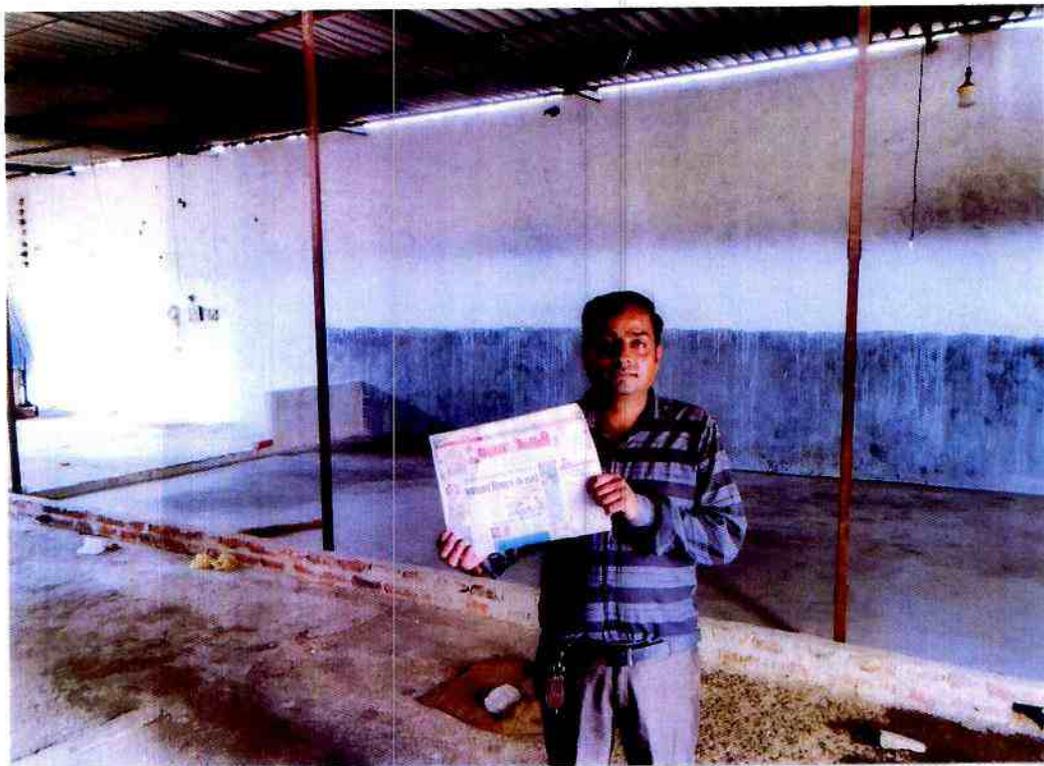
M/s Ujjwal Sawera
Samiti, Kh. No. 11/7,
Gali No. 5, Main Road,
Jagat Pur Vill. Delhi





M/s Jitender Kumar Electroplating Factory,
Kha. No. 13/1/14, Gali No. 5, Main Rd. Jangpura Vill.
Delhi -

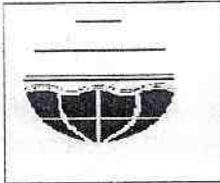




M/s. Namkeen Manufacturing Unit
R.H. No. 13/1/14, Main Road Jagatpur
Village Delhi-84.



m/s Indra prastha Automobiles Pvt. Ltd.
Plot No. 5, Main Road, Tagatpur village
Delhi - 84.



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
1st Floor, E Block, Vikas Bhawan-II, Upper Bela Road, Civil Line, Delhi-54
visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-V/Misc./Jagat Pur/2018/ 2212

Dated: 14/05/2019

To,

The Sub-Divisional Magistrate (Civil Line)
Room No. 27-28, (2nd Floor),
Old Civil Lines,
Tis Hazari Court Complex,
Delhi-110006.

14, Darya Gang
New Delhi - 02

Sub.: Direction u/s 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33(A) of Water (Prevention & Control of Pollution) Act, 1974 as amended in the matter Original Application No. 792/2018 (Ram Prakash Vs. Govt. of NCT of Delhi) regarding pollution caused by chemical sprays in the course of illegal manufacturing of jeans in the residential area at the main road Gali No. 05, near Radha Krishna Mandir, Village-Jagatpur, Delhi-84

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and under Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory provision under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 that no person without the previous consent of the DPCC shall establish or operate any industrial plant in air pollution control area.

And whereas, it is a mandatory provision under u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974, that no person without the previous consent of the DPCC shall establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or operate any industrial plant in air pollution control area.

And whereas, Hon'ble National Green Tribunal (NGT) vide its order dated 12.12.2018 in O.A. No. 792/2018 in the above matter, ordered the following:-

"... we direct constitution of a joint Committee comprising representatives of District Magistrate, North Delhi, Delhi Pollution Control Committee (DPCC) and North MCD to ascertain facts and take action as per law.

The nodal agency will be the DPCC for co-ordination and follow up action....."

