

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

Original Application No. 527/2022

In the matter of:

Nand Lal

...Applicant

Versus

Dharmendra Tomar & Others

...Respondents

NDOH:- 20.02.2024

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Filed by:



New Delhi:

Dated: 19th.02.2024

Delhi Pollution Control Committee

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

Original Application No. 527/2022

①

In the matter of:

Nand Lal

...Applicant

Versus

Dharmendra Tomar & Others

...Respondents

**ADDITIONAL STATUS REPORT ON BEHALF OF DELHI
POLLUTON CONTROL COMMITTEE.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 22.07.2022 and was pleased to direct the DPCC, Municipal Commissioner of Delhi and Deputy Commissioner (North East) to take action against illegal disposal of waste in Street No. 3 and other streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.
2. That in compliance with the order dated 22.07.2022, DPCC filed action taken report through email dated 02.09.2022, which is available on the records of this Hon'ble Tribunal.
3. That this Hon'ble Tribunal considered the report of DPCC dated 02.09.2022 during the hearing dated 20.10.2022.
4. That re-inspection of the site was carried out on 15.05.2023 by officials of DPCC to verify the actual owner of the plot. During the inspection it was observed that:

- Residence of Sh. Dharmendra Tomar was visited but he was not present during the inspection.
- Sh. Dharmendra Tomar was contacted telephonically, he informed that the plot in question is owned by Mr. Vijendra Choudhary.
- The locals and nearby people were enquired regarding the ownership of the plot, they also revealed that the plot is owned by Mr. Vijendra Choudhary.
- Mr. Vijendra Choudhary over phone informed that only a certain portion of the plot belongs to him and the plot has combined ownership, but he refused to reveal the identity/ details of the other persons.

Copy of the inspection report dated 15.05.2023 alongwith photographs are enclosed herewith as ANNEXURE-1.

5. That, DPCC issued show cause notice for imposition of Environmental Damages Compensation to "Irrigation & Flood Control Department" and "Sh. Vijendra Choudhary" to the tune of Rs. 10,00,000/- (Rupees Ten Lakhs only) on 28.07.2023. Copy of the show cause notice dated 28.07.2023 is annexed herewith as ANNEXURE-2.
6. That, no reply has been received from the plot owner or the I&FC Department- GNCTD. Therefore, DPCC issued order dated 13.09.2023 for imposing Environmental Damages Compensation to "Irrigation & Flood Control Department" and "Sh. Vijendra Choudhary" to the tune of Rs. 10,00,000/- (Rupees Ten Lakhs only) each. Copies of the order dated 13.09.2023 are annexed herewith as ANNEXURE-3 (Colly).
7. That, DPCC issued recovery letter dated 13.12.2023 to DM(North East) to recover the imposed Environmental Damages Compensation as arrear of land revenue from the "Irrigation & Flood Control Department" and "Sh. Vijendra Choudhary" levied on 13.09.2023. Copy of the recovery letter dated 13.12.2023 is annexed herewith as ANNEXURE-4. As no response received, so reminder letters were issued on 10.01.2024 and 01.02.2024. Copies of the letters dated 10.01.2024 and 01.02.2024 are annexed herewith as ANNEXURE-5 (Colly).

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8. That, SDM (Karawal Nagar) on 06.02.2024 issued demand to “Sh. Vijendra Choudhary” and “Irrigation & Flood Control Department” giving them time upto 21.02.2024 for deposition of the EDC amount. Copies of the demand letters dated 06.02.2024 are annexed herewith as ANNEXURE-6 (Colly).
9. That, further SDM (Karawal Nagr) provided copy of the order dated 06.02.2024 whereby SDM impose Rs. 5 Lakhs as EDC against M/s Gawar Construction for violating the norms of GRAP-III on 03.11.2023. Copy of the order dated 06.02.2024 is annexed herewith as ANNEXURE-7.
10. The present status report may kindly be taken on record.



(M.S. Rawat)

Sr. Environmental Engineer

Annexure-1

(4)

INSPECTION REPORT

Subject: Hon'ble NGT matter of OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"

In compliance of directions of Cell In-charge (CMC-I, DPCC) in the said Hon'ble NGT matter an inspection was carried out by DPCC officials on 15.05.2023 to verify the actual owner of the plot in the said matter.

