

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

MA No. 14/2025

In

Original Application No. 297/2023

In the matter of:

Nakul Kapoor

.....Applicant

Versus

Delhi Pollution Control Committee & Ors

.....Respondent

NDHO:- 30.04.2025

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Filed by:

New Delhi:

Dated: 17.04.2025

Delhi Pollution Control Committee

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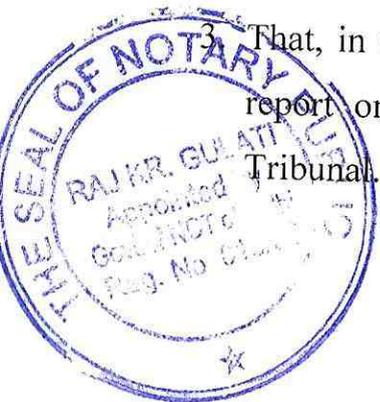
.....Respondent

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER
DATED 31.01.2025.**

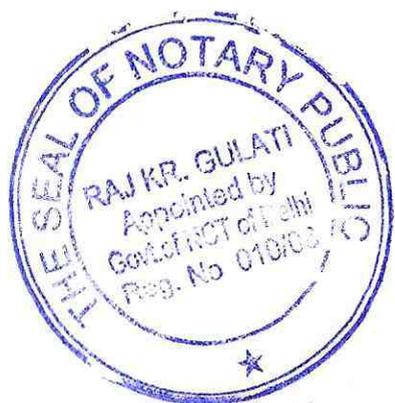
I, P.S. Pankaj, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3th Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That this Hon'ble Tribunal took up the above referred matter on 06.10.2023 on the basis of the applicant, has filed the present application seeking issuance of directions to the respondent authorities restraining respondents no. 5 and 6 from carrying out dewatering activities, illegal construction etc. at 2B, Goela lane, Under Hill Road, Civil Lines, Delhi-10054.

That, in compliance with order dated 13.05.2024, DPCC has filed its status report on 23.08.2024 which is available on the records of this Hon'ble Tribunal.



4. That, the Hon'ble Tribunal taken up the matter on 31.01.2025 and pleased to direct DPCC to file his response regarding imposition and realization of EC from respondents no. 5 and 6 in accordance with law.
5. That, DPCC issued a SCN on 11.12.2023 for imposition of EDC of of Rs. 90,000/- (Ninety Thousand Only) i.e. Rs. 30,000/- for each borewell for extracting groundwater for domestic usage illegally without having permission. In this regard, Project Proponent has submitted DD of Rs. 90,000/- in favour of DPCC on 15.04.2024. Copy of the SCN as well as reply submitted by Project Proponent dated 15.04.2024 is enclosed herewith as **ANNXURE-1 (Colly)**.
6. That, the Hon'ble Tribunal again taken up the matter on 31.01.2025 and pleased to direct that the representative of SDM (Civil Lines), Delhi and officials of DPCC shall jointly visit the site verifying whether both the borewells at 2B, Goela Lane, Under Hill Road, Civil Lines, Delhi have been dismantled or not and submit a compliance report with Registrar General of this Tribunal.
7. That, a joint inspection was carried out by the officials of SDM (Civil Lines) and DPCC on 06.08.2024. A joint inspection report has been submitted stating that both borewells which were installed within aforesaid premises found dismantled and no ground water extracting instruments like motor, wire, pump, etc. found installed within both borewells. (Time stamped Geo Location Photographs are enclosed with the report). " The copy of the joint report alongwith the photographs is enclosed as **ANNXURE-2 (Colly)**.
8. That, in view of the above, the present action taken report may kindly be taken on record.




DEPONENT

17 APR 2025

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

17 APR 2025

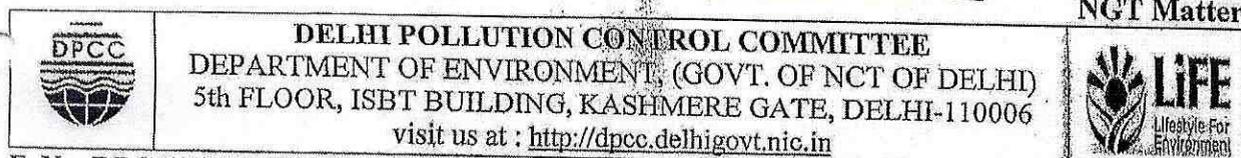
Verified at New Delhi on this ___ day of April, 2025.


