

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

**Original Application No. 339/2024**

**In the matter of:**

Pratap Singh Yadav

.... Appellant

Versus

Govt. of NCT of Delhi

.....Respondent

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Filed by



(Delhi Pollution Control Committee)

Dated: 10<sup>th</sup>/01/2025  
Place: Delhi

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

**Original Application No. 339/2024**

**In the matter of:**

Pratap Singh Yadav

.... Appellant

Versus

Govt. of NCT of Delhi

.....Respondent

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE WITH RESPECT TO THE ORDER  
DATED 01.07.2024.**

I, Dr BMS Reddy, Sr. Environmental Engineer, Delhi Pollution Control Committee, 2<sup>nd</sup> Floor, Vikas Bhawan-II, Delhi- 110054, 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, the Hon'ble National Green Tribunal taken up the matter on 01.07.2024 on the basis of the letter petition. The grievance of the applicant herein is about illegal construction of multistory building with basement at property No.156/1, Main Road, Joga Bai, Batla House Chowk, Near Sadiq Plaza, 2 Jamia Nagar, New Delhi and also groundwater has been extracted through borewell illegally.

**ATTESTED**

NOTARY PUBLIC  
GOVT OF NCT OF DELHI

10 0 JAN 2025

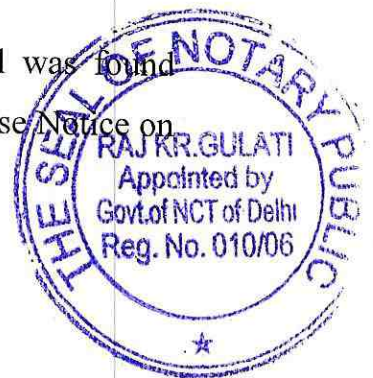


3. That, this Hon`ble Tribunal has constituted a Joint Committee comprising Delhi Pollution Control Committee and District Magistrate, South Delhi. District Magistrate, South Delhi shall be the Nodal Agency for coordination and compliance of this order.
4. That, in compliance with order dated 01.07.2024, inspection of the site was carried out on 30.07.2024 by the team of officials of DPCC and Tehshildar (Defence Colony). During the inspection it was observed that:
- The building is under construction and same was found already sealed by MCD as informed by Md. Wasim, Owner/Partner (Mob. No. 9318483044).
  - Joint team has inspected around the premises/building and found a disconnected wire coming out of the ground and with the help of DJB officials, it was found a borewell was installed on the road/street.
  - It was found the above said Borewell is not functional and Building owner/partner Mr. Wasim failed to show any permission for the above said borewell. No commercial use of the said illegal borewell was observed during inspection.
  - The above said borewell sealed on spot in the presence of Tehsildhar, DPCC, BSES, DJB & Delhi Police.

Copy of the joint inspection report and sealing memo dated 30.07.2024 alongwith Geo-tagged photos are enclosed herewith as ANNEXURE-1 (Colly).

5. That, in view of findings of inspection as one borewell was found installed in the premises, therefore, DPCC issued Show Cause Notice on

*Wally*



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28.08.2024 to Md. Wasim for levying interim Environmental Compensation of Rs. 30,000/- (Rs. Thirty Thousand only) for illegal extraction of ground water giving 15 days time to submit reply. Copy of the SCN dated 28.08.2024 is enclosed herewith as ANNEXURE-2.

6. That, no reply has been received from Md. Wasim, therefore show cause notice issued on 28.08.2024 has been confirmed ex party. DPCC vide direction dated 26.12.2024 has imposed interim Environmental Compensation of Rs. 30,000/- (Rupees Thirty Thousand only) for illegal extraction of ground water to Md. Wasim with a copy to SDM (Defence Colony) for recovery of the said Environmental Compensation. Copy of the direction dated 26.12.2024 is enclosed herewith as ANNEXURE-3.
7. It is therefore requested to this Hon'ble Tribunal that the action taken report may kindly be taken on record.

DEPONENT

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.

Verified at New Delhi on this \_\_\_ day of 10 0 JAN 2025, \_\_\_.