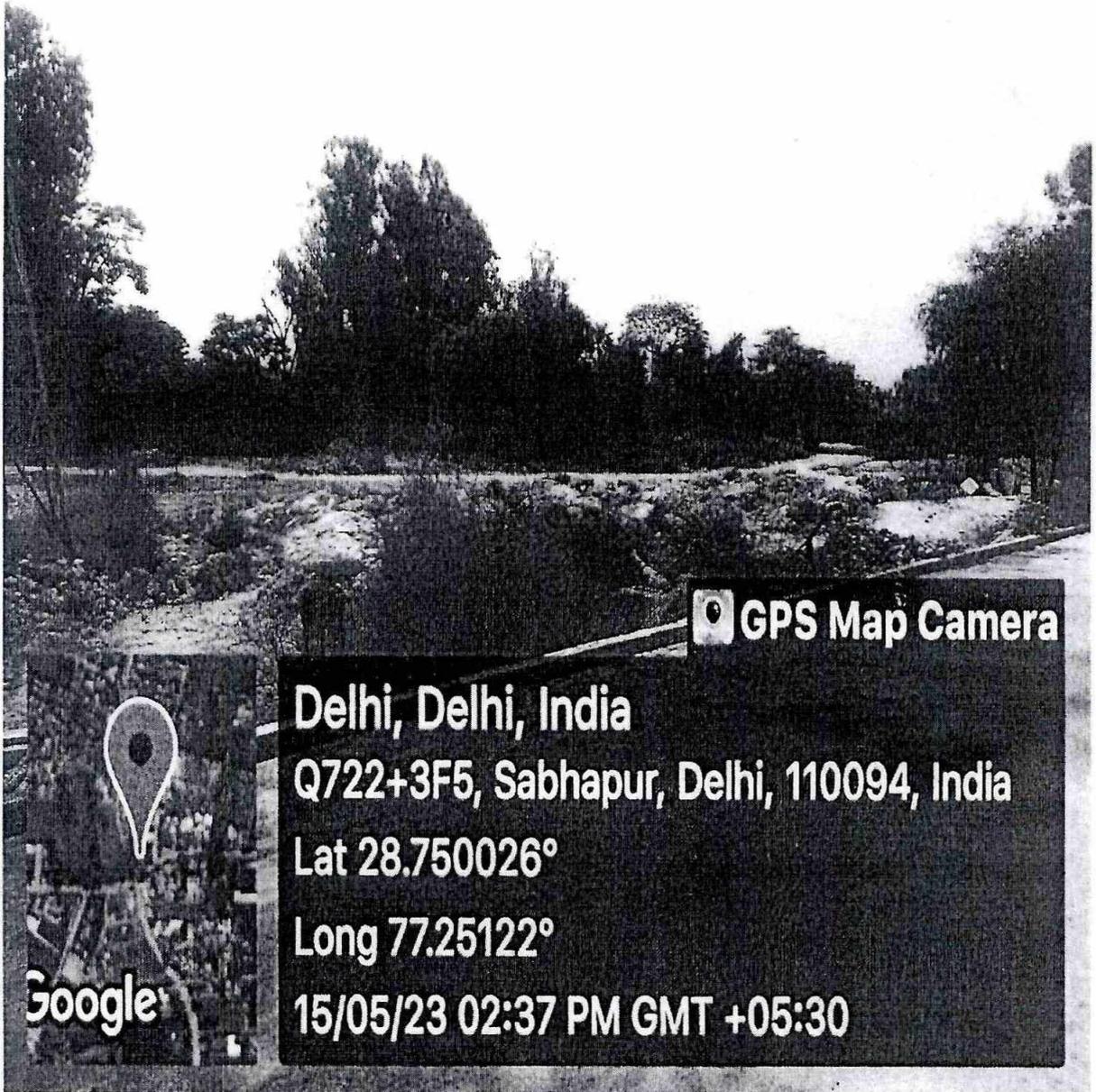
Residence of Dharmendra Tomar was visited but he was not present at that time at his home, so he was contacted telephonically. He informed that he is not the owner of the plot in question, instead the said plot is owned by Mr. Vijender Choudhary. When the locals and nearby people were enquired regarding the ownership of the said plot, they also revealed that the plot is owned by Mr. Vijendra Choudhary.

Mr. Vijender Choudhary then himself contacted us over the phone call and claimed that only a certain portion of the said plot belongs to him and the plot has combined ownership, but he refused to reveal the identity/details of the other persons.

