

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

**MA No. 67/2023**

**In**

Original Application No. 435/2021

**In the matter of:**

Pardeep Ranas

.....Applicant

Versus

Govt. of NCT of Delhi

.....Respondents

**NDOH 23.11.2023**

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Filed by

(On behalf of Chief Secretary- Delhi)

Date: 22<sup>nd</sup>.11.2023

Place: Delhi

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**STATUS REPORT ON BEHALF OF CHIEF SECRETARY, DELHI IN  
VIEW TO THE ORDER DATED 03.11.2023.**

IT IS MOST RESPECTFULLY SHOWETH:

1. Grievance in this application is about operation of illegal stone crushing factory near the residence of Sh.Pardeep Ranas, advocate i.e. Udai Vihar, Phase-II, Village Nilothi, Delhi-110041.
2. That, this Hon'ble Tribunal vide order dated 27.01.2022 pleased to constitute a joint Committee of DM(West) & DPCC to visit the site and to look into the grievance in the application.
3. That in compliance with the order dated 27.01.2022, DPCC filed report of the committee through email dated 25.05.2022, which is available on the records of this Hon`ble Tribunal. In the report it was mentioned that:
  - (a) 04 stone crushing machines were being operated through diesel fired engines and all 04 stone crushing machines were effectively closed by the joint team. The units were engaged in crushing of demolished building material waste.
  - (b) Show cause notice for imposing environmental damages charges of Rs 2,00,000 on each unit has been issued.

4. That above mentioned report was considered by this Hon`ble Tribunal on 27.07.2022 and in the order it is mentioned:

- (a) It is evident from the report that all the four units engaged in stone crushing have been closed and proceedings have been initiated for imposing environmental compensation on each unit.
- (b) The DPCC may proceed further with the proceedings for imposition of environmental compensation and on realization of environmental compensation, the amount recovered shall be spent by DPCC for restoration/improvement of environment of the area by preparing an Action Plan and implementing the same within the period of six months from the date of recovery of the amount of environmental compensation and a report regarding such action plan and its implementation may be furnished within one month thereafter.

5. That in compliance with the order dated 27.07.2022, DPCC filed compliance through email dated 16.02.2023, which is available on the records of this Hon`ble Tribunal. In the report it was mentioned that:

- (a) The joint team at DPCC and Revenue department has inspected the site on 21.12.2022 and during the inspection it was observed that:
  - No stone crushing units were found exists and operating at existing site.
  - As information by locals that the said stone crusher has been closed and removed.
  - In the location/ plots C&D waste besides malba was found dumped in heaps/ scattered.
  - Once of the location of previously existing stone unit a cattle dairy being operated by Sh. Rajendra S/o Sh. Ram R/o Wazirpur, Jhajhar, Haryana.
- (b) That, DPCC on 05.01.2023 requested to SDM (Punjabi Bagh) to recover the EDC of Rs 8 lakhs as imposed by DPCC against M/s Udai Veer, and M/s Raj Kumar Nain for operating 04 C&D waste Crushing Machine as arrears of land revenue and the same may be remitted to DPCC account.

- (c) Action Taken Report in this regard may be intimated this office as the earliest.
- (d) DPCC will prepare the action plan for restoration/ improvement of environment of the area once, EDC amount realized.
6. That above mentioned report was considered by this Hon`ble Tribunal on 28.08.2023 and in the order it is mentioned:
- (a) Since the order passed by this Tribunal has not been fully complied the matter has been put up before this Bench for further directions.
- (b) Notices be issued to the DPCC and SDM (Punjabi Bagh), New Delhi requiring them to file Status Report within two months.
7. That, this Hon`ble Tribunal has considered the matter on 03.11.2023 and pleased to direct the Chief Secretary of GNCT of Delhi as to why GNCT of Delhi be not directed to pay the amount of environmental damage compensation for restoration of environment/remediation of environment damage caused in the area with the liberty to recover the same from the defaulters due to the reason that its officers have failed to take prompt action for realization of the same.
8. That on the issue of Environmental Damage Compensation, it is submitted that:
- (a) that, DPCC on 05.01.2023 requested to SDM (Punjabi Bagh) to recover the EDC of Rs 8 lakhs as imposed by DPCC against M/s Udai Veer and M/s Raj Kumar Nain for operating 04, C&D waste Crushing Machine as arrears of land revenue and the same may be remitted to DPCC account.
- (b) that, Assistant Collector, SDM (Punjabi Bagh) even has issued a notice to Sh. Udai Veer and Sh. Raj Kumar Nain to deposit an amount of Rs 8,00,000/- (Eight Lakhs) on or before 07.11.2023. Copy of the Notice dated 03.11.2023 is annexed herewith as **Annexure-1.**
- (c) As amount of Environmental Damage Compensation has not been deposited by M/s Udai Veer and M/s Raj Kumar Nain, therefore, "Warrant

of Arrest" has been issued to SHO (NihalVihar) to produce both the person. Copy of the Warrant of Arrest dated 14.11.2023 is annexed herewith as Annexure-2.

