

**BEFORE THE PRINCIPAL BENCH, NATIONAL
GREEN TRIBUNAL, NEW DELHI
ORIGINAL APPLICATION No. 899/2019**

IN THE MATTER OF:

Areas People Sehjadabagh, Inderlok ... Applicant

VERSUS

Govt. of NCT of Delhi ... Respondents

NDOH:- 02.03.2020

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Filed by

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

New Delhi:
Dated: 25.02.2020

**BEFORE THE PRINCIPAL BENCH,
NATIONAL GREEN TRIBUNAL, NEW DELHI**

Original Application No. 899/2019

IN THE MATTER OF:

Areas People Sehjadabagh, Inderlok

... Applicant

VERSUS

Govt. of NCT of Delhi

... Respondents

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN TERMS OF THE ORDER DATED 30.10.2019**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 30.10.2019 and pleased to issue following directions:

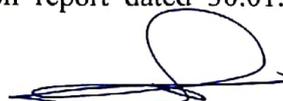
"Grievance in this application is against illegal operation of acid factory in Sehjadabagh , Inderlok, Delhi-110035 causing air pollution and damage to public health".

Let the Delhi Pollution Control Committee(DPCC) look into the matter, take appropriate action in accordance with law and furnish a factual and action taken report in the matter within one month by e-mail at judicial-ngt@gov.in.

2. That in compliance of the orders passed by this Hon'ble Tribunal, the area mentioned in the order was inspected by DPCC Officials on 30.01.2020. During inspection , unit namely, M/s Aman Enterprises Phase-I , Plot No. - 365, Sehjadabagh, New Delhi-110035 was found engaged in the activity of Packaging and Hardwaring which is non-polluting activity and falls under white category and following were observed:

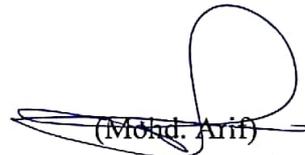
- No Acid/Tejab factory was noticed at the premises during inspection and it was reported by owner that such activity of Acid/Tejab factory was never carried out at this premises.
- At ground floor, power press machine found installed, first and second floor is being used for packaging of trunk handles only.
- Unit is operating without consent under white category from DPCC.

Copy of the inspection report dated 30.01.2020 is annexed herewith as **ANNEXURE-A.**



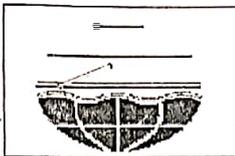
3. That Show Cause Notice for closure was issued on 10.02.2020 to M/s. Aman Enterprises, Phase-I , Plot No - 365, Sehjadabagh, New Delhi-110035. DPCC has also issued Show Cause Notice for imposing Rs. 1,00,000/- (One Lakh only) as Environmental Damages Compensation on unit i.e., M/s Aman Enterprises Phase-I , Plot No.- 365, Sehjadabagh, New Delhi-110035. Copy of the order dated 10.02.2020 is annexed herewith as **ANNEXURE-B.**
4. That the unit has neither applied for consent to operate nor furnish any reply on imposition of EDC of Rs. One Lakh. Therefore, closure direction under section 31(A) of Air Act was issued to the unit on 25.02.2020 and Environmental Damages Compensation of Rs. One Lakh was imposed on the unit vide order dated 25.02.2020 (copies of order of closure direction and imposition of Environmental Damages Compensation dated 25.02.2020 are annexed herewith as **ANNEXURE -C (colly))**

Date: 25/2/2020
Place: Delhi



(Mohd. Arif)

Sr. Environmental Engineer



INSPECTION REPORT

Annexure - A

Unique Computer Generated ID:

1. Name & Address of the Unit : M/s Aman Enterprises
Phase - I, Plot No. - 365
Shehzada Bagh
New Delhi - 110035
2. Owner/Partner's Name : Sh. Abdul Hakim
3. Contact Details (Phone & Email): 9811984404
4. Date of inspection: 20/01/2020
5. Time of inspection (a) Start of Inspection: 05:00pm
b) End of Inspection: 5:30pm
6. Name & Designation of the Persons contacted at the industry: Sh. Abdul Hakim
9811984404
7. Kind of Industry : Packaging and Hardware
8. Product & Capacity : As per Job
9. Main Raw Materials: S. S. Trunk Handles
10. Water Polluting : Yes/No ETP Installed : Yes/No
11. Air Pollution : Yes/No ECS Installed : Yes/No
12. Details of Stack Height : (Above G.L.).....(Above R.L.).....
(Furnace/ Boilers/ Others)
13. Type of Fuel Used : Electricity
14. Effluent Discharged (a) Domestic/Trade Effluent
(b) Unit Connected to Conveyance System: Yes/No
(c) Discharging in to
15. Status of Consent (If Any) : Not applied
16. D.G. Set (s) (If Any) : No.....Capacity.....KVA.....Acoustic: Yes/No
: Stack Height.....(Above G.L.).....(Above R.L.).....
17. Plot Area : 40 sq. Yard
18. Labour : 03
19. Machinery : Power Press - 02 nos (1/2 HP each)
20. Power Connection: C.A.: 60013366996 KW - 19 K.No-35307135983
2/0 - Abdul Majid
21. Source of water : others
22. Whether Unit Found in Operation : Yes/No
23. Whether Generating HW : Yes/No

