

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

Original Application No. 706/2019

(With report dated 04.12.2019)

Naresh Chopra

Versus

Applicant

Govt. of NCT of Delhi

Respondent(s)

Date of Hearing: 08.10.2020

With reference to above it is submitted that as per the direction of Hon'ble Court, Delhi Jal Board must invoke "polluter pays" principle and recover compensation from the violaters of law after giving then opportunity of being heard as per scale of compensation laid down by the CPCB on the subject.

In this regard, it is pertinent to mentioned that Chief Secretary Delhi was directed to call a meeting of all concerned for preparation of appropriate SOP for fixing responsibility on the subject. Accordingly, Department of Environment of Forest has Circulated **Standard Operating Procedure (SOP)** for proper regulation of extraction of ground water, closer and prohibition of illegal activities relating to issue of borewell / tubewell in NCT of Delhi. As per SOP the procedure for levy of Environment Compensation (EC) the clause no. 7 & 8 are relevant. Which are as follows(**Annexure-I**):

Clause.7 The Deputy Commissioner who is the chairperson of the Advisory committee will forward the details of illegal borewells to the DPCC for levying Environment Compensation (EC) for illegal extraction of Ground Water.

Clause.8 The DPCC will assess Environment Compensation (EC) as per the methodology devised by CPCB in its report dated 26.06.2019.

After assessment of the EC, demand will be raised and in case of non-recovery, SDM to recover EC as arrears of land revenue.

Accordingly a letter was written to the DPCC on dated 02.07.2020 followed by its reminder on dated 18.08.2020 from the office of EE(South)-II, DJB.

Thereafter, another request was made by the undersigned on dated 16.09.2020 to access/workout of the Environment Compensation (EC) against the defaulters(**Annexure-II/III/IV**).

In view of above, DPCC issued the notice to the defaulters on dated 19.09.2020(**Annexure-V/VI/VII/VIII/IX**) with the direction to the addressee called upon to show cause, as to why the above said Environment Compensation (EC) (**Rs. Two lakh**) should not be imposed. The reply, if any, should reached DPCC office within 15 days from the date of issue of notice. Since, the same has been expired on dated 04.10.2020. Therefore, on inquiry from the DPCC, it has been informed that no violators has submitted any reply.

Therefore, further action will be informed to the Hon'ble Court accordingly.

Submitted for kind information please.


(NARENDER KUMAR)
SE(SOUTH)

980808

27/07/20

DEPARTMENT OF ENVIRONMENT & FOREST
(GOVT. OF NCT OF DELHI)

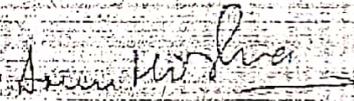
6th Level, Delhi Secretariat, IP Estate, New Delhi - 110002

F. No.: Env.(DPCC)/(10)(10) (12)Legal/2020/44

Dated: 10.07.2020

CIRCULAR

The Standard Operating Procedure (SOP) for proper regulation of extraction of ground water, closure and prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi has been finalized and is enclosed herewith for necessary action by all the concerned agencies to whom specific responsibilities have been assigned in the SOP. The SOP be given immediate effect.


(Arun Mishra)
Special Secretary

1. Chairperson, New Delhi Municipal Council
2. Divisional Commissioner Delhi, Delhi - 110054
3. Pr. Secretary, UD, Govt. of NCT of Delhi
4. Commissioner, South Delhi Municipal Corporation
5. Commissioner, North Delhi Municipal Corporation
6. Commissioner, East Delhi Municipal Corporation
7. CEO, Delhi Jal Board
8. All District Magistrates.
9. District Magistrate (HQ)
10. Member Secretary, DPCC

Copy to:

1. OSD to Chief Secretary, for information.
2. PA to Pr. Secretary, Environment & Forest, GNCTD, for information.

o/c

Department of Environment,
Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019, entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi" vide its order dated 15-05-2020 directed as under:

"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure /prohibition of illegal activities regarding operation of

borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued with the approval of Hon'ble Lt. Governor on 18th May, 2010 and on 10th January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. Standard Operating Procedure (SOP):

1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

DM
2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

DAC
3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for

taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5) In case the illegal borewell/tubewell is already constructed/operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets.

