

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

Original Application No. 862/2019

IN THE MATTER OF:

Pramod Kumar Jha

... Applicant

VERSUS

Govt. of NCT of Delhi & Ors.

... Respondents

NDOH:- 18.02.2020

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Filed by

(Mohd. Arif)
Sr. Env. Engineer
(Delhi Pollution Control Committee)

New Delhi:
Dated: 14.01.2020

**BEFORE THE PRINCIPAL BENCH,
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Original Application No. 862/2019

IN THE MATTER OF:

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... Applicant

VERSUS

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**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN TERMS OF THE ORDER DATED 30.10.2018**

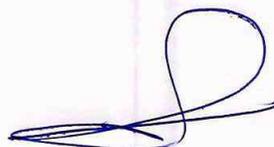
IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 30.10.2018 and pleased to issue following directions:

".....Grievance in this application is against illegal extraction of ground water

Let the Delhi Pollution Control Cmmittee (DPCC) and the North Delhi Municipal Corporation (North DMC) jointly look into the matter, take appropriate action in accordance with law and furnish a factual action taken report in the matter..... "

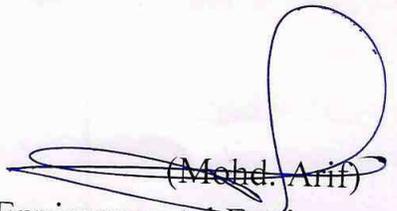
2. That with the coordinated efforts of DPCC, both borewell and the unit were sealed by the concerned SDM on 28.11.2019. Copy of the letter is enclosed herewith marked and annexed as **Annexure 1**.
3. That the area mentioned in the order was inspected by DPCC and DJB officials on 08.01.2020. During the inspection, borewell and the unit both were found sealed. Copy of inspection report alongwith photographs are enclosed herewith marked and annexed as **Annexure – 2 (colly)**.



4. That the Show Cause Notice for Environmental Damage Compensation of Rs.2,50,560/- (Rs. Two lakhs fifty thousand five hundred sixty only) was issued on 31.01.2020 to M/s Vinesh Kumar, Street No.9C, Jagatpur Village, Near Bio Diversity Park, Phase-II Delhi-110084. Copy of the order dated 14.01.2020 is enclosed herewith marked and annexed as **Annexure – 3**.

Date:

Place:


(Mohd. Arif)
Sr. Environmental Engineer

Anneyore 1

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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF SUB DIVISIONAL MAGISTRATE (CIVIL LINES),
KHASRA NO. 549, NEAR BARAT GHAR, OLD NDPL OFFICE,
BURARI, DELHI - 110084
(EMAIL ID: sdmccivilline@gmail.com)(Tel: 011-27612666)

No. *SDM/CL/19/4894*

Dated:-28/11/2019

To

The Executive Engineer(North-1)
Delhi Jal Board,
O.H.T., Mukherjee Nagar,
Delhi-110007

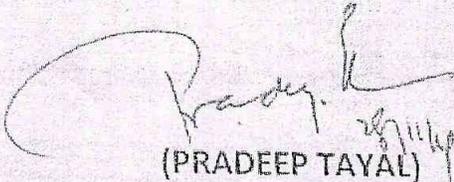
Sub: Illegal Boring/ground water extraction in gali no. 9C village jagatpur,
Civil Lines Delhi Near Yamuna Bio-diversity park.

- Reference No. 1. Order Passed by NGT principle bench, original application
No. 862/2019 dated 30.10.2019
2. F.No. DPCC/Comp/CMC-V/2019/8538-41 dated-20.09.2019

Sir,

With reference to your Letter No. DJB /EE(N)/2019 /1486 dated
14/11/2019 on the subject cited above, it is stated that the said borewell has
been sealed today.

This is for your information please.


