

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**  
Original Application No. 1010/2019

**In the matter of:**

Subrata Ghosh

...Applicant

Versus

South Delhi Municipal Corporation & Anr.

...Respondents

NDOH:-17.02.2020

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Copy of the show cause notice dated 14.02.2020 regarding Environmental damages charges (EDC).

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Filed by:

(Dr. Chandra Prakash)  
Sr. Environmental Engineer

New Delhi:

Dated: 14.02.2020.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**  
Original Application No. 1010/2019

**In the matter of:**

Subrata Ghosh ...Applicant

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**STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 08.11.2019.**

1. That This Hon'ble Tribunal vide its order dated 08.11.2019 directed Delhi Pollution Control Committee to look into the Compliant and take action. DPCC filed its status report on 10.01.2020 via email, which is on the records of this Hon'ble Tribunal.
2. That, Delhi Pollution Control Committee has received compliance report from SDMC on 07.02.2020 wherein, it is informed that complete garbage has been lifted from the plot at Sulakul Vihar, Kakrola and the rag-pickers have removed their jugghis from the plot. Copy of the compliance report dated 07.02.2020 received from SDMC is enclosed herewith as **Annexure-1.**
3. That, DPCC has issued a show cause notice to the owner as to why Environmental damages amounting to Rs. 5,00,000/- (Five Lakhs Only) should not be imposed upon you for causing damages to the Environment. Based upon the reply, DPCC shall take further necessary action. Copy of the show cause notice dated 14.02.2020 is enclosed herewith as **Annexure-2.**

The present status report may kindly be taken on record.



(Dr. Chandra Prakash)  
Sr. Environmental Engineer



**SOUTH DELHI MUNICIPAL CORPORATION  
OFFICE OF THE ASSISTANT COMMISSIONER  
NAJAFGARH ZONE  
NEAR DHANSA STAND, NAJAFGARH**

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Dated 07.02.2020

No. AC/NGZ/2019-20/D- 1175

To,

Dr. Chandra Prakash  
In-charge (CMC-II)  
Delhi Pollution Control Committee  
5<sup>th</sup> Floor, ISBT Building  
Kashmere Gate, Delhi - 06.

**Subject: - OA No. 1010/2019 "Subrata Ghosh Vs South Delhi Municipal Corporation & anr.**

Sir,

Kindly refer to your letter dated 29.01.2020 on the above subject matter wherein this Department was requested to lift the waste dumped from the plot at Sulakhul Vihar, Kakrola.

In this connection, it is informed that complete garbage has been lifted from the plot at Sulakhul Vihar, Kakrola and the rag-pickers have removed their jughhis from the plot and moved from there and now no such activity of segregation of garbage etc. is being done there.

Yours faithfully,

*Manish*  
7/2/20  
(Manish)

Assistant Commissioner

Copy to: -

1. PA to DC/NGZ - for kind information please
2. AO/DEMS/NGZ



By Speed Post

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**DELHI POLLUTION CONTROL COMMITTEE**  
**DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI**  
**5<sup>TH</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06**  
 visit us at : <http://dpcc.delhigovt.nic.in>

F.No. DPCC/CMC-II/NGT/OA 1010-2019/2019/481-82

Dated: 19/2/2020

To,

**Sh. Sunil Kumar,**  
**Plot No.- 20, Sulhakul Vihar,**  
**Old Palam Road,**  
**Kakrola, Delhi**

**Subject: Show Cause Notice u/s 5 of EPA read with Solid Waste Management Rules 2016 as amended to date.**

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

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide notification Dated 15.03.1991.

And whereas, the Central Government has notified the Solid Waste Management Rules 2016 (here after refereed as SWM Rules, 2016) notified under Environment (Protection) Act, 1986 for proper management and handling of Solid Wastes.

And whereas, as per the Rule (4) (I) Every waste generator shall (a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) Store separately construction and demolition waste, as and when generated, in his own premises and shall dispose of as per the Construction and Demolition Waste Management Rules, 2016;

(d) Store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(II) No waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

And whereas, an inspection of Sulakul Vihar Colony, Old Palam road, Kakrola, Delhi was carried out by DPCC & SDMC officials on 04.12.2019 and during the inspection it was observed that, Municipal Solid Waste was found lying at the above said plot.

And whereas you (hereinafter referred as the addressee), **Sh. Sunil Kumar, Plot No.- 20, Sulhakul Vihar, Old Palam Road, Kakrola, Delhi** is not maintaining the proper disposal of Solid Waste generated.

And whereas, Competent Authority has decided to show cause as to why Environmental Compensation of Rs. **5,00,000/-** (Five Lakhs only) should not be imposed upon you the addressee for dumping of garbage at the above said site observed during inspection within 15 days of issue of this direction.

Your reply, if any, should reach to this office within 15 days from date of service of this notice, failing which it shall be presumed that you have nothing to say in this regard and proposed direction shall be confirmed without any further reference.

This is being issued as per the approval of the Competent Authority of Delhi Pollution Control Committee.

  
(Dr. ChandraPrakash)  
Incharge, CMC-II,  
Delhi Pollution Control Committee

Copy to:

1. Master File, CMC- II