DEPONENT




ATTESTED
NOTARY PUBLIC
GOVT. OF NCT OF DELHI

17 APR 2025



F. No. DPCC/CMC-VII/O.A. No. 297/2023/NGT/2023/2484-88

Dated: 11-12-23

Subject: Show Cause Notice for imposition of EDC-reg

Whereas, direction under section 5 of the Environment (Protection) Act, 1986 was issued on 18.05.2010 which prescribes that "No person, group, authority, association or institution shall draw ground water through bore-well or tube-well (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for domestic, commercial, agricultural and or industrial uses without the prior permission of the "Competent Authority" that is to say, the Delhi Jal Board or the New Delhi Municipal Council.

And whereas, the Hon'ble National Green Tribunal in OA No. 25/2019 (Abdul Farukh Vs Govt of NCT of Delhi) w.r.t. illegal extraction of ground water has issued number of directions. The Chief Secretary, GNCTD in the meeting dated 15.11.2019 has directed DPCC to levy of Environmental Damage Compensation upon owners of illegal bore wells.

And whereas, on the direction passed by the Hon'ble Green Tribunal in OA No. 685/2019 titles as "Rakesh Kumar vs Govt of NCT of Delhi", the Chief Secretary, Delhi has taken a meeting on 12.06.2020 and prepared a SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/ tubewells". As per SOP DPCC is required to levy Environmental Damage Compensation upon owners of illegal bore wells.

And whereas, as per DJB letter dated 08.02.2023, 03 nos. of illegal borewell were found at **2B, Goela Lane, Under Hill Road, Civil Lines, Delhi-110054** (the addressee unit).

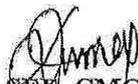
And whereas, an order on 06.10.2023 has passed by Hon'ble NGT in O.A. No.- 297/2023 titled as "Nakul Kapoor Vs DPCC & Ors." regarding illegal bore well at **2B, Goela Lane, Under Hill Road, Civil Lines, Delhi-110054**.

And whereas, in view of Hon'ble NGT directions/orders, in compliance of stipulated guidelines of CPCB and as per DPCC circular dated 09.07.2023 vide letter no. DPCC/MS/OA No.25/2020/270, it has now been decided to levy an interim **Environmental Compensation (EC) of Rs. 90,000/- (Rs. Ninety Thousand Only) i.e. Rs. 30,000/- for each borewell for extracting groundwater for domestic usage illegally without having permission from Competent Authority** and you are liable to pay in the form of DD in favour of "DELHI POLLUTION CONTROL COMMITTEE" on the addressee on account of extraction of ground water for domestic usage without permission from Competent Authority.

By way of this notice, you are hereby directed to call upon to show cause, as to why the above said Environmental Compensation should not be imposed. The reply, if any, should reach to this office within 15 days from the date of issue of this notice. In case of failure, it will be presumed that the addressee has nothing to say in this regard and the aforementioned EC will be imposed without any further reference.

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

To,


SEE, CMC-VII

**M/s Owner/Occupier,
2B, Goela Lane, Under Hill Road,
Civil Lines, Delhi-110054**

Copy to:-

1. The District Magistrate (Central) 14, Darya Ganj, New Delhi- 110002.
2. The Sub Divisional Magistrate (Civil Lines), Central District, Office of SDM Civil Lines, NDPL, Office Building Near Panchayat Bhawan, Burari, Delhi-110084.
3. The Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, New Delhi-110055.
4. Master File (CMC-VII).

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To,

Delhi Pollution Control Committee
6th Floor ISBT Building, Kashmere Gate
Delhi -110006

Delhi Pollution Control Committee
Dairy No. 144989
15 APR 2024
CMC-7
Sign of Receiving Officer

Ref:-DPCC/CMC-VII/O.A. No. 297/2023/NGT/2023/2484-88

Dated: 15.04.2024

Subject: -- **Submission of DD 503669 Dt 15.04.2024 Rs. 90000**

Sir,

This is to inform you that I Owner of M/s Owner/Occupier, 2B, Goela Lane, Under Hill Road, Civil Lines, Delhi - 110054. And I have submitted DD ICICI Bank. DD No. 503669 Dt 15.04.2024 Rs. 90000. In favour of Delhi Polution Control Committee, Kashmere Gate, New Delhi-110006

Thanking You

Sh. Nagender S/o Lt. Sh. Mushafir Mahto,
H.No. 6-B/1, Under Hill Road, Civil Lines,
Delhi-110053