(PRADEEP TAYAL)
SUB-DIVISIONAL MAGISTRATE/
SUB-DIVISION: CIVIL LINES

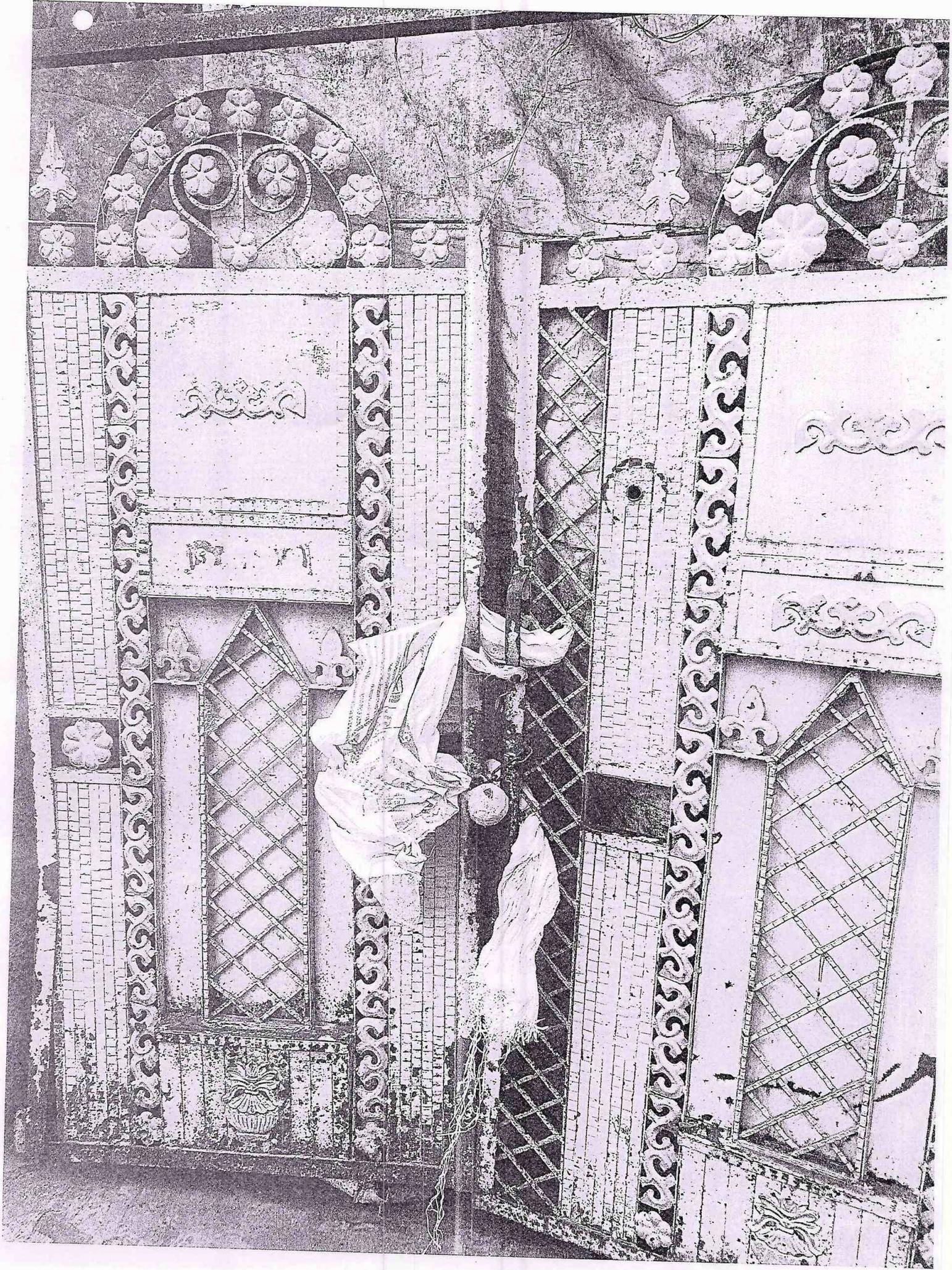
Inspection of the premises (Street No 9C, Jagalpur Village, near Biodiversity Park, Phase-II) where earlier borewell was sealed by concerned SDM. Same was also found sealed today and was inspected by the team of DPCC officials and DJB official in the presence of Vinesh Kumar (9213992667) as complaint has been lodged against him. Size of the bore well was 2" and one HP motor was used on it, reported by Sh. Vinesh Kumar.