Annexure
15/05/2023
JEE, DPCC

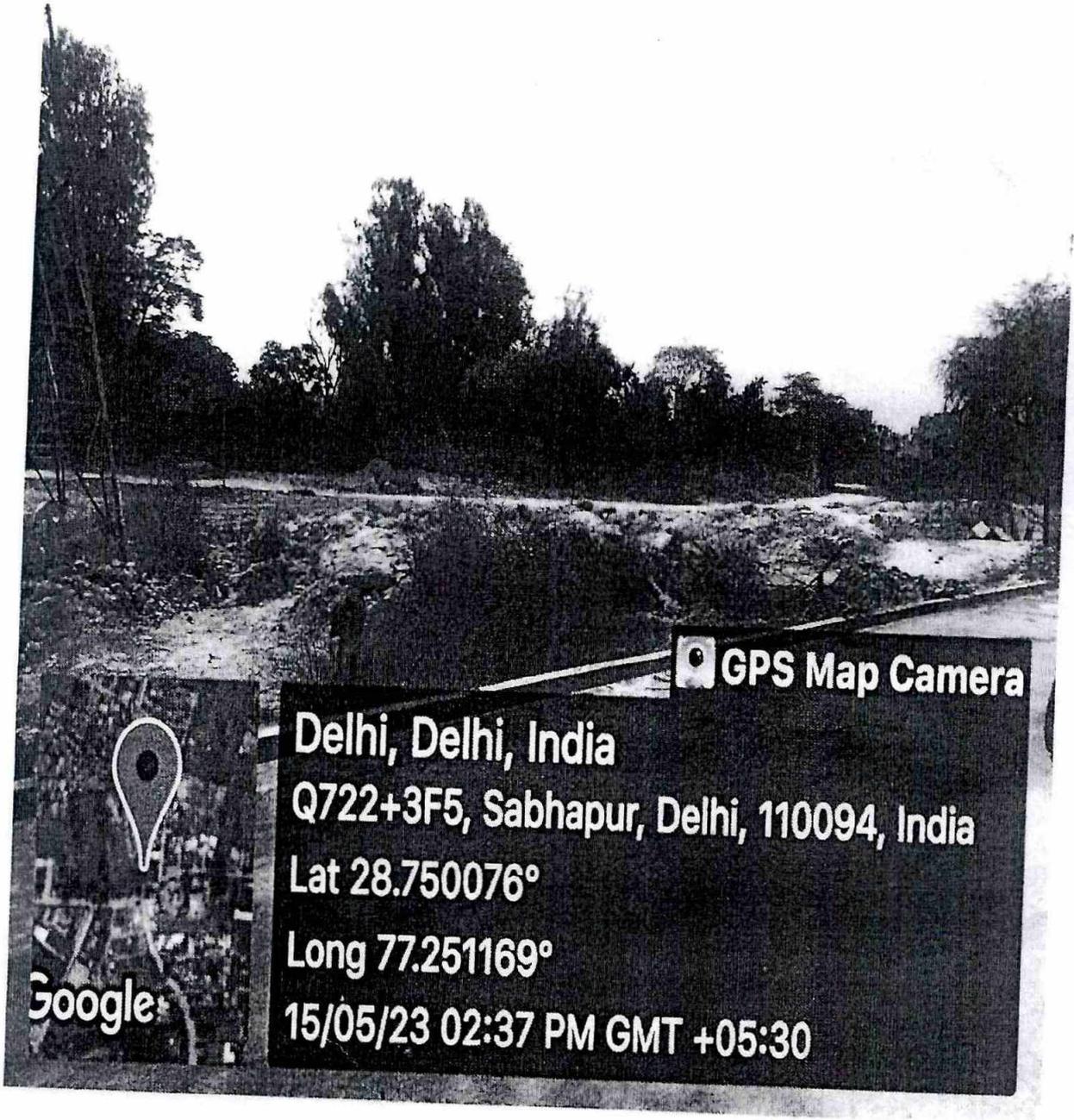
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15/05/2023
JEE, DPCC

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DELHI POLLUTION CONTROL COMMITTEE
GOVERNMENT OF NCT OF DELHI
 4th AND 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006
 visit us at : <http://dpcc.delhigovt.nic.in> Ph Nos. 23815352, 23815436

F. No. DPCC/CMC-I/Sabhapur NGT/2022/ 1045-51

Dated: 28/07/2023

To,

Vijender Choudhary,
Near Rampal Chowk,
Sabhapur Extension
Delhi- 110094

Subject: Show Cause Notice for Environmental Damages Compensation u/s 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 (A) of the Air (Prevention & Control of pollution) Act, 1981.

Ref: Regarding NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"

And whereas, CPCB issued directions under section 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 on 02.07.2019 to DPCC in the matter of conversion of units in Delhi into PNG as Fuel. CPCB has directed to issue closure directions to all such industrial units in Delhi where PNG supply is available and industry has not shifted to PNG.

And also, in pursuant to the order dated 02.12.2016 of Hon'ble Supreme Court of India in the matter of M.C.Mehta Vs Union of India & others regarding air quality. Graded Response Action Plan (GRAP) has been notified by the Ministry of Environment, Forests & Climate Change, Govt. of India on 12.01.2017 for implementation through Environment Pollution (Prevention and Control) Authority (EPCA). EPCA has issued various directions to the Govt of NCT of Delhi to control air pollution vide letter dated 25.10.2019, keeping in view of the deteriorating ambient air quality.

And whereas, Hon'ble Supreme Court of India, while hearing Writ Petition(s) No. 4677/1985 in the matter of M.C. Mehta Vs Union of India & Others, has passed order on 04.11.2019 and directed to close down the industrial units which are objectionable and saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioner of the Municipal Corporations.

And whereas, Hon'ble National Green Tribunal vide orders dated 05.08.2019 & 19.11.2019 in OA No. 601/2018 in the matter of "Mayank Manohar & Paras Singh, Reporter, the Times of India Vs. Govt. of Delhi & Ors." has also directed closure of impermissible industrial units in residential/ non-confirming areas of NCT of Delhi and levying Environmental Compensation (EC) for the damage caused by illegal operation keeping in view the 'Polluters Pay Principle'

And whereas, in compliance of Twitter complaint regarding use of garbage in the construction colonies street at Kaushalpuri, Chauhan Patti, Ambe Colony and Anuvrat Vihar, an inspection was carried out on 30.06.2022 by DPCC officials and it was observed that garbage and solid waste is being collected without authorization on a large size plot approx 2000 sqmt near Rampal Chowk, Sabhapur Village and dumped on streets of above mentioned colonies for road construction.