DEPONENT

ATTESTED  
  
 NOTARY PUBLIC  
 GOVT OF NCT OF DELHI  
 10 0 JAN 2025

Annexure-1 (Colly)

NGT COURT MATTERINSPECTION REPORT

A Order dated 01.07.2024 has been passed by Hon'ble NGT in the matter of Pratap Singh Yadav Vs. GNCT of Delhi vide OA No. 339/2024 vide which Hon'ble NGT Court following is directed :-

*"Come through complaint that some illegal construction of multistory building with basement is being carried out at property no. 156/1, Main Road, Joga Bai, Balta Chowk, Near Sadiq Plaza, Jamia Nagar, New Delhi and groundwater has been extracted through borewell illegally, we find it appropriate to direct concerned local authority to look into matter and appropriate action, if find compliant to be correct with regard to any alleged violation of environmental laws*


*Accordingly, we constitute a Joint Committee comprising Delhi Pollution Control Committee (DPCC) and District Magistrate, South Delhi.*

*District Magistrate South Delhi Shall be the Nodal Agency for coordination and compliance of this Order."*

In Compliance of above said direction a joint visit has been conducted on 30.07.2024 at property no. 156/1, Main Road, Joga Bai, Balta Chowk, Near Sadiq Plaza, Jamia Nagar, New Delhi in the visit following is found:

1. The building is under construction and same was found already sealed by MCD the same was informed by Md. Wasim, Owner/Partner (Mob. No. 9318483044). (Photos attached).
2. A Joint team has inspected around the premises/building and found a disconnected wire coming out of the ground and with the help of DJB officials, it was found a borewell was installed on the road/street.
3. During the inspection it was found the above said Bore well is not functional and Building owner/partner Mr. Wasim fail to show any permission for the above said borewell. No commercial use of the said illegal borewell was seen during inspection.
4. Accordingly, the above said borewell is sealed in the presence of Revenue Officer, DPCC, BSES, DJB & Delhi Police. (Sealing memo alongwith geo tags photographs & attendance of the officer/official of the departments attached).

N. King  
30/7/24  
JEE, DPCC

  
30.07.2024  
Tehsildar (Defence Colony)

Govt. of NCT of Delhi  
 O/o SDM (Defence Colony)  
 Amar Colony, Jaypat Nagar, Delhi-24

Sealing Memo

As per order F.No -1/SDM/DC/2023/41/78 dated 26/07/2024 a joint inspection with DPCC officer has been carried out at property no 156/1, Main Road Jogabai, Batta Chowk, near Sadip Plaza, Jamsia Nagar Delhi.

During the inspection a Borewell found on the Road side of the above said property which was sealed immediately with the direction not to tamper the seal and not to dislocate/break the seal borewell failing which action under relevant section IPC shall be taken against the owner

Nikunj Singh  
 JEE, DPCC



DR  
 30/7/2024  
 at KEMAR  
 Executive Magistrate

Copy to

- SHO Jamsia Nagar, with the direction to keep vigil and watch on the seal of Tubewell

