

HEAD OFFICE

Uttarakhand Pollution Control Board
Gauradevi Paryavaran Bhawan
46-B, I.T. Park, Sahastradhara Road,
Dehradun (Uttarakhand)



Action Taken Report

Original Application No. 316 of 2021

In compliance of order dated 03.12.2021

of the

Hon'ble National Green Tribunal,
Principal Bench, New Delhi

February, 2022

Action Taken Report
In the matter of Original Application No. 316 of 2021

In the matter of:

Pramod Kumar Sharma Applicant

Versus

Uttarakhand Pollution Control Board Respondent

The Hon'ble National Green Tribunal in the matter of Original Application No. 316/2021 Pramod Kumar Sharma Vs Uttarakhand Pollution Control Board issued following directions on dated 03.12.2021:

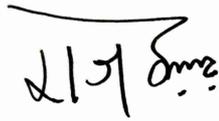
“In view of above, let the State PCB verify the factual position and take remedial action, following due process of law. A factual and action taken report be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

Pursuant to the compliance of order passed by the Hon'ble NGT, inspection of the site was carried out by the officials of this Board on dated 21.10.2021 and 21.12.2021. As per inspection reports: -

1. M/s Surendra Motors (hereinafter referred as “Unit”) is located in Plot No-3, Shubham Vihar Colony, Kankhal, Haridwar.
2. The Unit is engaged in servicing of motor vehicles. Earlier painting and washing of motor vehicle were done, however now said activities are not carried out.
3. Due to non-compliance of directions of the Board, an environmental compensation of Rs. 3,88,500.00 (Rs. Three Lacs Eighty Eight Thousand Five Hundred only) was imposed against the Unit on dated

22.12.2020 as the Unit was engaged in painting and washing processes without Consent to Operate of the Board. However, said amount have not been deposited, so far. Copy of direction issued on dated 22.12.2020 is enclosed as **Annexure-1**.

4. The Unit has not obtained consent to operate from the Board and is in operation without valid consent to operate of the Board.
5. Directions to show cause has been issued to M/S Surendra Motors under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 vide this office letter ref. nol. UKPCB/HO/Con-S-434/2022/116 dated 18.02.2022. Copy of direction issued on 18.02.2022 is enclosed as **Annexure-2**.
6. Moreover, the State Board has referred the matter of environmental compensation to the District Magistrate, Haridwar for recovery of environmental compensation amount i.e. Rs. 3,88,500/- from M/S Surendra Motors, Plot No. 3, Shubhum Vihar Colony, Kankhal, Haridwar under Land-Revenue process vide this office letter dated 18.02.2022. Copy of letter is enclosed as **Annexure-3**.





HEAD OFFICE

Uttarakhand Pollution Control Board
"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun (Uttarakhand)

Web : www.ueppcb.uk.gov.in, E-mail : msukpcb@yahoo.com

UKPCB/HO/Con/S-434/2020/ 43

Date: 22.12.2020

By Speed Post

To,

M/s Surendra Motors,
Plot No.-03,
Shubham Vihar Colony,
Kankhal, Distt- Haridwar.

Directions under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/processes is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industries, operations or processes to keep their effluent quality within the specified norms; and

WHEREAS, the Unit was inspected by the officials of Regional Office, Roorkee of this Board on dated 08.06.2020 and found that :-

1. Unit has not obtained consent to operate of the Board and engaged in Painting process without prior permission of the Board.
2. Unit is established in residential area.

AS SUCH, it is evident from the above observations that the unit has violated the provisions of Section-25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section-21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended thereafter.

AND NOW THEREFORE, in view of above observations; and in exercise of the power conferred under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended thereafter, with approval of the Competent Authority of the Board, Unit is directed to submit ₹ 3,88,500/- (Three lakh Eighty Eight thousand five hundred rupees only) as Environment compensation in favour of Uttarakhand Pollution Control Board.

This issues with the approval of competent authority of the Board.


(S.P. Subudhi)

Member Secretary

Copy to:

1. Regional Officer, UKPCB, Regional Office, Roorkee (Haridwar) for information and compliance of above directions.
2. Guard file.


Member Secretary



UKPCB/HO/Con/S-434/2022/ 116

Date: /8, 02.2022

Speed Post

To,

M/s Surendra Motors,
Plot No.-03,
Shubham Vihar Colony,
Kankhal, Distt- Haridwar.