And whereas, in compliance of NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police had been conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

Following were the observations of inspection-

- i. Garbage is being collected without authorization on a large size plot approx 2000 sqmt near Rampal Chowk, Sabhapur Village.
- ii. The collected garbage and silt is then dumped on street no. 1,3,4 and main road Anuvrat Vihar, Sabhapur Vistar.
- iii. Nand Lal (applicant) and other local residents were contacted during the said inspection and

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they had informed that work was being carried out by the local MLA.

- iv. MCD representative had clarified that this area is an unauthorized colony and is not under the jurisdiction of MCD and this work is being carried out by Irrigation and Flood Control Department (I & FCD).

And whereas, in accordance to Environmental Damage Compensation explained by Hon'ble NGT explained in the matter of Vardhaman Kaushik vs Union Of India & Others in MA No. 360 of 2016, EDC is based on the size of plot area. The plot size in present case is ranging approximately 2000 sqm , where garbage is being dumped and there after being utilized for the construction of the streets at Anuvart Vihar Colony, Sabhapur Vistar. The said situation of dumping the garbage and usage of it for the construction is causing pollution in both ways i.e. air and water as dumping of garbage on unpaved soil may lead to leachate responsible for ground water pollution.

And whereas, in absence of definite plot size of the streets where garbage is being used, is not measureable, therefore DPCC is left with an option to levy maximum EDC @ **Rs. 5,00,000/- (Rupees Five Lakhs only)** in case of air pollution and at the same time polluter is also liable to pay the environmental compensation for water pollution also . Considering the uniformity of EDC, an equal amount of EDC, levied in case of air pollution shall be extended to water pollution.

And whereas, Delhi Pollution Control Committee has decided why the **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** should not be levied upon the Irrigation and Flood Control Department, Govt of Delhi and plot owner

And whereas, District Magistrate (North East) shall initiate an enquiry for the said violation causing the environmental pollution and proceedings shall be undertaken to recover the said EDC.

And whereas, Deputy Commissioner (Shahdara North), MCD shall start its due process to clean the site to prevent further pollution and take necessary action against the offenders/violators responsible for the pollution. The cost involved in cleaning and maintaining the site can be recovered from offender/violator.

Your reply, (if any) along with supporting documents, should reach this office **within 15 days from the date of issue of this letter**. In case of failure, it will be presumed that you have nothing to say in this regard and the aforementioned proposed EDC (**Rs. 10,00,000/- (Rupees Ten Lakhs only)**) shall be levied upon you/ confirmed without any further reference in this regard.

Yours sincerely



Incharge, CMC-1

Copy to:

1. The Commissioner, Municipal Corporation of Delhi, DR. S.P.M. Civic Centre Minto Road, New Delhi-100002
2. Pr. Secretary (I&FC), L.M. Bund Office Complex, Shastri Nagar, Delhi-110031
3. District Magistrate (North East) K-Block DC Office Complex, Nand Nagri Delhi-93
4. Deputy Commissioner Shahdara North, MCD GT Road near Shaymlal College.
5. SDM , Karawal Nagar J-Block, Ground Floor, DC Office Complex, Nand Nagri Delhi-93
6. Master File
7. Office Copy



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
Visit us at: <http://dpcc.delhigovt.nic.in>



F. No. DPCC/CMC-I/Sabhapur NGT/2022/ 1195-1200

Dated: 13/09/2023

To,

M/s Vijender Choudhary,
Street No. 3, Anuvrat Vihar,
Near Rampal Chowk,
Sabhapur Extension
Delhi- 110094

Annexure-3 (copy)

(9)

Subject: Order for imposition of Environmental Damages Compensation u/s 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: Regarding NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"

Whereas, CPCB issued directions under section 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 on 02.07.2019 to DPCC in the matter of conversion of units in Delhi into PNG as Fuel. CPCB has directed to issue closure directions to all such industrial units in Delhi where PNG supply is available and industry has not shifted to PNG.

And whereas, in pursuant to the order dated 02.12.2016 of Hon'ble Supreme Court of India in the matter of M. C. Mehta Vs Union of India & others regarding air quality. Graded Response Action Plan (GRAP) has been notified by the Ministry of Environment, Forests & Climate Change, Govt. of India on 12.01.2017 for implementation through Environment Pollution (Prevention and Control) Authority (EPCA). EPCA has issued various directions to the Govt. of NCT of Delhi to control air pollution vide letter dated 25.10.2019, keeping in view of the deteriorating ambient air quality .

And whereas, Hon'ble Supreme Court of India, while hearing Writ Petition(s) No. 4677/1985 in the matter of M.C. Mehta Vs Union of India & Others, has passed order on 04.11.2019 and directed to close down the industrial units which are objectionable and saddle the responsibility of compliance of the order upon the respective Zonal Deputy Commissioner of the Municipal Corporations.