Rohit Verma  
 ASI Muzaffarpur  
 30-7-24  
 9911687875

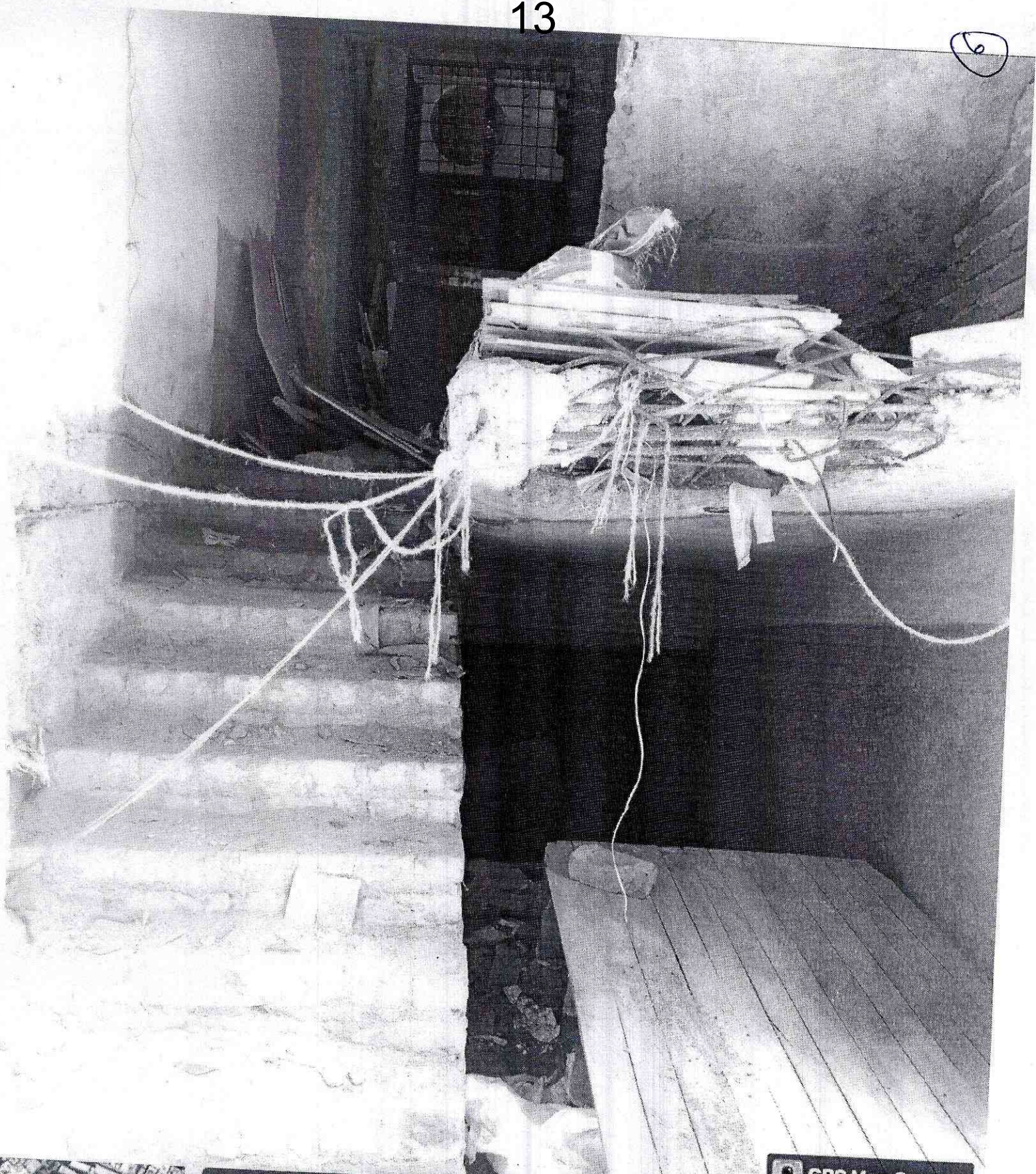
Attendance Sheet

Date :- 30/7/24

OA No - 339/2024

S.No	Name of Official	Department	Mobile No	Signature
1.	NIKUNJ MALIK	JEE, DPCC	8851100132	<u>Nikunj Malik</u>
2.	Bharat Kumar	Tehsildar, DC	8285886071	<u>BK</u>
3.	Lalit Kumar	Subed Asst, DTB	9990909825	<u>Lalit</u>
4.	Sh. Manoj Kumar	ASI, DLH Bldg	9992687875	<u>Manoj</u>
5.	Sh. Kalben Prashant Verma	Litman, BSES	9582149394	<u>Kalben Prashant Verma</u>

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**GPS Map Camera**  
**New Delhi, Delhi, India**  
H78M+8V7, St Giri School Ln, Jogabai Extension, Azim Dairy, Okhla, New Delhi, Delhi  
110025, India  
Lat 28.565816°  
Long 77.284678°  
30/07/24 11:50 AM GMT +05:30

