

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

MA NO. 128/2024

In

Original Application No. 506/2022

In The Matter of:

Tribbhuvan Singh

....Applicant

VERSUS

Govt of NCT of Delhi & Ors.

.... Respondent

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Filed by

JYOTI MENDIRATTA
ADVOCATE FOR RESPONDENT NO. 1

New Delhi:
Dated: 18.08.2025

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**COMPLAINCE REPORT ON BEHALF OF RESPONDENT NO. 1 -
GOVERNMENT OF NCT OF DELHI REGARDING ORDER
DATED 01.05.2025 AND 17.07.2025.**

I, Nigam Agarwal, Director (Environment), Department of Environment, Government of NCT of Delhi, 6th level, Delhi Secretariat, IP Estate, New Delhi-110002, do hereby solemnly affirm and state as under:

1. That, I am working as Director (Environment) Government of NCT of Delhi, and am conversant with the facts of the present case .



2. That, this matter was taken up by this Hon`ble Tribunal on 01.05.2025 and was pleased to pass following direction:-

....3. *We have heard submissions made by learned Counsel for DPCC and also submissions made by Mr. A.K. Singh, Principal Secretary (Environment), GNCTD and Dr. K.S. Jayachadaran, Member Secretary, DPCC who seek time to file further responses.*

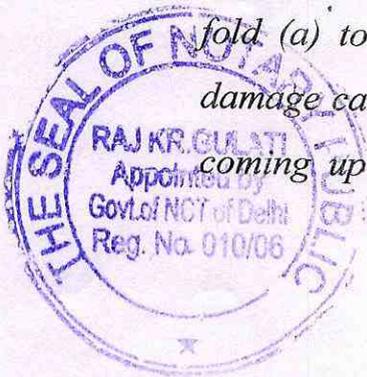
4. *Further responses may be filed by the Member Secretary, DPCC and Principal Secretary (Environment), GNCTD at least one week before the next date of hearing fixed.*

5. *List on 17.07.2025 for further orders/proceedings.*

3. That, this matter was again taken up by this Hon`ble Tribunal on 17.07.2025 and was pleased to pass following direction:-

1. *In compliance with order dated 01.05.2025 reply dated 11.07.2025 has been filed by DPCC. Copy of office order dated 03.06.2025 has been enclosed with the reply.*

2. *The Polluter Pays principle is part of environmental jurisprudence and is also embodied by Section 20 of the National Green Tribunal Act, 2010. In implementation of the Polluter Pays principle environmental compensation is imposed by PCBs/PCCs on the violators. Generally speaking, the object of imposition of environmental compensation is two fold (a) to deter potential violators and (b) to remediate environmental damage caused. However, we have observed that in large number of cases coming up before this Tribunal EC remains unrealized and even where*



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realized remains unutilized for long periods of time with the consequence that the damage caused to the environment is not remediated. In case of unreasonable delay, damage caused to environment may become irreversible affecting inter-generational equity as well as posing serious health hazards. It is, therefore, of utmost importance that EC, if any imposed, be promptly realized and utilized for remedying the environmental damage caused.

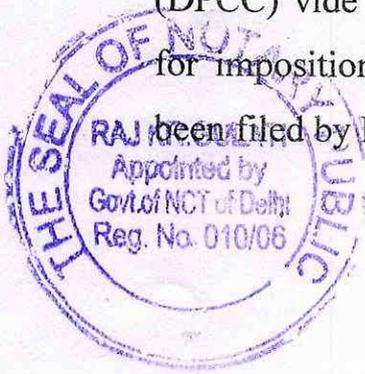
3. Learned Counsel for respondents no. 1 and 3 as well as learned Counsel for respondent no. 2 seek time to file further replies/responses.

4. The same may be filed at least one week before the next date of hearing fixed.

5. List on 21.08.2025 for further consideration.

4. That, a meeting with senior officers from Delhi Pollution Control Committee, Department of Revenue and Department of Environment, GNCTD was convened on 08.08.2025 under the Chairmanship of Chief Secretary, Delhi regarding compliance to Hon'ble National Green Tribunal order dated 17.07.2025 with respect to Environmental Compensation imposition /recovery/realization.