And whereas, the alleged 09 Nos of units were inspected by the officials of DPCC on 12.12.2018 and during the inspection, it was found that the said area is a residential /non-conforming area for the industrial activities and falls under the jurisdiction of North Delhi Municipal Corporation.

And whereas, DPCC had issued Direction u/s 33(A) of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31(A) of Air (Prevention & Control of Pollution) Act, 1981 on 12.04.2019 to the Divisional Commissioner, SDM, MCD, DJB, BSES/ TPDDL etc.

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13 A

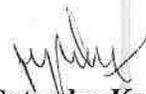
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And whereas, these units were operating in violation of order of Hon'ble Supreme Court and causes damage to the environment and is liable to pay environmental compensation and accordingly, letters for seeking Environmental Compensation of Rs.50,000/- (Rupees Fifty Thousand Only) were issued to all the 09 units (list enclosed) in compliance of Hon'ble NGT order dated 12.12.2018 and out of these 09 units only 01 unit namely M/s Ujjwal Sawera Samiti, Kh. No. 11/7, Ch. Binnarayan Gali No. 5/3, Main Road Jagatpur Village, Delhi-110084 has submitted Environmental Compensation of Rs.50,000/- (Rupees Fifty Thousand Only) as on date.

Now therefore, in view of above, you are directed to take appropriate action for recovery of Rs.50,000/- (Rupees Fifty Thousand Only) each from 08 defaulting units as arrears of land revenue so as to comply with order of Hon'ble NGT dated 12.12.2018 and the same may be remitted to DPCC. You are also requested to submit compliance report to DPCC within 07 days.

This is being issued as per the approval of Competent Authority.

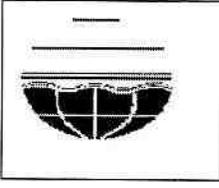
Encl.: As above


(Satender Kumar)
Incharge (CMC-V)

OIC

19

REMINDER
NGT Matter
By Speed Post



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
1st Floor, E Block, Vikas Bhawan-II, Upper Bela Road, Civil Line, Delhi-54
visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-V/Misc./Jagat Pur/2018/ 5054

Dated: 24/6/19

To,

The Sub-Divisional Magistrate (Civil Line)
14, Darya Ganj,
New Delhi-110002.

Sub.: Direction u/s 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33(A) of Water (Prevention & Control of Pollution) Act, 1974 as amended in the matter Original Application No. 792/2018 (Ram Prakash Vs. Govt. of NCT of Delhi) regarding pollution caused by chemical sprays in the course of illegal manufacturing of jeans in the residential area at the main road Gali No. 05, near Radha Krishna Mandir, Village-Jagatpur, Delhi-84

This has reference to this office letter of even number dated 14.05.2019 (copy enclosed) wherein directions for taking appropriate action for recovery of Rs.50,000/- (Rupees Fifty Thousand Only) each from 08 defaulting units as arrears of land revenue were issued by this department. The reply in this regard is still awaited.

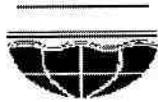
In view of above, you are again directed to take appropriate action for recovery of Rs.50,000/- (Rupees Fifty Thousand Only) each from 08 defaulting units as arrears of land revenue so as to comply with order of Hon'ble NGT dated 12.12.2018 and the same may be remitted to DPCC. You are also requested to submit compliance report to DPCC within 07 days.

This is being issued as per the approval of Competent Authority.

Encl.: As above


(Satender Kumar)
Incharge (CMC-V)

o/c



DELHI POLLUTION CONTROL COMMITTEE

DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)

1st Floor, E Block, Vikas Bhawan-II, Upper Bela Road, Civil Line, Delhi-54

visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-V/Misc./Jagat Pur/2018/S441

Dated: 05/07/2019

To,

**The Sub-Divisional Magistrate (Civil Line)
14, Darya Ganj,
New Delhi-110002.**

Sub.: Direction u/s 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33(A) of Water (Prevention & Control of Pollution) Act, 1974 as amended in the matter Original Application No. 792/2018 (Ram Prakash Vs. Govt. of NCT of Delhi) regarding pollution caused by chemical sprays in the course of illegal manufacturing of jeans in the residential area at the main road Gali No. 05, near Radha Krishna Mandir, Village-Jagatpur, Delhi-84

This has reference to this office letters of even number dated 14.05.2019 and 24.06.2019 (copy enclosed) wherein directions for taking appropriate action for recovery of Rs.50,000/- (Rupees Fifty Thousand Only) each from 08 defaulting units as arrears of land revenue were issued by this department. The reply in this regard is still awaited.

In view of above, you are again directed to take appropriate action for recovery of Rs.50,000/- (Rupees Fifty Thousand Only) each from 08 defaulting units as arrears of land revenue so as to comply with order of Hon'ble NGT dated 12.12.2018 and the same may be remitted to DPCC. You are also requested to submit compliance report to DPCC within 07 days. The matter has now been listed for hearing on 19.07.2019.

This is being issued as per the approval of Competent Authority.

Encl.: As above


(Satender Kumar)
Incharge (CMC-V)

o/c