- 24. (a) Status of Authorization (IF Any):
- (b) Display Board Provided: Yes/No
- (c) Whether HW is stored in Leak proof Container: Yes/No
- (d) Whether container marked With specified label: Yes/No
- (e) Whether Container stored Kept in an isolated area: Yes/No
- (f) Whether HW is being stored on pucca floor & in covered area: Yes/No **NA**
- (g) Whether date on which Storage began indicated, on each Container: Yes/No
- (h) Whether daily record of HWMaintained in HW-3: Yes/No

Details about Hazardous Waste

S.No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorized mode of disposal or recycling or utilization or co-processing etc.	Quantity (Ton/annum)

Remarks, If Any: During inspection unit was found operational and engaged in the activity of packaging and manufacturing.

- In Ground floor power press machine found installed.
- 1st and 2nd floor is being used for packaging of trunk handles.
- Unit was found operational without consent of DPCC.
- As informed by sh. Abdul Hakim (owner), unit is operational since one year, previously the premises was on rent and engaged in the activity of injection moulding.
- No acid/leak was noticed at the premises during inspection and it was reported by the owner that such activity of acid/leak was never carried at this premises.

ABDUL HAKIM
30/01/20

Signature, Name & Designation of Inspecting Officials:

[Signature]
30/01/2020
T.E. - CMC-III

[Signature]
30/1/2020
T.E. - CMC-III

[Signature]
30.01.2020
T.E. CMC-III

10/c
(5)

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 4th & 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in
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F. No. DPCC/CMC-VII/ 2019/ 18-19

Dated: 10.02.2020

To,

Annexure - B

M/s Aman Enterprises
Phase-I, Plot No. 365
Shehzada Bagh,
New Delhi-110035

Subject: Show Cause Notice for Closure Directions u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 and Environmental Compensation Damages.

Whereas, you M/s Aman Enterprises, Phase-I, Plot No. 365, Shehzada Bagh, New Delhi-110035 (herein after referred as addressee) were engaged in the activity of Packaging and Hardware.

And whereas, an inspection of your unit was conducted by the officials of DPCC on 30.01.2020 and following were observed:

- During inspection unit was found operational and engaged in the activity of packaging and hardware.
- At ground floor power press machine found installed first and second floor is being used for packaging of trunk handles only.
- No Acid/Tejab factory was noticed at the premises during inspection and it was reported by owner that such activity of Acid/Tejab factory was never carried out at this premises.
- Unit is operating without consent from DPCC.

And whereas, your case was taken up by the Competent Authority and it has been decided to issue the show cause notice for closure directions and imposition of Environmental Compensation for Damages.

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 issue show cause notice levy Environmental Damages Compensation for an amount of Rs.1,00,000/- (Rs. One Lakh only).

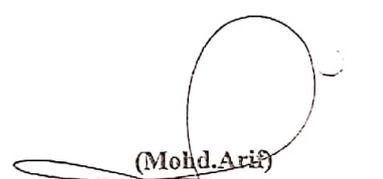
Now therefore, the Competent Authority in Delhi Pollution Control Committee in exercise of powers conferred upon it u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, has decided to issue the following proposed directions:-

1. That you (the addressee) close your unit if you fail to apply for consent from DPCC within 07 days.
2. That you (the addressee) shall deposit an amount of Rs.1,00,000/- (Rs. One Lakh only). as Environmental Compensation for Damages (EDC) by way of demand draft in favour of DPCC.

You are, directed to furnish reply within 07 days of issuance of this notice.

You shall also be liable for penal action under the provisions of Air (Prevention and Control of Pollution) Act, 1981 in case of non-compliance of the above said directions.

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



(Mohd. Arif)
Sr. Env. Engineer

Copy to:-
1. Master File.



(Amit Chaudhary)
Env. Engineer

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F. No. DPCC/CMC-III/2020/449-53

Dated: 25/02/2020

To,

Annexure - C (Copy)

M/s Aman Enterprises,
Phase-I, Plot No. 365
Shehzada Bagh,
New Delhi-110035

Subject: Closure Directions u/s 31(A) of Air (Prevention and Control of Pollution) Act.

Whereas, you M/s Aman Enterprises, Phase-I, Plot No. 365, Shehzada Bagh, New Delhi-110035 (herein after referred as addressee) were engaged in the Packaging and Hardwaring.

And whereas, an inspection of your unit was conducted by the officials of DPCC on 30.01.2020 and following were the observations:

- No Acid/Tejab factory was noticed at the premises during inspection and it was reported by owner that such activity of Acid/Tejab factory was never carried out at this premises.
- At ground floor, power press machine found installed, first and second floor is being used for packaging of trunk handles only.
- Unit is operating without consent under white category from DPCC.