And whereas, Hon'ble National Green Tribunal vide orders dated 05.08.2019 & 19.11.2019 in OA No. 601/2018 in the matter of "Mayank Manohar & Paras Singh, Reporter, the Times of India Vs. Govt. of Delhi & Ors." has also directed closure of impermissible industrial units in residential/ non-confirming areas of NCT of Delhi and levying Environmental Compensation (EC) for the damage caused by illegal operation keeping in view the 'Polluters Pay Principle'

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And whereas, in compliance of NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police had been conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

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- The collected garbage and silt is then dumped on street no. 1,3,4 and main road Anuvrat Vihar, Sabhapur Vistar.
- Nand Lal (applicant) and other local residents were contacted during the said inspection and they had informed that work was being carried out by the local M.L.A.

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- iv. MCD representative had clarified that this area is an unauthorized colony and is not under the jurisdiction of MCD and this work is being carried out by Irrigation and Flood Control Department (I & FCD).

And whereas, in accordance to Environmental Damage Compensation explained by Hon'ble NGT explained in the matter of Vardhaman Kaushik vs Union Of India & Others in MA No. 360 of 2016, EDC is based on the size of plot area. The plot size in present case is ranging approximately 2000 sq.mt., where garbage is being dumped and there after being utilized for the construction of the streets at Anuvrat Vihar Colony, Sabhapur Vistar. The said situation of dumping the garbage and usage of it for the construction is causing pollution in both ways i.e. air and water as dumping of garbage on unpaved soil may lead to leachate responsible for ground water pollution.

And whereas, in absence of definite plot size of the streets where garbage is being used, is not measureable, therefore DPCC is left with an option to levy maximum EDC @ **Rs. 5,00,000/- (Rupees Five Lakhs only)** in case of air pollution and at the same time polluter is also liable to pay the environmental compensation for water pollution also. Considering the uniformity of EDC, **an equal amount of EDC, levied in case of air pollution shall be extended to water pollution.**

And whereas, DPCC vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1045-51 dated 28.07.2023 had issued Show Cause Notices for **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** upon the **Irrigation and Flood Control Department, Govt. of Delhi** and plot owner **M/s Vijender Choudhary, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094.**

And whereas, No reply has been received in this office from your side till the date of issuance of this letter.

Now, therefore, the Competent Authority in DPCC in exercise of powers conferred upon it u/s 5 of the Environment (Protection) Act, 1986 as amended to date has decided to issue order for imposition of EDC on the plot owner **M/s Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094.** Therefore you are hereby directed to deposit Environmental Damage Compensation (EDC) of **Rs. 10,00,000/- (Rupees Ten lakh only)**, as per DPCC policy dated 30.03.2022, in the form of DD, in favour of DPCC within 15 days from issue of the said directions/order, for violation observed by joint team during inspection. Further necessary action under the relevant provisions of the said Acts/Rules including launching of prosecution etc. shall be initiated without further communication.

This is being issued as per the decision of Competent Authority in DPCC.

Yours sincerely



Incharge, CMC-1

Copy to:

1. The Commissioner, Municipal Corporation of Delhi, DR. S.P.M. Civic Centre Minto Road, New Delhi-100002.
2. District Magistrate (North East), K-Block, DC Office Complex, Nand Nagri, Delhi-93.
3. Deputy Commissioner, MCD (Shahdara-North), Keshav Chowk, GT Rd, Near Shyam Lal College, Shahdara, Delhi- 110032.
4. SDM, Karawal Nagar, J-Block, Ground Floor, DC Office Complex, Nand Nagri, Delhi-93.
5. Master File
6. Office Copy

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DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
Visit us at: <http://dpcc.delhigovt.nic.in>



F. No. DPCC/CMC-I/Sabhapur NGT/2022/ 1201-1206

Dated: 13/09/2023

To,

Pr. Secretary,
Irrigation & Flood Control,
L.M. Bund Office Complex,
Shastri Nagar,
Delhi-110031

Subject: Order for imposition of Environmental Damages Compensation u/s 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 (A) of the Air (Prevention & Control of pollution) Act, 1981.

Ref: Regarding NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"

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And whereas, in compliance of Twitter complaint regarding use of garbage in the construction colonies street at Kaushalpuri, Chauhan Patti, Ambe Colony and Anuvrat Vihar, an inspection was carried out on 30.06.2022 by DPCC officials and it was observed that garbage and solid waste is being collected without authorization on a large size plot approx.. 2000 sq.mt. near Rampal Chowk, Sabhapur Village and dumped on streets of above mentioned colonies for road construction.

And whereas, in compliance of NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police had been conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

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- i. Garbage is being collected without authorization on a large size plot approx. 2000 sq.mt. near Rampal Chowk, Sabhapur Village.
- ii. The collected garbage and silt is then dumped on street no. 1,3,4 and main road Anuvrat Vihar, Sabhapur Vistar.
- iii. Nand Lal (applicant) and other local residents were contacted during the said inspection and they had informed that work was being carried out by the local MLA.

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- iv. MCD representative had clarified that this area is an unauthorized colony and is not under the jurisdiction of MCD and this work is being carried out by Irrigation and Flood Control Department (I & FCD).

And whereas, in accordance to Environmental Damage Compensation explained by Hon'ble NGT explained in the matter of Vardhaman Kaushik vs Union Of India & Others in MA No. 360 of 2016, EDC is based on the size of plot area. The plot size in present case is ranging approximately 2000 sq.mt., where garbage is being dumped and there after being utilized for the construction of the streets at Anuvart Vihar Colony, Sabhapur Vistar. The said situation of dumping the garbage and usage of it for the construction is causing pollution in both ways i.e. air and water as dumping of garbage on unpaved soil may lead to leachate responsible for ground water pollution.