No (Mun)
Disposal sum
JEE/DEO
16/4

80/CMC-7
16-4-2024

6

ICICI Bank A/C PAYEE ONLY

Drawee Branch: (6625) DELHI SPBR MISSION

DD No: 503669

VALID FOR THREE MONTHS ONLY

DATE: 15 04 2024
D D M M Y Y Y Y

ON DEMAND PAY ***** DELHI POLLUTION CONTROL COMMITTEE ***** OR ORDER

RUPEES NINETY THOUSAND Only

₹ *****90,000.00

Purchaser Name: SHRI VINAYAK INERA LAND PVT LTD
OL/9/5 Not Above 90,000.00

FOR VALUE RECEIVED

6625DDCENPAY
DELHI SPBR MISSION HOSEPTI
Issuing Branch

Authorized Signatory (Signature)

Authorized Signatory (Signature)

Please sign above

⑈503669⑈ 000229000⑈ 006625⑈ 16

Joint Inspection Report

Annexure-2

7

Subject:- Joint inspection Report alleged premises
Q-B, Goela lane, Civil lines Delhi-110054

In reference: Hon'ble NGT matter titled as
Nakul Kapoor Vs DPCC in the
OA number 297/2023

In reference to above and Hon'ble NGT
order dated 13/05/2024, as directed by
Hon'ble NGT, Joint inspection of the
alleged premises QB, goela lane, civil lines
Delhi-110054 was carried out by the
officials of DPCC and SDM civil lines
on 06/08/2024 and during the joint
inspection both borewells which were
installed with in afore said premises
found dismantled and no ground water
extracting instruments like motor, wire, pump
etc found installed with in both borewells.
(Time stamped geo location photographs are
enclosed with the reports)

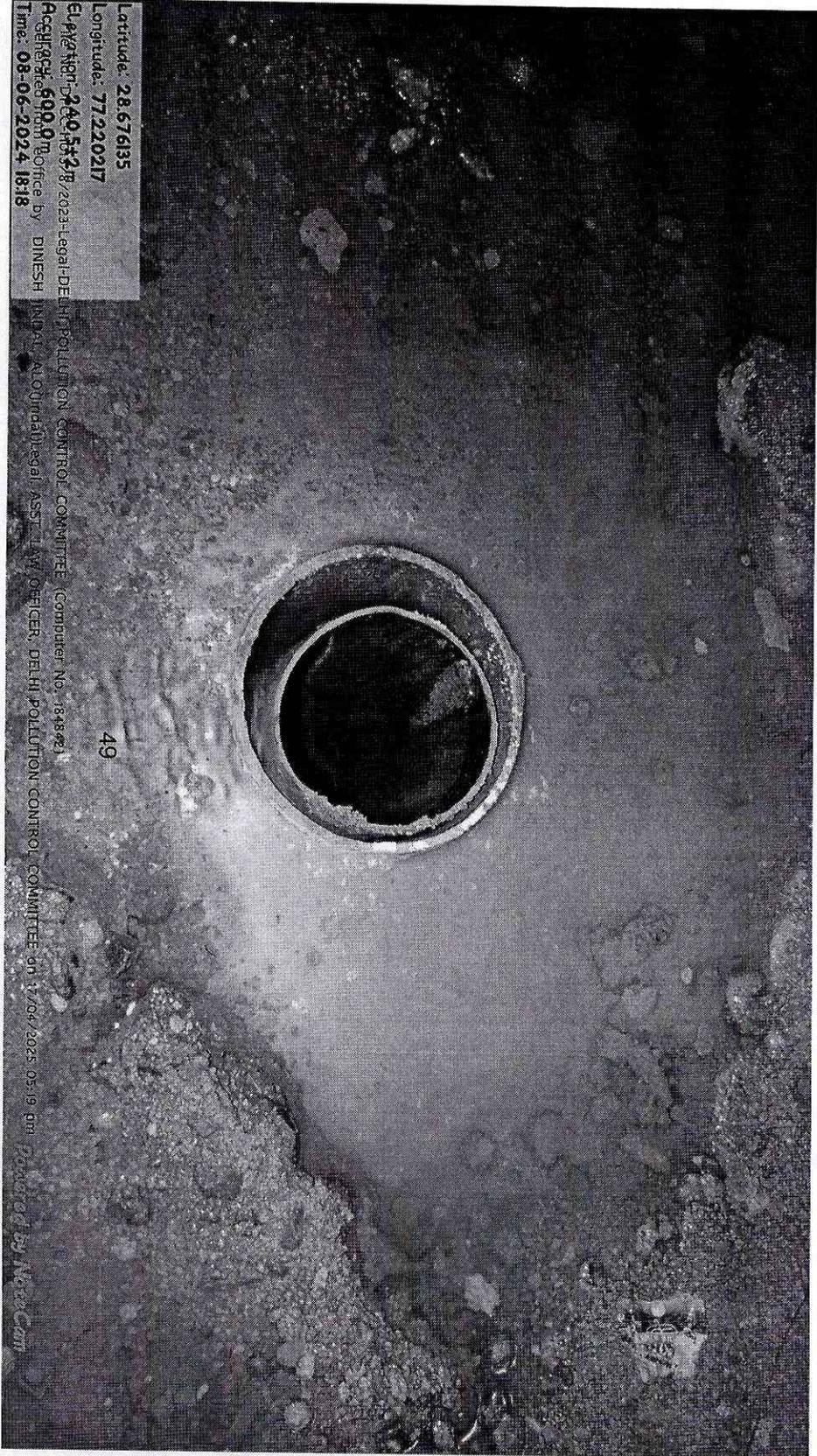
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 Time: 08-06-2024 18:18