5. That, based on decision taken in the above stated meeting, the Standard Operating Procedure (SOP) prepared by Delhi Pollution Control Committee (DPCC) vide office order dated 3.06.2025 for streamlining the procedure for imposition /recovery/realization of EC (Annexure 1), which has also been filed by DPCC before Hon'ble National Green Tribunal in compliance



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to order dated 01.05.2025, is hereby endorsed by Department of Environment, GNCTD.

6. That, further DPCC has been directed to make proper action plan for utilization of the imposed Environment Compensation.
7. It is therefore requested to this Hon'ble Tribunal that the present compliance report may kindly be taken on record.

Delhi

Dated 18th August, 2025

18 AUG 2025

Nigam Agarwal
(Nigam Agarwal)
Director (Environment)
NIGAM AGARWAL
Director (Environment)
Department of Environment
Govt. of NCT of Delhi

ATTESTED
[Signature]
NOTARY PUBLIC
GOVT. OF NCT OF DELHI



18 AUG 2025

F.No. DPCC/RDPC/SCN-App/2024-25 / 88-93

Dated: 03/06/2025

OFFICE ORDER

In order to streamline the procedure for action to impose & recover/realise Environmental Compensation (EC) following Standard Operating Procedure (SOP) be adhered to:

Notices for Environmental Compensation:

1. All the Show Cause Notices for imposition of Environmental Compensation shall be issued with the approval of Member Secretary, DPCC.
2. The order for imposition of Environmental Compensation shall be issued with the approval of Chairman DPCC.
3. Following steps be followed:
 - i. SCN for EC shall be put up within 5 working days by the concerned Engineer after carrying inspection.
 - ii. SCN will be issued through Speed Post as well as email (if available). In case unit is not registered with DPCC then the SCN will also be uploaded on DPCC website.
 - iii. Timeline for submission of response to Show Cause Notice by the violator will be 15 days from the date of service of the notice.
 - iv. The file has to be submitted for follow up action between 21 and 30 days w.e.f. date of issue of Show Cause Notice along with response received or with proof of delivery in case of non-receipt of response.
 - v. Timeline for issue of order imposing Environmental Compensation: 60 days from the date of service of the SCN.
 - vi. The EC order shall be sent through speed post as well as through email of the unit, if available. In case unit is not registered with DPCC, order be sent though speed post and uploaded on DPCC website. 15 days time shall be given to the violator/unit to deposit the EC.
 - vii. Information about SCNs and EC orders shall be updated on Google Spreadsheet which has been developed immediately after taking actions.

- viii. In case the imposed EC is not deposited by the unit within 15 days, reminders are to be issued through all modes as indicated at ii and vi above as per the time lines given as under:
- First reminder between 21 and 30 days giving further 15 days with the approval of Cell/Branch Incharge, if the EC is not deposited by the violator within time.
 - Second reminder between 21 and 30 days after first reminder giving further 15 days with the approval of Cell/Branch Incharge, if the EC is not deposited by the violator within time.
 - Concerned JEE and AEE are responsible for issuance of necessary reminders within the timelines specified above.
- ix. In case the EC is not realised in spite of above actions, after expiry of 90 days from the date of issue of order imposing EC, recovery letter shall be issued to the concerned SDM with the approval of MS, DPCC.
- x. Reminder wrt recovery of EC amount from all the units/entities in a sub-division shall be sent to SDM once in 45 days with a copy to the concerned DM and Divisional Commissioner. Such reminders be sent with the approval of the Cell/Branch Incharge, through a dedicated Dealing Assistant deputed in each Cell/Branch.

The above SOP will supersede all the office orders with regard to procedure for action to impose & recover/realise Environmental Compensation.

This issues with the approval of Chairman, DPCC

Digitally signed by
K S Jayachandran
(Dr. K. S. Jayachandran)
Date: 31-05-2025
Member Secretary
12:52:52

Copy for information/requisite compliance to:

- 1) All Additional Directors of DPCC
- 2) All SEEs/Cell In-Charges of DPCC
- 3) In-Charge Legal Cell, DPCC
- 4) All EEs/AEEs/JEEs of DPCC
- 5) PPS to Chairman DPCC for kind information of the Chairman
- 6) IT Cell to upload the copy of this SoP on the website of DPCC