

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 639/2022

In the matter of:

Pritipal Sharma

...Applicant

Versus

Govt. of NCT of Delhi & Others

...Respondents

NDOH:-07.02.2024

INDEX

S. No.	Contents	Page No.
1.	Action Taken Report in compliance to order dated 19.10.2023.	1-2
2.	<u>Annexure-1(Colly)</u> Copies of the letters to SDM (Mehrauli) on 06.10.2023 and 08.11.2023.	3-4
3.	<u>Annexure-2</u> Copy of the notice dated 05.02.2024 addressed to "The Proprietor"	5

Filed by:

New Delhi:

Dated:06.02.2024

  
Delhi Pollution Control Committee

①

In the matter of:

Pritipal Sharma

...Applicant

Versus

Govt. of NCT of Delhi & Others

...Respondents

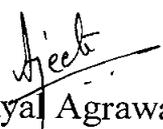
STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER DATED 19.10.2023.

IT IS MOST RESPECTFULLY SHOWETH:

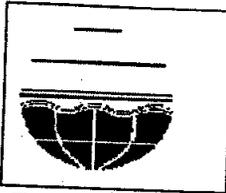
1. That this Hon'ble Tribunal took up the above referred matter lastly on 19.10.2023 and was pleased to direct DPCC to file additional action taken report in the matter.
2. That DPCC has filed its action taken report on 15.11.2022 and 17.10.2023, which are available on the records of this Hon'ble Tribunal.
3. That the issue in the present proceedings is about operation of illegal extraction of ground water for commercial purposes unauthorized by Rinku (Respondent Number-5).
4. That DPCC issued a show cause notice on 11.09.2023 for levying Environmental Compensation of Rs 9,46,080/-. In response thereof, Sh. Rinku informed that neither he is the owner nor the tenant of the premises, where activity of illegal extraction of ground water was going on.

②

5. That, DPCC has issued two letters to SDM (Mehrauli) on 06.10.2023 and 08.11.2023 to know the real owner of the illegal borewell so that EC may be levied on the right person. Copies of the letters dated 06.10.2023 and 08.11.2023 are collectively enclosed herewith as Annexure-1 (Colly). No response has been received from SDM (Mehrauli) till day. Therefore notice addressed to "The Proprietor" of the unit was got pasted on the door of the unit's premises. Copy of the notice dated 05.02.2024 is enclosed herewith as Annexure-2.
6. The present status report may kindly be taken on record.

  
(Ajeeta Dayal Agrawal)

Sr. Environmental Engineer



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

By Speed Post

25

F. No. DPCC/CMC-II/NGT/O.A. 639/2022/6880-6881

Dated: 06/10/23

To,

The Sub-Divisional Magistrate (Mehrauli)  
Office of the SDM (Mehrauli),  
Old Tehsil Building, Mehrauli,  
New Delhi 110030

**Sub.: Compliance of the order of Hon'ble NGT in OA No. 639/2022 titled as "Pritipal Sharma Vs. GNCTD" - reg.**

Sir,

As you are aware that in compliance of the order of Hon'ble NGT in OA No. 639/2022 titled as "Pritipal Sharma Vs. GNCTD" dated 24.07.2023, DPCC was to calculate the Environmental Compensation in this matter according to the rules and according to parameter laid down by the CPCB. Accordingly, DPCC had calculated the amount of EC and issued the Show Cause Notice on 11.09.2023. A copy of the same was got pasted on the door of the unit, the unit being sealed by the Joint Committee constituted by the Hon'ble Tribunal in this case. The SCN was addressed to one Sh. Rinku as it was the name mentioned in the complaint of Sh. Pritipal Sharma before the Hon'ble NGT.

Now, letters have been received from one Sh. Rinku, S/o Sh. Suresh r/o B-9, Phase-II, Aya Nagar, New Delhi on 11.09.2023 and 18.09.2023 stating that he is neither the owner nor the tenant in the said premises and has accused Mr. Pritipal Sharma for being an extortionist. The similar letters have been submitted by Sh. Rinku in your office as well as in Police department, a copy of which have been attached along with above letters (copy of the letter sent to DPCC is enclosed).

In view of the above claim of Sh. Rinku, you are requested to enquire into the matter regarding the real ownership of illegal bore-well, so that the EC may be levied on the right person. The report may be submitted to this office before 10<sup>th</sup> of October, 2023, so that the process of levying of EC may be completed before the next date of hearing before the Hon'ble NGT i.e. 19.10.2023.

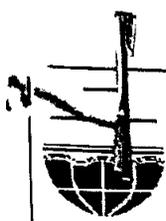
Yours sincerely,

Encl.: As above.