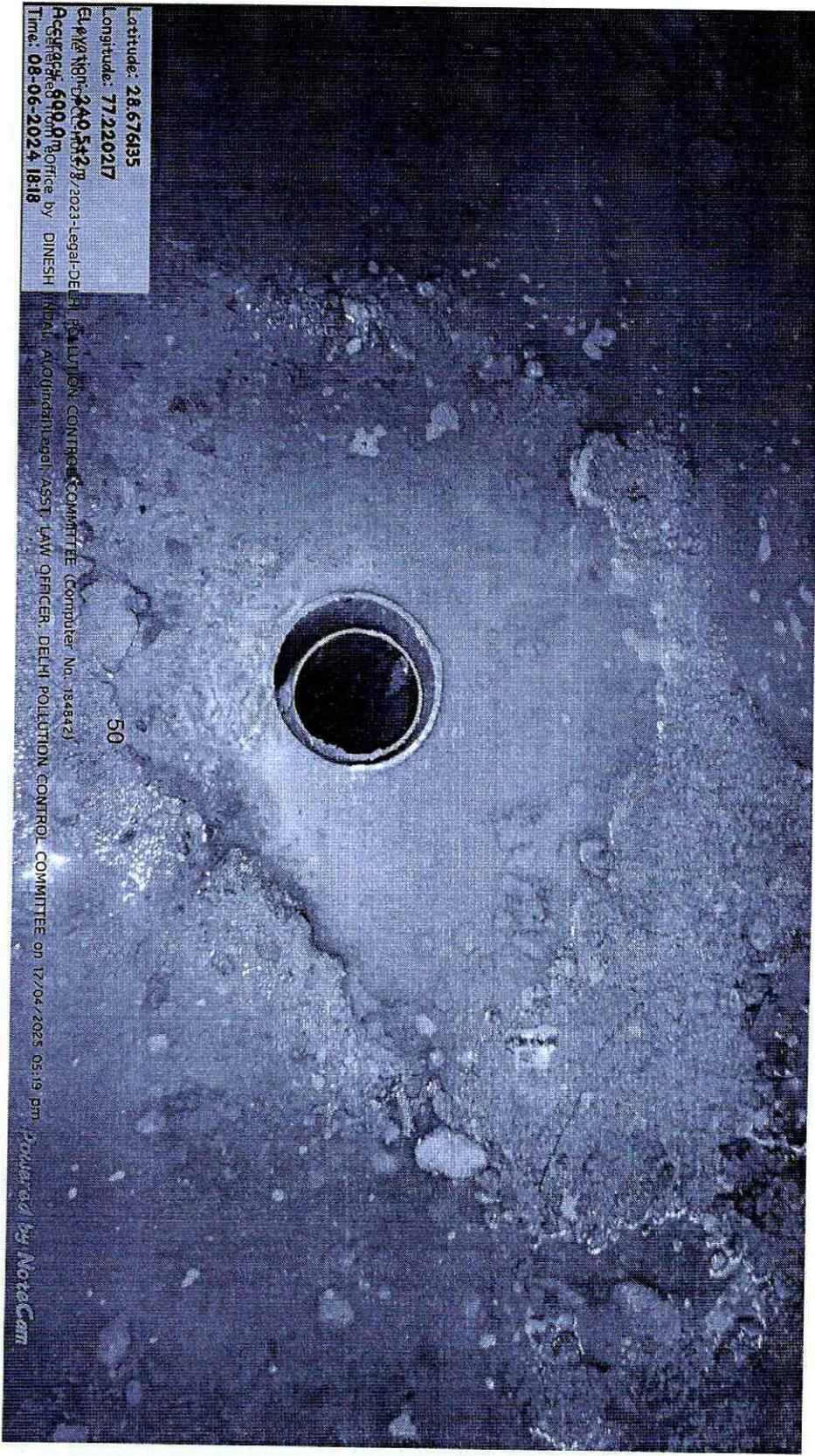
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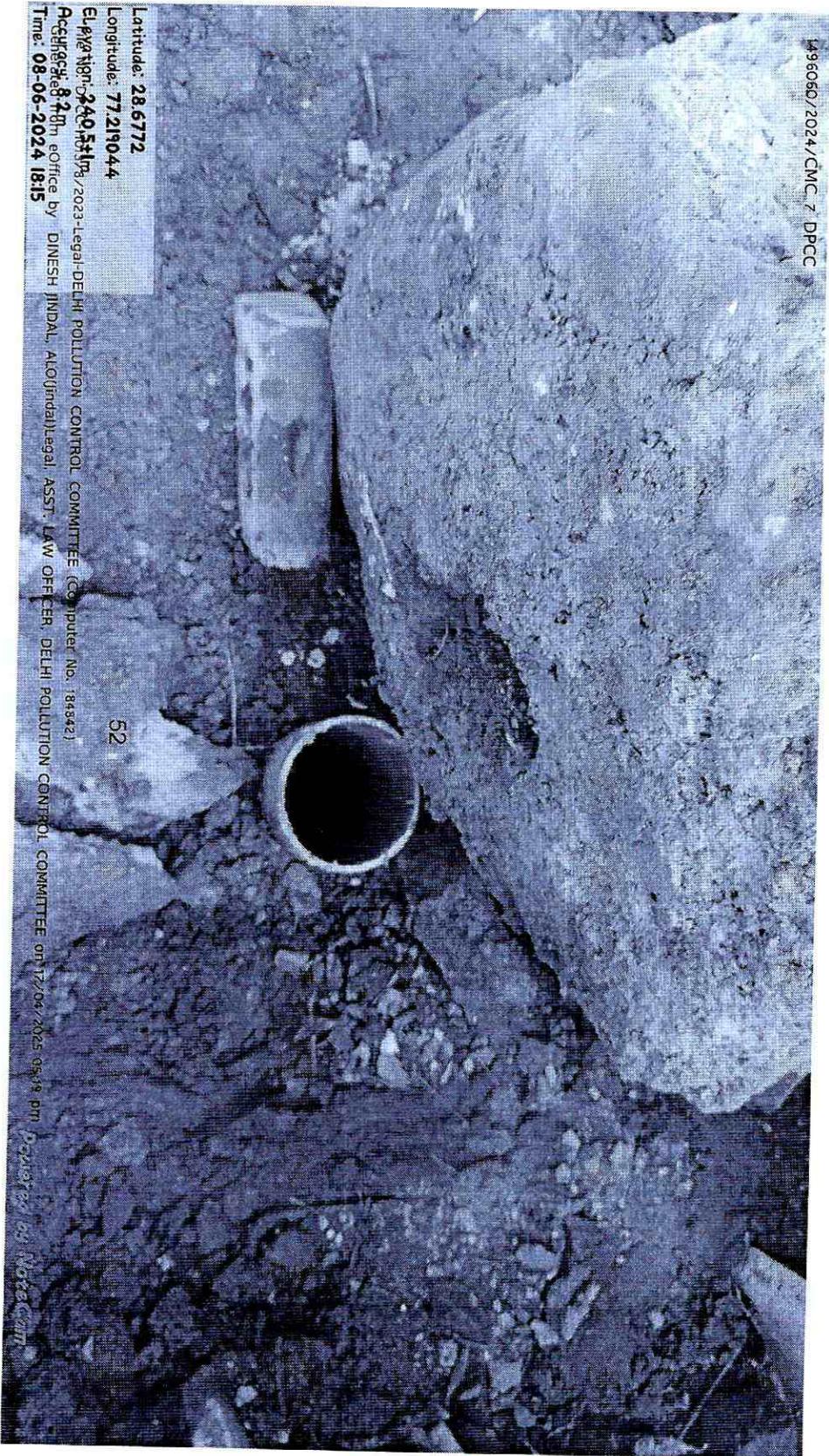
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E: 142.1811240, 55.218, 2023-legal/DELHI POLLUTION CONTROL COMMITTEE (Computer No. 184302)
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Time: 08-06-2024 18:18

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