(9) That, subsequent to receiving of the order dated 03.11.2023 passed by this Hon'ble Tribunal, Chief Secretary directed as follows:

- (a) DPCC will release Rs 8,00,000/- (Eight Lakhs) to Department of Forests & Wild Life, GNCTD to grow trees in urban forest in their jurisdiction and maintain it for three years without waiting for recovery;
- (b) Sub-Divisional Magistrate will recover Rs 8 (Eight) Lakh from M/s Udai Veer & Raj Kumar Nain R/o Udai Vihar, Ph-II Village Nilothi, Delhi-110041 latest by 23<sup>rd</sup> December, 2023 and appraise the Court in due course of time;
- (c) Sub-Divisional Magistrate was issued warning to be careful in future, while dealing with the environmental matters.
- (d) Matter will be taken up with the Government in consultation with the Law Department that power to recover such damages as an arrears of land revenue may be delegated to officers of DPCC at appropriate level.

(10) That there is considerable delay in implementation of the order passed by this Hon'ble Tribunal which may be attributed only to lethargy in the system for which corrective measures will be taken immediately. Necessary directions are being issued to all the Revenue officials most particularly DMs and SDMs to implement such orders passed by this Hon'ble Tribunal in time bound manner without fail otherwise disciplinary action will be initiate.

(11) That the present status report has been approved by Chief Secretary, Govt. of NCT of Delhi and may kindly be taken on record in compliance with the order passed by this Hon'ble Tribunal dated 03.11.2023.

  
(K.S. Jayaachandran)

Special Secretary (Environment)

OFFICE OF THE SUB-DIVISIONAL MAGISTRATE: PUNJABI BAGH  
GOVERNMENT OF N.C.T. OF DELHI  
MAIN ROHTAK ROAD, NANGLQI, DELHI-110041

No. F.1/SDM (PB)/DPCC/2023/17186

Dated: 03/11/23

NOTICE

Annexure-1

Whereas, a recovery certificate letter No. DPCC/CMC-VI/2022/2855-56 dated 05.01.2023 has been received from DPCC, Department of Environment (Govt. of NCT of Delhi), First Floor, E-Block, Vikas Bhawan-II, Upper Bela Road, Civil Lines, Delhi-54 to the undersigned, wherein it has been mentioned that you are doing illegal activity by using stone crushing machine at Udai Vihar, Ph-II, Village Nilothi, Delhi-110041.

And whereas, a penalty was imposed by DPCC, Department of Environment, Govt. Of NCT of Delhi on account Environment Damage Compensation of Rs. 8,00,000/- (Rupees Eight Lakh Only) for the Green Category industry. (Rs. 2,00,000/- on each crushers) be recovered from you, as arrears of land revenue.

Now therefore, in view of the above, you are hereby directed to deposit an amount of Rs. 8,00,000/- on or before 07/11/2023..., failing which necessary action will be initiate against as per law.

ASSTT. COLLECTOR, GRADE-I  
SUB DIVISION : PUNJABI BAGH

To,

M/s Udai Veer(9313952273),  
Rajkumar Nain (9999041461),  
Udai Vihar, Ph-II, Village Nilothi, Delhi-41.

Through:- S.H.O Ranholla

By hand Received  
04/11/23

9216718994

**21**  
**IN THE COURT OF ASSTT. COLLECTOR/ SDM (PUNJABI BAGH)**  
**GOVT. OF NCT OF DELHI**  
**MAIN ROHTAK ROAD, NANGLOI, DELHI-110041**

No. F.1/SDM(PB)/DPCC/2023/17330

Dated 14/11/2023

(6)

L.R FORM 29  
(See Rule 105)

Annexure-2

**Warrant of Arrest**  
**(section 138, Delhi Land Reforms Act, 1954)**

Whereas M/S. Udai Veer & Raj Kumar Nain R/o Udai Vihar, Ph-II, Village Nilothi, Delhi-41 in the matter of recovery of environmental compensation due on account of Delhi Pollution Control Committee.

And whereas, the case regarding recovery amounting to Rs. 8,00,000/- for the Green Category industry. (Rs. 2,00,000/- on each crushers) is pending in DPCC, First Floor, E-Block, Vikas Bhawan-II, Upper Bela Road, Civil Lines, Delhi-54.

Now, therefore, I **SDM (Punjabi Bagh)** in exercise of power conferred upon me u/s 138 of Delhi Land Reforms Act, 1954 do hereby, order you to Arrest of M/S. Udai Veer & Raj Kumar Nain produce before me on or before the day of **20.11.2023**.

Given under my hand and the seal of the court on **14.11.2023**.



  
**ASSTT. COLLECTOR, GRADE-I**  
**SUB DIVISION : PUNJABI BAGH**

Through SHO Nitesh Vihar