  
(Ajeeta Agrawal)  
Sr. Env. Engineer, DPCC

Copy to :-

The District Magistrate (South), M.B. Road, Saket New Delhi - 110068.



**REMINDER**  
By Speed Post

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

F. No. DPCC/CMC-II/NGT/O.A. 639/2022/8575-8576

Dated: 07/11/2023

To,

The Sub-Divisional Magistrate (Mehrauli)  
Office of the SDM (Mehrauli),  
Old Tehsil Building, Mehrauli,  
New Delhi 110030

**Sub.: Compliance of the order of Hon'ble NGT in OA No. 639/2022 titled as "Pritipal Sharma Vs. GNCTD" - reg.**

Sir,

This has reference to this office letter of even number dated 06.10.2023 (copy enclosed), wherein it was requested to enquire into the matter regarding the real ownership of illegal bore-well, so that the EC may be levied on the right person in view of letters received from one Sh. Rinku, S/o Sh. Suresh r/o B-9, Phase-II, Aya Nagar, New Delhi on 11.09.2023 and 18.09.2023 stating therein that he is neither the owner nor the tenant in the said premises and has accused Mr. Pritipal Sharma for being an extortionist. The reply in this regard is still awaited.

In view of the above claim of Sh. Rinku, you are once again requested to enquire into the matter regarding the real ownership of illegal bore-well, so that the EC may be levied on the right person. The report may be submitted to this at the earliest, so that the process of levying of EC may be completed accordingly.

Yours sincerely,

Encl.: As above.

*Ajeeta*  
(Ajeeta Agrawal)  
Sr. Env. Engineer, DPCC

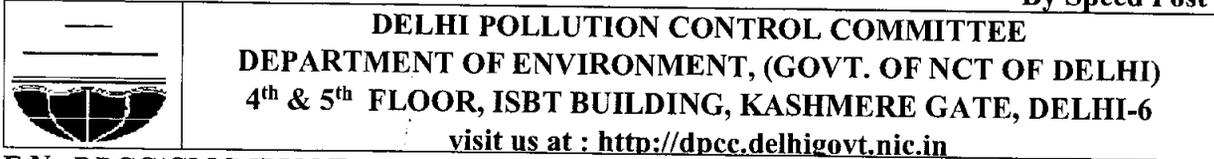
**Copy to :-**

The District Magistrate (South), M.B. Road, Saket New Delhi - 110068.

Annexure -2

By Speed Post

5



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

F.No.DPCC/CMC-II/NGT/O.A.639/2022/24

Dated: 05.02.2024

To,

The Proprietor,  
 House no. G1-2035,  
 Opposite side of street in front of House No. G1-2038,  
 Aya Nagar, Delhi- 110047.

**Subject: - Notice for levying of Environmental Compensation in compliance of Hon'ble NGT case O.A. No. 639/2022 titled "Pritpal Sharma Vs GNCTD".**

In compliance of the orders of Hon'ble National Green Tribunal in O.A. No. 639/2022, the illegal bore well situated in your premises had been sealed by the concerned SDM on 03.02.2023. In its subsequent order dated 24.07.2023, Hon'ble NGT has directed to calculate Environmental Compensation in this case for illegal extraction of ground water.

In order to calculate the Environmental Compensation, a letter by this office was issued to you at the address on 25.08.2023 for providing the details of the bore well installed by you within 10 days. In the letter, it was also mentioned that in view of no response from your side, DPCC shall take decision at its own level. A copy of the same was also pasted on the main door of your premises on the same day.

As no response was received from your side, DPCC calculated the amount of EC, based on CPCB formula as Rs. 9,46,080/- (Rupees Nine lacs forty six thousand and eighty only). The notice mentioning the amount of EC and the basis on which it was calculated was issued to you on 04/09/2023 with a copy pasted on the main gate of your unit.

Both the above notices were issued in the name of Sh. Rinku as proprietor, based on the information by the complainant. However, as one Sh. Rinku has objected to being the proprietor of this unit, this notice is being again issued as well as pasted.

By way of this notice, you are hereby given an opportunity to submit your reply as to why the aforesaid proposed Environmental Damages should not be confirmed. Your reply should reach this office within 07 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the Environmental Damages @ Rs. 9,46,080/- (Rupees Nine lacs forty six thousand and eighty only) shall be confirmed.

This is being issued as per the decision taken by the Competent Authority in Delhi Pollution Control Committee.

**Ajeeta** Digitally signed  
**Dayal** by Ajeeta Dayal  
**Agrawal** Agrawal  
 Date: 2024.02.05  
 18:50:15 +05'30'  
**(Ajeeta Dayal Agrawal)**  
**Incharge (CMC-II)**