And whereas, Show Cause Notice for closure was issued to you on 10.02.2020.

And whereas, you have not furnished any reply till date

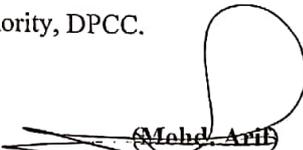
And whereas, your case was taken up by the Competent Authority and it has been decided to issue the closure directions and Environmental Compensation for Damages be imposed.

Now therefore, the Competent Authority in Delhi Pollution Control Committee in exercise of powers conferred upon it u/s 33(A) of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31(A) of Air (Prevention and Control of Pollution) Act, 1981 as amended to date, has decided to issue the following confirmed directions:-

1. That you (the addressee) shall close your unit with immediate effect.
2. That the concerned authority in Tata Power Delhi Distribution Limited (TPDDL) shall disconnect the electricity/power supply of the unit with immediate effect.
3. That the concerned authority in DJB shall disconnect the water supply connection of the said unit with immediate effect.
4. That the concerned Sub-Divisional Magistrate (Darya Ganj), shall take necessary action to ensure the effective closure of the Addressee unit with immediate effect.

You shall also be liable for penal action under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 in case of non-compliance of the above said directions.

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


(Mohd. Arif)
Sr. Env. Engineer

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Copy to:-

1. Sub-Divisional Magistrate (Kotwali) 14, Darya Ganj, New Delhi- 110002 – with a request to take necessary action for effective closure and recovery of Environmental Compensation of the addressee unit with immediate effect & send the compliance to this office, within 07 days.
2. The Member (Water), Delhi Jal Board, Varunalya Phase-II, Jhandewalan, New Delhi-110055 - with a request to disconnect water supply to the addressee unit with immediate effect & send the compliance to this office, within 07 days.
3. The General Manager (Commercial), Tata Power Delhi Distribution Limited (TPDDL), District office Building, Main Road Azadpur, Delhi-110033, Gopal Nagar, near Azadpur flyover, - with a request to disconnect electricity supply to the addressee with immediate effect & send the compliance to this office, within 07 days.
4. Master File.



(K.Kumar)
Env. Engineer



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DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th Floor, ISBT Building, Kashmere Gate, Delhi - 110006
visit us at : <http://dpcc.delhigovt.nic.in>

F.No. DPCC/CMC VII/Part file /2020 / 454-55

Dated : 25/02/2020

To,

M/s Aman Enterprises,
Phase-I, Plot No. 365
Shehzada Bagh,
New Delhi-110035

Subject : Environmental Compensation for Damages in compliance of order of Hon'ble National Green Tribunal dated 30.10.2019 in the matter of M/s Aman Enterprises Vs. Govt. of NCT of Delhi & others.

Whereas, Hon'ble National Green Tribunal vide order dated 30.10.2019 in the matter of M/s Aman Enterprises Vs. Govt. of NCT of Delhi & others passed following directions:

"Grievance in this application is against illegal operation of acid factory in Shehzadabagh , Inderlok, Delhi-110035 causing air pollution and damage to public health".

Let the Delhi Pollution Control Committee(DPCC) look into the matter, take appropriate action in accordance with law and furnish a factual and action taken report in the matter within one month by e-mail at judicial-ngt@gov.in.

And whereas, M/s Aman Enterprises, Phase-I, Plot No. 365, Shehzada Bagh, New Delhi-110035 is engaged in the activity of Packaging and Hardwaring which is non-polluting activity and falls under white category.

And whereas, inspection was conducted on 30.01.2020 by DPCC officials and following was observed:

- No Acid/Tejab factory was noticed at the premises during inspection and it was reported by owner that such activity of Acid/Tejab factory was never carried out at this premises.
- At ground floor, power press machine found installed, first and second floor is being used for packaging of trunk handles only.
- Unit is operating without consent under white category from DPCC

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.1,00,000/-(one Lakh only).

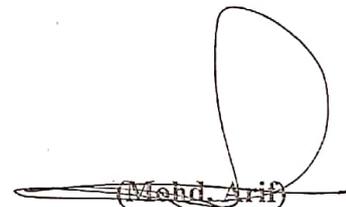
And whereas, Show Cause Notice for EDC for an amount of Rs. 1,00,000/- was issued to you on 10.02.2020 and whereas, you have failed to submit any reply till date.

Now therefore, in exercise of powers conferred upon Delhi Pollution Control Committee, u/s 33(A) of the Water(Prevention and Control of Pollution) Act, 1974 as amended to date, has decided to issue the following directions:-

1. That you (the addressee) are directed to deposit an amount of Rs. 1,00,000/- (Rs. one lakh only) as Environmental Damages Compensation (EDC) by way of demand draft in favour of DPCC within 15 days from the date of issue of this letter.

You shall also be liable for penal action under the provisions of Water Act, 1974 in case of non-compliance of the above said directions.

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


~~(Mohd. Arif)~~
Sr. Env. Engineer

Copy to:-

1. Master file.


(K.Kumar)
Env. Engineer