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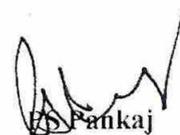
And whereas, DPCC vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1045-51 dated 28.07.2023 had issued Show Cause Notices for **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** upon the **Irrigation and Flood Control Department, Govt. of Delhi** and plot owner **M/s Vijender Choudhary, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094.**

And whereas, No reply has been received in this office from your side till the date of issuance of this letter.

Now, therefore, the Competent Authority in DPCC in exercise of powers conferred upon it u/s 5 of the Environment (Protection) Act, 1986 as amended to date has decided to issue order for imposition of EDC upon **Irrigation and Flood Control Department, Govt. of Delhi, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031.** Therefore you are hereby directed to deposit Environmental Damage Compensation (EDC) of **Rs. 10,00,000/- (Rupees Ten lakh only)**, as per DPCC policy dated 30.03.2022, in the form of DD, in favour of DPCC within 15 days from issue of the said directions/order. for violation observed by joint team during inspection. Further necessary action under the relevant provisions of the said Acts/Rules including launching of prosecution etc. shall be initiated without further communication.

This is being issued as per the decision of Competent Authority in DPCC.

Yours sincerely



Incharge, CMC-1

Copy to:

1. The Commissioner, Municipal Corporation of Delhi. DR. S.P.M. Civic Centre Minto Road, New Delhi-100002.
2. District Magistrate (North East), K-Block, DC Office Complex, Nand Nagri, Delhi-93.
3. Deputy Commissioner, MCD (Shahdara-North), Keshav Chowk, GT Rd, Near Shyam Lal College, Shahdara, Delhi- 110032.
4. SDM, Karawal Nagar, J-Block, Ground Floor, DC Office Complex, Nand Nagri, Delhi-93.
5. Master File
6. Office Copy

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Annexure-4

By Speed Post

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 Visit us at: http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC-I/Sabhapur NGT/2022/1881-83

Dated: 13/12/2023

To,

The Divisional Magistrate (North East)
K-Block, DC Office Complex,
Nand Nagri,
Delhi -110093

Subject: Regarding recovery of Environmental Damages Compensation in NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"

Ref:

- (i) NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others"
- (ii) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023
- (iii) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023

In compliance of NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police had been conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

And whereas, Plot owner Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094 and Irrigation and Flood Control Department, Govt. of Delhi, were found in violation of provisions of the water (Prevention & Control of Pollution) Act, 1974 and air (Prevention & Control of Pollution) Act, 1981.

In this regard, DPCC vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023 and F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023 respectively had issued order for imposition of **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** upon the followings:

- (i) Plot owner Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094.
- (ii) Pr. Secretary, Irrigation & Flood Control, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031

Copies of orders of imposition of EDC are enclosed herewith for your reference.

And whereas, no reply/submission of EDC have been received in this office from any of the above mentioned respondents till date.

Now therefore, in view of above, you are requested to take appropriate action for recovery of Rs 10,00,000/- (Rupees Ten Lakh Only) as arrears of the revenue at the earliest from Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094 and Irrigation and Flood Control Department, Govt. of Delhi.

14

You are also requested to submit compliance report to DPCC within 15 days from the date of issuance of this letter.

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


P.S. Pankaj
(Incharge, CMC-I)

Enclosure: As above

Copy to:-

1. Sub-Divisional Magistrate (Karawal Nagar),
J-Block, Ground Floor,
DC Office Complex,
Nand Nagri, Delhi-110093
2. Master File.

Annexure-5 (copy)

By Speed Post

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 Visit us at: http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC-I/Sabhapur NGT/2022/1183-85

Dated: 10/01/2024

Reminder

To,
The Divisional Magistrate (North East)
K-Block, DC Office Complex,
Nand Nagri,
Delhi -110093

Subject: Regarding recovery of Environmental Damages Compensation in NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others".

Ref:

- (i) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1881-83 dated 13.12.2023.
- (ii) NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others".
- (iii) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023.
- (iv) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023.

In compliance of NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police was conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

And whereas, Plot owner Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094 and Irrigation and Flood Control Department, Govt. of Delhi, were found in violation of provisions of the water (Prevention & Control of Pollution) Act, 1974 and air (Prevention & Control of Pollution) Act, 1981.

In this regard, DPCC vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023 and F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023 respectively had issued order for imposition of **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** upon the followings:

- (i) Plot owner Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094.
- (ii) Pr. Secretary, Irrigation & Flood Control, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031

And whereas, no reply/submission of EDC have been received in this office from any of the above mentioned violators till date.

In view of above, DPCC vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1881-83 dated 13.12.2023 (copy enclosed), you were requested to take appropriate action for recovery of Rs 10,00,000/- (Rupees Ten Lakh Only) as arrears of the revenue at the earliest from Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094 and **Irrigation and Flood Control Department, Govt. of Delhi.**

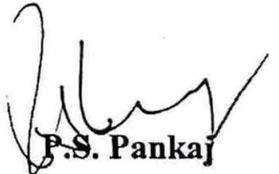
(16)

However, no reply/submission of compliance report regarding the recovery of EDC have been received in DPCC from your office till date.