In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

- 6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.
- 7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.
- 8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.
- 9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.
- 10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

(Annexure-II)

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (SOUTH) II
JAL SADAN: LAJPAT NAGAR: NEW DELHI

NO. DJB/EE(S) II/2020-21 1254-60

DATED 2/7/2020

Sh. Arun Mishra,
Member Secretary of DPCC
6th floor, C wing, Delhi Secretariat,
I P Estate, Delhi-110002.
Email- msdpcc@nic.in
Contact- 23860389, 23392306

Diary No-506
24/7/20

Subject:- Request for calculation of "Polluters Pay" for the illegal operation of bottling plant in Bhogal area.

In compliance of NGT orders OA No.706/2019 of Sh. Naresh Chopra v/s GNCT of Delhi. Please find enclosed list of illegal bore well sealed by the team of DM (South-East) which were replied in the hon'ble Court on 04.12.2019 for its compliance. The hon'ble further desired the action taken on account of polluters pay.

It is therefore, request to kindly work out compensation under polluter to pay for these illegal units which were running since long back with 5 HP motor at the earliest please.

- Encl: 1. Copy of the NGT Court order 706/2019.
2. List of polluters.


(S. Ghulam Sajjad)
EXECUTIVE ENGINEER (S) II

Copy to

1. DM (South-East) for kind information
2. CE (South) for kind information,
3. Director (Revenue) for kind information
4. SE (South) for kind information
5. ZE-I to pursue
6. ZRO(S)II Lajpat Nagar to pursue


EXECUTIVE ENGINEER (S) II

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (SOUTH-II)
JAL SADAN: LAJPAT NAGAR: NEW DELHI -110024

REMINDER-I

NO. F-3/DJB/EE(S-II)/2020-21/14 55

DATED 18.8.2020

Sh.Arun Mishra
Member Secretary of DPCC
6th floor , C-Wing , Delhi Seretariat
I.P.Estate, Delhi-110002
Email-msdpcc@nic.in
Contact-23860389,23392306

Subject : Request for calculation of "Polluters Pay" for the illegal operation of bottling plant in Bhogal area.

In continuation to this office letter No.1254 dated 2.7.2020 of NGT orders OA No. 706/2019 of Sh.Naresh Chopra V/s GNCT of Delhi. Please find enclosed list of illegal bore well sealed by the team of DM (South-East) which were submitted in the Hon'ble Court on 4.12.2019 in compliance of its order. The Hon'ble NGT further desired for the action to be taken on account of "Polluters Pay" compensation.

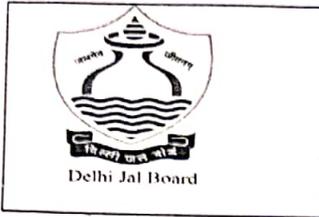
It is therefore, request to kindly work out compensation under polluter to pay for theses illegal units which were running since long back with 5 HP motor at the earliest please.

Encl:-

1. Copy of the NGT Court order 706/2019.
2. List of polluters

Ar 20/8/20

Ar
EXECUTIVE ENGINEER (SOUTH-II)



DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
 OFFICE OF THE SUPRINTENDING ENGINEER (SOUTH)
 ROOM NO.101, JAL SADAN LAJPAT NAGAR, NEW DELHI-24
 Email : sesouthdjb@gmail.com Ph-011-29810956

No. DJB/SE(South)/2020/

Dated: 16.09.2020

Sh. Arun Mishra,
 Member Secretary of DPCC
 6th Floor, C- Wing, Delhi Secy.
 I.P. Estate, Delhi-110002.
 Email- msdpcc@nic.in
 Contact- 23860389,23392306

Subject:- IN the matter of Sh. Naresh Chopra V/s Govt. NCT of Delhi O.A. No.706/2019 before the National Green Tribunal Principal Bench New Delhi.

R/Sir,

It is to bring to your kind notice that above mentioned case is being heard by the hon'ble NGT. Please find enclosed a list of illegal borewell which were sealed under the direction of DM(South East)(copy enclosed as annexure-I). Now the hon'ble Court directed to invoke "polluter pays" principal and recover Environment Compensation from the violaters of the law after giving opportunity of being heard as per scale of compensation laid down by the CPCB on the subject.