No Burning of Coal Tar and size of burning observed during inspection.

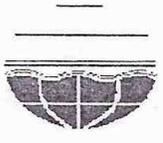

8/1/20
(DJB)

VIGNENDER
JE (CIVIL)


8/1/2020
(K. KUMAR)
Encl. Copy
(DPCC)





	<p>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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DPCC/CMC-VII/2019/01-02

Dated: 14/01/2020

To,

M/s Vinesh Kumar,
Street No.9C, Jagatpur Village,
Near Biodiversity Park, Phase-II
Delhi-110084

Subject: Show Cause Notice for Environmental Compensation for Damages in compliance of order of Hon'ble National Green Tribunal dated 30.10.2019 in the matter of Pramod Kumar Jha Vs. Govt. of NCT of Delhi & others.

Whereas, the Hon'ble National Green Tribunal vide its order dated **30.10.2019 in the matter of Pramod Kumar Jha Vs. Govt. of NCT of Delhi & others.** against illegal extraction of ground water in village Jagatpur, Civil Lines Delhi near Yamuna Biodiversity park for sale through tankers.

And whereas, you M/s Vinesh Kumar, Street No.9C, Jagatpur Village, Near Bio Diversity Park, Phase-II Delhi-110084(herein after referred as addressee) is engaged in the activity of illegal extraction and supply of packaged Ground Water.

And whereas, an inspection of your unit was conducted by the officials of DPCC and DJB on 08.01.2020 and following were the observations:

- Unit was engaged earlier in the activity of illegal extraction and supply of packaged Ground Water.
- During inspection borewell and the unit both were found sealed.
- Size of the borewell was 2" and 1 HP motor was used on it.

And whereas, you, the addressee, are extracting ground water for the commercial purpose.

And whereas in view of Hon'ble NGT orders levying Environmental Damages, Competent Authority of DPCC keeping in view the 'Polluter Pays' principle has decided and approved to levy Environmental Damages Compensation for an amount of Rs.2,50,560/- (Rs. Two lakhs fifty thousand five hundred sixty only).

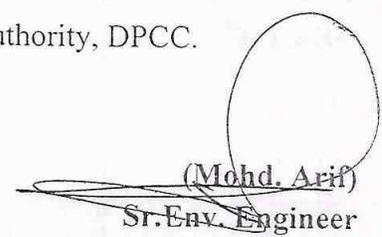
And whereas, the Environmental Damage Compensation comes out to be Rs.2,50,560/- (Rs. Two lakhs fifty thousand five hundred sixty only). for the violations observed for the period 30.10.2019 to 28.11.2019 as per as per CPCB report on "Assessment of Environmental Compensation in Case of Illegal Extraction of Ground Water".

Now therefore, the Competent Authority in Delhi Pollution Control Committee in exercise of powers conferred upon it u/s 5 of Environment Protection Act, 1986 as amended to date, has decided to issue the following proposed directions:-

1. That you (the addressee) shall be directed to deposit the Environmental Compensation of Rs.2,50,560/- (Rs. Two lakhs fifty thousand five hundred sixty only) for illegal extraction and supply of packaged Ground Water in violation of Hon'ble NGT order.

Your reply, if any, along with supporting documents should reach this office within 15 days from date of issue of this Notice, failing which necessary action as mentioned above shall be initiated against you without any further reference in this regard.

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


(Mohd. Arif)
Sr. Env. Engineer

Copy to:-

1. Master file.

o/c