Hence, you are once again requested to take appropriate action for recovery of **Rs 10,00,000/- (Rupees Ten Lakh Only)** as arrears of the revenue at the earliest from both the above mentioned violators and submit compliance report to DPCC within 07 days from the date of issuance of this letter.

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

Next date of hearing is 20.02.2024.


P.S. Pankaj
(Incharge, CMC-I)

Enclosure: As above

Copy to:-

- 1. Sub-Divisional Magistrate (Karawal Nagar),
J-Block, Ground Floor,
DC Office Complex,
Nand Nagri, Delhi-110093**
- 2. Master File.**

By Speed Post

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 Visit us at: http://dpcc.delhigovt.nic.in</p>	
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F. No. DPCC/CMC-I/Sabhapur NGT/2022/2061-63

Dated: 01/02/2024

Reminder-II

To,

The Divisional Magistrate (North East)
K-Block, DC Office Complex,
Nand Nagri,
Delhi -110093

Subject: Regarding recovery of Environmental Damages Compensation in NGT matter in OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others".

Ref:

- (i) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1983-85 dated 10.01.2024.
- (ii) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1881-83 dated 13.12.2023.
- (iii) NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others".
- (iv) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023.
- (v) DPCC letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023.

This has reference to the letters sent to you earlier vide F. No. DPCC/CMC-I/Sabhapur NGT/2022/1983-85 dated 10.01.2024 (copy enclosed) and F. No. DPCC/CMC-I/Sabhapur NGT/2022/1881-83 dated 13.12.2023 (copy enclosed). In compliance of Hon'ble NGT order OA No. 527/2022 "Nand Lal vs Dharmendra Tomar & Others" a joint inspection by DPCC, MCD and Delhi Police was conducted on 04.08.2022 to look into issues raised in the said application. The applicant has alleged that drain silt and other solid waste are being deliberately dumped on streets of Anuvrat Vihar, Sabhapur Vistar, Delhi.

And whereas, plot owner **Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094** and **Irrigation and Flood Control (I&FC) Department, Govt. of Delhi**, were found in violation of provisions of the water (Prevention & Control of Pollution) Act, 1974 and air (Prevention & Control of Pollution) Act, 1981.

In this regard, DPCC had issued order for imposition of **Environmental Damages Compensation (EDC) of Rs. 10,00,000/- (Rupees Ten Lakhs only)** upon each of the followings:

- (i) Plot owner **Sh. Vijender Choudhary, Street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094**, vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1195-1200 dated 13.09.2023.
- (ii) Pr. Secretary, Irrigation & Flood Control (I&FC) Department, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031, vide letter F. No. DPCC/CMC-I/Sabhapur NGT/2022/1201-1206 dated 13.09.2023.

In this regard, no reply/submission of EDC has been received in the office of DPCC from any of the above mentioned violators till date.

Hence, in view of above, vide above referred letters, you were requested to take appropriate action for recovery of **Rs 10,00,000/- (Rupees Ten Lakh Only)** each, as arrears of the revenue at the earliest from **Sh. Vijender Choudhary, street No. 3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extension, Delhi- 110094 (plot owner) and Irrigation and Flood Control Department, Govt. of Delhi.**

However, no reply/submission of compliance report regarding the recovery of **Environmental Damages Compensation (EDC)** has been received in DPCC from your office till date.

Therefore, you are once again requested to take appropriate action for **recovery of Rs 10,00,000/- (Rupees Ten Lakh Only)** as arrears of the revenue at the earliest from each of the violators mentioned above and submit compliance report to DPCC within 07 days from the date of issuance of this letter.

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

Next date of hearing is 20.02.2024.

Yours sincerely


Dr. Siddhartha Gautam
(EE, CMC-1)

Enclosure: As above

Copy to:-

1. **Sub-Divisional Magistrate (Karawal Nagar),
J-Block, Ground Floor,
DC Office Complex,
Nand Nagri, Delhi-110093**
2. **Master File.**

Annexure-6 (copy)

GOVT. OF NCT OF DELHI
IN THE COURT OF THE SUB-DIVISIONAL MAGISTRATE (KARAWAL NAGAR)
J-BLOCK, D.C. OFFICE COMPLEX, NAND NAGRI, DLEHI-110093

(19)

No. SDM/KN/EPA86/2024/180

Dated:06.02.2024

DEMAND NOTICE

A Recovery Certificate No F.No.DPCC/CMC-I/Sabhapur NGT/2022/1881-83 Dated 13.12.2023 has been received from the Incharge, CMC-I, DPCC Department, of Environment, GNCTD 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006 for recovery of **Rs. 10,00,000/- (Rupees Ten Lakh Only)** its realization as arrear of land revenue in r/o **Sh. Vijender Chaoudhary R/o- Street No-3, Anuvrat Vihar, Near Rampal Chowk, Sabhapur Extn., Delhi -94.**

Therefore, **Sh. Vijender Chaoudhary**, hereby directed to appear in person regarding the recovery and deposit the amount in my court on or before **21/02/2024 at 11:30 AM** failing which Arrest Warrant Process for Attachment would be initiated to recover the said amount as arrear of land revenue.