In this regard, two letters were issue by the office of EE(South)-II vide letter No. DJB/EE(S)-II/2020-21/1254-60 dated 02.07.2020 and Reminder-I vide letter No.F-3DJB/EE(S)-II/2020-21/1455 dated 18.08.2020 (copy enclosed). But no response has been received from your kind office (annexure-II).

In this regard, it is also pertinent to mentioned that department of Environment of Forest has circulated **Standard Operating Procedure (SOP)** for proper regulation of extraction of ground water, closer and prohibition of illegal activities relating to issue of borewell / tubewell in NCT of Delhi. As per SOP the procedure for levy of Environment Compensation (EC) the clause no. 7 & 8 are relevant. Which are as follows(annexure-III):

Clause.7 The Deputy Commissioner who is the chairperson of the Advisory committee will forward the details of illegal borewells to the DPCC

[Signature]
 16/9/2020

for levying Environment Compensation (EC) for illegal extraction of Ground Water.

Clause.8 The DPCC will assess Environment Compensation (EC) as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in case of non-recovery, SDM to recover EC as arrears of land revenue.

In view of above, it is requested to kindly work out the EC and issue notice to the violaters with due intimation to the DM(South East) as well as this office in compliance to SOP framed by the Department of Environment of Forest please.

The next date of hearing for this case is 21.09.2020.

Encl: Standard Operating Procedure (SOP) dated 10.07.2020.


16/9/2020
(NARENDER KUMAR)
SE(SOUTH)



DELHI POLLUTION CONTROL COMMITTEE
GOVERNMENT OF NCT OF DELHI
4th and 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006
visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-II/OA-25-2019/2020/ 9177-78

Dated: 17/09/20

Subject: Show Cause Notice in compliance of orders of Hon'ble National Green Tribunal (NGT) in OA No. 25/2019-reg.

Whereas, Hon'ble National Green Tribunal in OA.No. 706/2019 entitled "Sh. Naresh Chopra Vs Govt. of NCT of Delhi" directed to invoke "Polluters Pays" principal and recover Environmental Compensation from the violators of the law.

And whereas, Hon'ble National Green Tribunal vide its orders dated 15.01.2019, 30.05.2019, 30.10.2019 and 19.11.2019 in OA No. 25/2019 titled as, "Abdul Farukh Vs Govt. of NCT of Delhi" regarding remedial action against illegal extraction of ground water by installing unauthorized tube-wells has issued number of directions to Delhi Pollution Control Committee (DPCC), Delhi Jal Board and Revenue Department for compliance.

And whereas, letters from the office of EE (South)-II vide letter no. DJB/SE(South)/2020/ dated 16.09.2020 were received for workout compensation under "Polluters Pay" for illegal units which were found engaged in the business of packaging of water for commercial purpose.

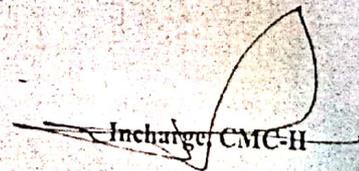
And whereas, you **Sh. Hembir, 37, Sarai Kale Khan, Behind G.B.S.S School, Sarai Kale Khan, New Delhi-110013** were reported engaged in illegal extraction of groundwater without permission from the Competent Authority.

And whereas, in view of Hon'ble NGT directions/orders and in view of the non-compliance of the statutory requirements, DPCC keeping in view the "Polluter Pays Principle" has decided to levy Environmental Compensation (EC) on the addressee for causing damage to the environment by illegal extraction of ground water.

And whereas, in compliance of stipulated guidelines of CPCB and in view of aforesaid orders of Hon'ble National Green Tribunal, it has now been decided to levy an interim Environmental Compensation (EC) of **Rs. 2,00,000/- (Two Lakh only)** on the addressee on account of extraction of ground water illegally with out permission from the Competent Authority.

By way of this notice, the addressee is hereby called upon to show cause, as to why the above said Environmental Compensation should not be imposed. The reply, if any, should reach to this office within **15 days from the date of issue of this notice**. In case of failure, it will be presumed that the addressee has nothing to say in this regard and the aforementioned EC will be imposed without any further reference.