Directions under Section 31(A) of Air (Prevention and Control of Pollution) Act-1981 and Section 33(A) of Water (Prevention and Control of Pollution) Act- 1974.

WHEREAS, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/processes is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

WHEREAS, as per Section-21 of the Air (Prevention and Control of Pollution Act, 1981 and Section-25 of the Water (Prevention and Control of Pollution Act, 1974 as amended, it is the mandatory requirement for any industry plant, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; to obtain prior Consent from the Board; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industries, operations or processes to keep their effluent quality within the specified norms; and

WHEREAS, in compliance of the order issued by Hon'ble NGT in the matter of OA no.- 316/2021, Pramod Kumar Sharma Vs Uttarakhand Pollution Control Board on dated 03.12.2021, inspection of the Unit was carried out by the officials of Regional Office, Roorkee of this Board in presence of Unit's owner Shr Surendra Kumar on dated 21.12.2021 and made following observations :-

1. During inspection, the Unit found in operation.
2. Unit was issued direction by the Board vide its letter no.UKPCB/HO/Con/S-434/2021/43 dated 22.12.2020 to deposit ₹3,88,500/- as Environment compensation, but yet now Unit has not deposited the same amount in the Board.
3. Unit has not applied for consent of the Board and is in operation without consent to operate of the Board.

AS SUCH, it is evident from the above observations that the Unit has violated the provisions of Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 as amended thereafter;



मुख्यालय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

“गौरा देवी पर्यावरण भवन”

46बी, आई0टी0 पार्क, सहस्त्रधारा रोड, देहरादून

Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com

पत्रांक सं0-यूकेपीसीबी/एच.ओ/सा0-183/466/2022/117

दिनांक :- 18.02.2022

सेवा में,

जिलाधिकारी,
जनपद-हरिद्वार,
उत्तराखण्ड।

विषय :- मै0 सुरेन्द्र मोटर्स पर जल/वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियमों के उल्लंघन के सापेक्ष राज्य बोर्ड द्वारा लगाये गये पर्यावरणीय क्षतिपूर्ति की धनराशि वसूल किये जाने के सम्बन्ध में।

महोदय,

अवगत कराना है कि जनपद हरिद्वार के प्लॉट नं0-3 शुभम विहार कालोनी, कनखल, जिला-हरिद्वार में सुरेन्द्र मोटर्स नाम से एक वर्कशाप का संचालन किया जा रहा है। पूर्व में बोर्ड दिनांक 22.12.2020 में उक्त वर्कशाप पर पर्यावरणीय मानकों एवं जल/वायु अधिनियमों के उल्लंघन पाये जाने पर रु0-3,88,500/- की पर्यावरणीय क्षतिपूर्ति आरोपित की गयी थी। (प्रति संलग्न)।

उक्त वर्कशाप द्वारा पर्यावरणीय क्षतिपूर्ति की धनराशि बोर्ड में जमा नहीं करायी गयी है। इस सम्बन्ध में अध्यक्ष/प्रमुख सचिव, पर्यावरण, संरक्षण एवं जलवायु परिवर्तन, उत्तराखण्ड शासन के अनुमोदन के क्रम में आपसे अनुरोध है कि मै0 सुरेन्द्र मोटर्स, प्लॉट नं0-3 शुभम विहार कालोनी, कनखल, जिला-हरिद्वार पर बोर्ड द्वारा आरोपित की गयी पर्यावरणीय क्षतिपूर्ति की धनराशि रु0-3,88,500/- की वसूली 'भू-राजस्व' प्रक्रिया की भांति करते हुये धनराशि इस कार्यालय को प्रेषित करने का कष्ट करें।

भवदीय

(एस0पी0 सुबुद्धि)

सदस्य सचिव।

प्रतिलिपि :- क्षेत्रीय अधिकारी (प्र0), रुड़की, जिला-हरिद्वार को इस निर्देश के साथ प्रेषित कि जिलाधिकारी, हरिद्वार से समन्वय स्थापित करते हुये संस्था से पर्यावरणीय क्षतिपूर्ति की धनराशि वसूल कराने की कार्यवाही करना सुनिश्चित करें।

सदस्य सचिव।