(Sanjay Sondhi)
SDM (KARAWAL NAGAR)

To,

Sh. Vijender Chaoudhary
R/o- Street No-3, Anuvrat Vihar,
Near Rampal Chowk, Sabhapur Extn., Delhi -94

No. SDM/KN/EPA86/2024/180

Dated:06.02.2024

Copy to:- SHO, Police Station-Sonia Vihar, Delhi with the direction to serve the notice and submit the compliance report.

Copy for information to:

- Incharge, CMC-I, DPCC Department, of Environment, GNCTD 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.



(Sanjay Sondhi)
SDM (KARAWAL NAGAR)

(20)

**GOVT. OF NCT OF DELHI
IN THE COURT OF THE SUB-DIVISIONAL MAGISTRATE (KARAWAL NAGAR)
J-BLOCK, D.C. OFFICE COMPLEX, NAND NAGRI, DLEHI-110093**

No. SDM/KN/EPA86/2024/181

Dated:06.02.2024

DEMAND NOTICE

A Recovery Certificate No F.No.DPCC/CMC-I/Sabhapur NGT/2022/1881-83 Dated 13.12.2023 has been received from the Incharge, CMC-I, DPCC Department, of Environment, GNCTD 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006 for recovery of **Rs. 10,00,000/- (Rupees Ten Lakh Only)** its realization as arrear of land revenue in r/o **Pr. Secretary, Irrigation & Flood Control, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031.**

Therefore, **Pr. Secretary, Irrigation & Flood Control, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031**, hereby directed to deposit the amount in my court on or before **21/02/2024** at **11:30 A.M.**



sh

**(Sanjay Sondhi)
SDM (KARAWAL NAGAR)**

To,
Pr. Secretary, Irrigation & Flood Control,
L.M. Bund Office Complex, Shastri Nagar,
Delhi-110031

No. SDM/KN/EPA86/2024/181

Dated:06.02.2024

Copy to:- SHO, Police Station-Preet Vihar, Delhi with the direction to serve the notice and submit the compliance report.

Copy for information to:

- Incharge, CMC-I, DPCC Department, of Environment, GNCTD 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.



sh

**(Sanjay Sondhi)
SDM (KARAWAL NAGAR)**

Annexure-7

**OFFICE OF SUB-DIVISIONAL MAGISTRATE (KARAWAL NAGAR)
GOVERNMENT OF N.C.T. OF DELHI
D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-93**

F. No./SDM/KN/2024/0179

Dated: 06.02.2024

ORDER

The undersigned imposed Rs. 5 Lakh as EDC on M/s Gawar Construction for violation of C&D norms at Karawal Nagar pusta Road on 03.11.2023. This EDC was imposed on 03.11.2023 vide Order No. SDM/KN/2023/45. M/s Gawar Construction was directed to deposit EDC into the bank account of DPCC within 07 days but M/s Gawar Construction did not comply. On 23.11.2023 a demand notice vide F.No. SDM/KN/2023/5309 was issued to M/s Gawar Construction directing it to deposit the above mentioned EDC into the bank account of DPCC within 03 days, failing which the same shall be recovered as land revenue arrears.

M/s Gawar Construction submitted an application for waiver of EDC citing several reasons including project of National importance. Furthermore, it has also stated that all measures have been taken to mitigate the spread of C&D related pollutants.

The Undersigned himself visited Karawal Nagar pusta road on 03.11.2023 and found that all the norms of GRAP-III are being flouted (Photographer enclosed) openly. No preventive measures were taken to mitigate C&D related pollution. The situation was very pathetic and dust was present everywhere. Under such circumstance the Undersigned issued a chalan directing M/s Gawar Construction to deposit Rs 5 Lakh EDC into the bank account of DPCC within 07 days.

Hence, the undersigned does not find any merit in the application of waiver submitted by M/s Gawar Construction and the same is rejected out rightly. M/s Gawar Construction is hereby directed to deposit EDC into the bank account of DPCC (Account No- 40071442347, IFSC SBIN0005715), in SBI ISBT, Kashmere Gate, Delhi Branch or (Account No- 60394338678, IFSC Code MAHB0000343), Bank Of Maharashtra, Connaught Place Branch latest by 20.02.2024, failing which, coercive steps shall be taken to recover the above stated EDC including confiscation of equipment, issuance of arrest warrant etc.



SANJAY SONDHI DANICS
SDM (KARAWAL NAGAR)

Copy to:-

1. M/s Gawar Construction, Shashti Park Construction camp Delhi
2. Project Director Under CWG flyover, Near Akshardham Mandir (old NH 24)
3. DPCC 6th Floor, C Wing Delhi Secretariat, IP Estate, Delhi 110002

Copy for information

1. Commission of Air Quality Management, 17th floor STC Building Vyapar Bhawan, Tolstoy Rd. HC Mathur Lane New Delhi 110001



SANJAY SONDHI DANICS
SDM (KARAWAL NAGAR)