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


Incharge, CMC-II

**Sh. Hembir, 37, Sarai Kale Khan,
Behind G.B.S.S School, Sarai Kale Khan,
New Delhi-110013**

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DELHI POLLUTION CONTROL COMMITTEE

GOVERNMENT OF NCT OF DELHI

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F. No. DPCC/CMC-II/OA-25-2019/2020/9179-80

Dated: 19/09/20

Subject: Show Cause Notice in compliance of orders of Hon'ble National Green Tribunal (NGT) in OA No. 25/2019-reg.

Whereas, Hon'ble National Green Tribunal in OA.No. 706/2019 entitled "Sh. Naresh Chopra Vs Govt. of NCT of Delhi" directed to invoke "Polluters Pays" principal and recover Environmental Compensation from the violators of the law.

And whereas, Hon'ble National Green Tribunal vide its orders dated 15.01.2019, 30.05.2019, 30.10.2019 and 19.11.2019 in OA No. 25/2019 titled as, "Abdul Farukh Vs Govt. of NCT of Delhi" regarding remedial action against illegal extraction of ground water by installing unauthorized tube-wells has issued number of directions to Delhi Pollution Control Committee (DPCC), Delhi Jal Board and Revenue Department for compliance.

And whereas, letters from the office of EE (South)-II vide letter no. DJB/SE(South)/2020/ dated 16.09.2020 were received for workout compensation under "Polluters Pay" for illegal units which were found engaged in the business of packaging of water for commercial purpose.

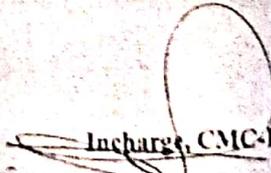
And whereas, you M/s The K.S Drycleaner & Water Supplier Shop No. 24 (F/side), Krishna Market, Lajpat Nagar-1, New Delhi-110024 were reported engaged in illegal extraction of groundwater without permission from the Competent Authority.

And whereas, in view of Hon'ble NGT directions/orders and in view of the non-compliance of the statutory requirements, DPCC keeping in view the "Polluter Pays Principle" has decided to levy Environmental Compensation (EC) on the addressee for causing damage to the environment by illegal extraction of ground water.

And whereas, in compliance of stipulated guidelines of CPCB and in view of aforesaid orders of Hon'ble National Green Tribunal, it has now been decided to levy an interim Environmental Compensation (EC) of Rs. 2,00,000/- (Two Lakh only) on the addressee on account of extraction of ground water illegally with out permission from the Competent Authority.

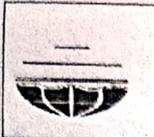
By way of this notice, the addressee is hereby called upon to show cause, as to why the above said Environmental Compensation should not be imposed. The reply, if any, should reach to this office within 15 days from the date of issue of this notice. In case of failure, it will be presumed that the addressee has nothing to say in this regard and the aforementioned EC will be imposed without any further reference.

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


Incharge, CMC-II

M/s The K.S Drycleaner & Water Supplier,
Shop No. 24 (F/side), Krishna Market,
Lajpat Nagar-1, New Delhi-110024

Copy to: Master File



DELHI POLLUTION CONTROL COMMITTEE
GOVERNMENT OF NCT OF DELHI
4th and 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006
visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-II/OA-25-2019/2020/ 9181 - 82

Dated: 19/09/20

Subject: Show Cause Notice in compliance of orders of Hon'ble National Green Tribunal (NGT) in OA No. 25/2019-reg.

Whereas, Hon'ble National Green Tribunal in OA.No. 706/2019 entitled "Sh. Naresh Chopra Vs Govt. of NCT of Delhi" directed to invoke "Polluters Pays" principal and recover Environmental Compensation from the violators of the law.

And whereas, Hon'ble National Green Tribunal vide its orders dated 15.01.2019, 30.05.2019, 30.10.2019 and 19.11.2019 in OA No. 25/2019 titled as, "Abdul Farukh Vs Govt. of NCT of Delhi" regarding remedial action against illegal extraction of ground water by installing unauthorized tube-wells has issued number of directions to Delhi Pollution Control Committee (DPCC), Delhi Jal Board and Revenue Department for compliance.

And whereas, letters from the office of EE (South)-II vide letter no. DJB/SE(South)/2020/ dated 16.09.2020 were received for workout compensation under "Polluters Pay" for illegal units which were found engaged in the business of packaging of water for commercial purpose.