Google



 **GPS Map Camera**

**New Delhi, Delhi, India**

H78M+8V7, St Giri School Ln, Jogabai Extension,  
110025, India

Lat 28.565797°

Long 77.284698°

30/07/24 11:50 AM GMT +05:30

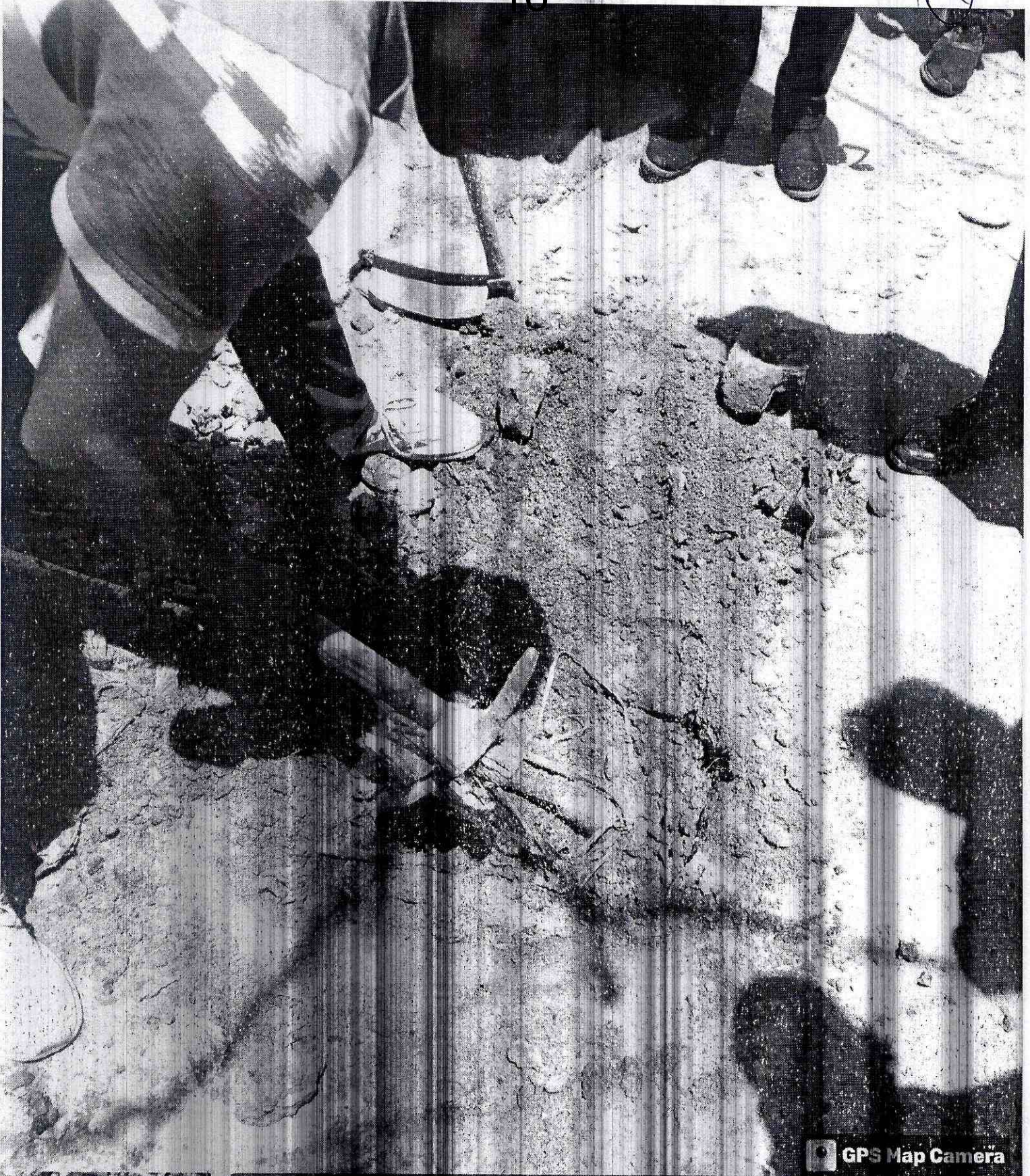
Dairy, Okhla, New Delhi, Delhi





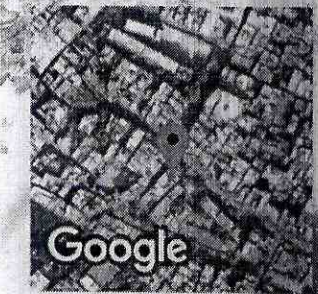
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**New Delhi, Delhi, India**  
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110025, India  
Lat 28.565869°  
Long 77.284711°  
30/07/24 11:54 AM GMT +05:30