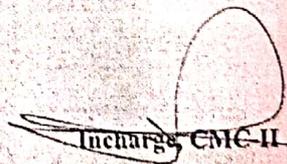
And whereas, you Sh. Amit Jain C/o, Pearl Drops 91, Bhogal Lane, New Delhi-110014 were reported engaged in illegal extraction of groundwater without permission from the Competent Authority.

And whereas, in view of Hon'ble NGT directions/orders and in view of the non-compliance of the statutory requirements, DPCC keeping in view the "Polluter Pays Principle" has decided to levy Environmental Compensation (EC) on the addressee for causing damage to the environment by illegal extraction of ground water.

And whereas, in compliance of stipulated guidelines of CPCB and in view of aforesaid orders of Hon'ble National Green Tribunal, it has now been decided to levy an interim Environmental Compensation (EC) of Rs. 2,00,000/- (Two Lakh only) on the addressee on account of extraction of ground water illegally with out permission from the Competent Authority.

By way of this notice, the addressee is hereby called upon to show cause, as to why the above said Environmental Compensation should not be imposed. The reply, if any, should reach to this office **within 15 days from the date of issue of this notice**. In case of failure, it will be presumed that the addressee has nothing to say in this regard and the aforementioned EC will be imposed without any further reference.

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


Incharge CMC-II

Sh. Amit Jain C/o, Pearl Drops 91,
Bhogal Lane, New Delhi-110014

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DELHI POLLUTION CONTROL COMMITTEE

GOVERNMENT OF NCT OF DELHI

4th and 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006visit us at : <http://dpcc.delhigovt.nic.in>

F. No. DPCC/CMC-II/OA-25-2019/2020/882-884

Dated: 19/09/20

Subject: Show Cause Notice in compliance of orders of Hon'ble National Green Tribunal (NGT) in OA No. 25/2019-reg.

Whereas, Hon'ble National Green Tribunal in OA.No. 706/2019 entitled "Sh. Naresh Chopra Vs Govt. of NCT of Delhi" directed to invoke "Polluters Pays" principle and recover Environmental Compensation from the violators of the law.

And whereas, Hon'ble National Green Tribunal vide its orders dated 15.01.2019, 30.05.2019, 30.10.2019 and 19.11.2019 in OA No. 25/2019 titled as, "Abdul Farukh Vs Govt. of NCT of Delhi" regarding remedial action against illegal extraction of ground water by installing unauthorized tube-wells has issued number of directions to Delhi Pollution Control Committee (DPCC), Delhi Jal Board and Revenue Department for compliance.

And whereas, letters from the office of EE (South)-II vide letter no. DJB/SE(South)/2020/ dated 16.09.2020 were received for workout compensation under "Polluters Pay" for illegal units which were found engaged in the business of packaging of water for commercial purpose.

And whereas, you **Sh. Vardhman Jain C/o M/s Hemchand & Sons (water suppliers), 91, Bhogal Lane, New Delhi-110014** were reported engaged in illegal extraction of groundwater without permission from the Competent Authority.

And whereas, in view of Hon'ble NGT directions/orders and in view of the non-compliance of the statutory requirements, DPCC keeping in view the "Polluter Pays Principle" has decided to levy Environmental Compensation (EC) on the addressee for causing damage to the environment by illegal extraction of ground water.

And whereas, in compliance of stipulated guidelines of CPCB and in view of aforesaid orders of Hon'ble National Green Tribunal, it has now been decided to levy an interim Environmental Compensation (EC) of **Rs. 2,00,000/- (Two Lakh only)** on the addressee on account of extraction of ground water illegally with out permission from the Competent Authority.

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


Incharge, CMC-II

**Sh. Vardhman Jain C/o M/s Hemchand & Sons (water suppliers),
91, Bhogal Lane, New Delhi-110014**

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DELHI POLLUTION CONTROL COMMITTEE

GOVERNMENT OF NCT OF DELHI

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F. No. DPCC/CMC-II/OA-25-2019/2020/9185-86

Dated: 19/07/20

Subject: Show Cause Notice in compliance of orders of Hon'ble National Green Tribunal (NGT) in OA No. 25/2019-reg.

Whereas, Hon'ble National Green Tribunal in OA.No. 706/2019 entitled "Sh. Naresh Chopra Vs Govt. of NCT of Delhi" directed to invoke "Polluters Pays" principle and recover Environmental Compensation from the violators of the law.