GPS Map Camera

**New Delhi, Delhi, India**  
A-28/2, Market Main Road, Jogabai Extension, Ghaffoor Nagar, Okhla, New Delhi, Delhi  
110025, India  
Lat 28.566873°  
Long 77.284783°  
30/07/24 12:07 PM GMT +05:30





GPS Map Camera

**New Delhi, Delhi, India**

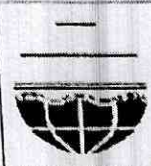
86, Zakir Nagar Main Rd, Jogabai Extension, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India

Lat 28.565866°

Long 77.284715°

30/07/24 12:18 PM GMT +05:30





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

DPCC/(10)(10)(44)/Leg-24/641-642

Date: 28-08-2024

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To  
Md Wasim(9318483044),  
156/1, Main Road, Joga Bai,  
Batla Chowk, Near Sadiq Plaza  
Jamia Nagar,  
New Delhi-110025

Annexure-2

**Sub: Show Cause Notice proposing levy of Environmental Compensation for illegal extraction of ground water**

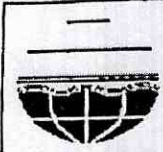
Subsequent to the order of Hon'ble NGT dated 01.07.2024 in OA no-339/2024 "Pratab Singh Yadav Vs GNCTD", A joint inspection by Tehsildar(Sarita Vihar) and DPCC officials was conducted at property no.156/1, Main road, Joga Bai, Batla House Cowk near Sadiq Plaza, Jamia Nagar, New Delhi-25 on 30.07.2024. During the inspection one borewell was found installed in the premises for which no permission from the Competent Authority could be shown during inspection. Tehsildar (Sarita Vihar) has sealed the said bore well effectively on the same day.

In view of above, you are hereby directed to show cause why an interim Environmental Compensation of Rs 30,000/-(Rs Thirty Thousand only), assuming the usage of the ground water is for domestic purpose as per circular dated 09.07.2020, should not be imposed/levied on you for unauthorized extraction of ground water without permission from the Competent Authority.

By way of this notice, you are hereby given an opportunity of 15 days to submit your response/objections, if any. In case non communication is received from your side the above EC @ Rs. 30,000/- shall be confirmed without any reference to you.

Incharge, CMC-II

Copy to: Master file, CMC-II



**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/> )

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DPCC/(10)(10)(44)/Leg-24/5027-5028

Date: 26-12-24

To  
**Md Wasim(9318483044),**  
 156/1, Main Road, Joga Bai,  
 Batla Chowk, Near Sadiq Plaza  
 Jamia Nagar,  
 New Delhi-110025

Annexure-3

**Sub: Direction for Environmental Compensation for illegal extraction of ground water**

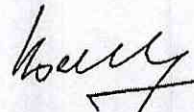
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And whereas, SCN proposing Environmental Compensation of Rs 30,000/- (Thirty Thousand Only) was issued to you on 28.08.2024.

And whereas, you, the addressee have not submitted any reply with respect to Show Cause Notice issued to you, the addressee.

In view of above, the competent authority in DPCC has decided to impose Environmental Compensation of 30,000/- (Thirty Thousand Only) on you, the addressee.

Now, therefore you are hereby directed to deposit an amount of Rs 30,000/- (Thirty Thousand Only) as Environmental Compensation in the form of Banker's cheque/Demand Draft or through RTGS/online system in Account No. 40071442347(IFSC Code: SBIN0005715) (Bank & Branch: State Bank of India, Kashmere Gate, Delhi-110006) in favour of Delhi Pollution Control Committee or DPCC within 07 days.

  
 Incharge, CMC-II

**Copy to:-** SDM(Defence Colony), Old Gargi College Building, 24 National Park Road, Lajpat Nagar 4, Delhi - 110024 - with request to ensure effective recovery of the above mentioned Environmental Compensation