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And whereas, letters from the office of EE (South)-II vide letter no. DJB/SE(South)/2020/ dated 16.09.2020 were received for workout compensation under "Polluters Pay" for illegal units which were found engaged in the business of packaging of water for commercial purpose.

And whereas, you M/s The Consumer Plant No. 186, Sarai Kale Khan, Behind Night Shelter (DUSIB) New Delhi-110013 were reported engaged in illegal extraction of groundwater without permission from the Competent Authority.

And whereas, in view of Hon'ble NGT directions/orders and in view of the non-compliance of the statutory requirements, DPCC keeping in view the "Polluter Pays Principle" has decided to levy Environmental Compensation (EC) on the addressee for causing damage to the environment by illegal extraction of ground water.

And whereas, in compliance of stipulated guidelines of CPCB and in view of aforesaid orders of Hon'ble National Green Tribunal, it has now been decided to levy an interim Environmental Compensation (EC) of Rs. 2,00,000/- (Two Lakh only) on the addressee on account of extraction of ground water illegally with out permission from the Competent Authority.

By way of this notice, the addressee is hereby called upon to show cause, as to why the above said Environmental Compensation should not be imposed. The reply, if any, should reach to this office **within 15 days from the date of issue of this notice**. In case of failure, it will be presumed that the addressee has nothing to say in this regard and the aforementioned EC will be imposed without any further reference.

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

Incharge CMC-II

M/s The Consumer Plant No. 186,
Sarai Kale Khan, Behind Night Shelter (DUSIB),
New Delhi-110013

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DELHI JAL BOARD Govt of NCT of Delhi
OFFICE OF THE EX. ENGINEER (SOUTH)-II
JAL SADAN: LAJPAT NAGAR: NEW DELHI-110024

No. DJB/EE(S)-II/2019/

Date: 04.12.19

Subject: - Action taken report against Illegal Bottling plants in Bhogal & Adjacent area as per direction of NGT Principal bench order dated. 16.09.2019, New Delhi

Reference original application no. 706/2019
Naresh Chopra vs Govt Of NCT Delhi

S.No.	K.No.	Name of Consumer & Address	Cat.	Nature of trade	Status of W.C	Remarks	Jurisdiction of D.M	Action taken
1	7815831000	Sh. Hembir 37, Sarai Kale Khan, Behind G.B.S.S School, Sarai Kale Khan, N.D	C-II Commercial	illegal Colling plant	Water connection Disconnected on 06.02.19 vide DCO No.35317	Unauthorized / Illegal Boring exist at site	D.M (South-East) Amar Colony	The said bore/ Bottling Plant has been Sealed by SDM, Defence Colony.
2	No. W.C	The K.S Drycleaner & Water Supplier Shop No. 24 (f/side) Krishna Mkt. Lajpat Ngr-I, N.D	NIL	illegal Bottling plant	No water connection Exist	Unauthorized / Illegal Boring exist at site	D.M (South-East) Amar Colony	The said bore/ Bottling Plant has been Sealed by SDM, Defence Colony.
3	1188431000	Sh. Amit Jain C/o. Pearl Drops 91, Bhogal Lane, N.D	C-II Commercial	illegal Bottling plant	Water connection exist on 06.02.19	Unauthorized / Illegal Boring exist at site	D.M (South-East) Amar Colony-	The said bore/ Bottling Plant has been Sealed by SDM, Defence Colony.
4	6298431000	Sh. Vardhman Jain C/o. M/s: Hem Chand & Sons (water Suppliers), 91, Bhogal Lane, N.D	C-II Commercial	illegal Bottling plant	Water connection exist on 06.02.19	Unauthorized / Illegal Boring exist at site	D.M (South-East) Amar Colony	The said bore/ Bottling Plant has been Sealed by SDM, Defence Colony.
5	No. W.C	The Consumer Plant No. 1 86, Sarai Kale Khan Behind Night Shelter (DUSIB)	NIL	illegal Bottling plant	Unauthorized water connection exists and same has been disconnected on 07.07.19	Unauthorized / Illegal Boring exist at site	D.M (South-East) Amar Colony	The said bore/ Plant/ Bottling Plant has been Sealed by SDM, Defence Colony.