



**HEAD OFFICE**  
**Uttarakhand Pollution Control Board**  
Gauradevi Paryavaran Bhawan  
46-B, I.T. Park, Sahastradhara Road,  
Dehradun (Uttarakhand)

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

**Status Report in compliance of order dated 13.04.2022 passed by the Hon'ble National Green Tribunal in the matter of Original Application No. 316 of 2021 titled Pramod Kumar Sharma Versus Uttarakhand Environment Protection and Pollution Control Board.**

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**Date:** 17.05.2022

**Place:** Dehradun

## STATUS REPORT

Original Application No. 316 of 2021

In the matter of:

Pramod Kumar Sharma ..... Applicant

Versus

Uttarakhand Environment Protection ..... Respondent  
and Pollution Control Board

### I. BACKGROUND

1. The Hon'ble National Green Tribunal in the matter of Original Application No. 316/2021 Pramod Kumar Sharma Vs Uttarakhand Pollution Control Board issued following directions on dated 03.12.2021:

"1 to 3 ....xxx.....xxx.....xxx"

4. In view of above, let the State PCB verify the factual position and take remedial action, following due process of law. A factual and action taken report be filed within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

xxx.....xxx.....xxx"

2. Pursuant to the compliance of order passed by the Hon'ble NGT, inspection of the site was carried out by the officials of Regional Office, Roorkee of this Board on dated 21.10.2021 and 21.12.2021. Based on the field observations, Action Taken Report was submitted on dated 31.03.2022 to the Hon'ble NGT for consideration.
3. The Hon'ble NGT considered the Action Taken Report dated 31.03.2022 submitted by the Respondent Board and issued following order on 13.04.2022:

"1to 4...xxx.....xxx.....xxx"

5. In view of above, let the Member Secretary, State PCB remain present by V.C. and explain the circumstances for such lapse on the next date.

xxx.....xxx.....xxx"

## II. PRESENT STATUS

1. That, in continuation of directions dated 18.02.2022 issued by the Uttarakhand Pollution Control Board under section 31(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section-33(A) of the Air (Prevention and Control of Pollution) Act, 1981, the officials of Regional Office, Roorkee (Haridwar) carried out inspection of the Unit and observed that the occupier of M/S Surendra Motors, Plot No. 3, Shubham Colony, Kankhal, Haridwar has neither complied with directions of the Board nor submitted reply thereof.
2. That, based on the observations of Regional Office, closure direction under section 31(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section-33(A) of the Air (Prevention and Control of Pollution) Act, 1981 was issued to M/S Surendra Motors, Plot No. 3, Shubham Colony, Kankhal, Haridwar and concerned authority was directed to discontinue power supply of the Unit. Copy of Closure direction issued on 29.04.2022 is enclosed as **Annexure-1**.
3. That, in compliance of direction issued by the Respondent Board, the Uttarakhand Power Corporation Ltd., has disconnected the power supply of M/S Surendra Motors, Plot No. 3, Shubham Colony, Kankhal, Haridwar. Copy of letter issued by the Executive Engineer, Uttarakhand Power Corporation Ltd., Electricity Distribution Division Jwalapur, Haridwar is enclosed as **Annexure-2**.
4. That, the Respondent Board has already requested to the District Magistrate, Haridwar for recovery of Environmental Compensation imposed by the Respondent Board under Land-Revenue process vide this office letter dated 18.02.2022. Copy of

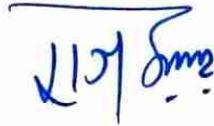
letter communicated to District Magistrate, Haridwar is enclosed as **Annexure-3**.

### III. CONCLUSION

It is evident from above that the Uttarakhand Pollution Control Board has undertaken necessary action in term of imposition of an environmental compensation and issuance of closure direction and restrain the operation of said automobile servicing station, in accordance of law.

Since, the occupier has not submitted environmental compensation, therefore, request has been made to the concerned District Magistrate for recovery of environmental compensation under Land-Revenue process.

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HEAD OFFICE

Annexure-1<sup>5</sup>

Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun (Uttarakhand)

Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com

UKPCB/HO/Con/S-434/2022/ 03

Date: 29.04.2022

Speed Post

To,

M/s Surendra Motors,  
Plot No.-03,  
Shubham Vihar Colony,  
Kankhal, Distt- Haridwar.

09/05/2022

Directions under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/processes is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

WHEREAS, as per Section-21 of the Air (Prevention and Control of Pollution Act, 1981 and Section-25 of the Water (Prevention and Control of Pollution Act, 1974 as amended, it is the mandatory requirement for any industry plant, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; to obtain prior Consent from the Board; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industries, operations or processes to keep their effluent quality within the specified norms; and

WHEREAS, in compliance of the order issued by Hon'ble NGT in the matter of OA no.- 316/2021, Pramod Kumar Sharma Vs Uttarakhand Pollution Control Board on dated 03.12.2021, inspection of the Unit was carried out by the officials of Regional Office, Roorkee of this Board in presence of Unit's owner Shri Surendra Kumar on dated 21.12.2021 and made following observations :-

1. During inspection, Unit found in operation.
2. Unit was issued direction by the Board vide its letter no. UKPCB/HO/Con/S-434/2021/43 dated 22.12.2020 to deposit Rs 3,88,500/- as Environment compensation, but yet now Unit has not deposited the same amount in the Board.
3. Unit has not applied for consent of the Board and is in operation without consent to operate of the Board.

WHEREAS, in view of the above observations, a show cause notice was issued to the Unit under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 vide this office letter no. UKPCB/HO/Con/S-434/2022/116 dated 18.02.2022, and

WHEREAS, in compliance of the show cause notice, inspection of the Unit was carried out by the officials of Regional Office, Roorkee of this Board on dated 20-04-2022 in presence of Unit's owner Shri Surendra Kumar and made following observations :-

1. During inspection, workshop found in operation. Servicing and repairing of vehicles is being done in the workshop.
2. Unit has not obtained consent from the Board and not even applied for the consent.
3. Unit has not deposited the amount of Rs 3,88,500/- as Environment compensation imposed on the Unit vide Board's letter dated 22.12.2020
4. Unit is not complying the directions of show cause notice issued by the Board.

AS SUCH, it is evident from the above observations that the Unit has violated the provisions of Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 as amended thereafter; and

Now Therefore, in exercise of the power conferred under Section 33(A) of Water (Prevention and Control of Pollution) Act- 1974 and Section 31(A) of Air (Prevention and Control of Pollution) Act- 1981 as amended from time to time, M/s Surendra Motors, Plot No.-03, Shubham Vihar Colony, Kankhal, Distt- Haridwar is hereby directed to Close down your Unit/process with immediate effect.

(S.P. Subudhi)  
Member Secretary

Ref: UKPCB/HO/Con/S-434/2022/03

Dehradun, 29.04.2022

SPEED POST

To,

Managing Director,  
Uttarakhand Power Corporation Ltd.,  
Urja Bhawan, Kanwali Road,  
Dehradun (Uttarakhand).

Directions under Section 31(A) of Air (Prevention and Control of Pollution) Act- 1981 and Section 33(A) of Water (Prevention and Control of Pollution) Act- 1974

WHEREAS, it is evident from the above observations that the Unit is violating the provisions of the Section 25 of the Water (Prevention and Control of Pollution), Act-1974 and Section 21 of the Air (Prevention and Control of Pollution), Act-1981; and

NOW THEREFORE, in exercise of the powers conferred under Section-25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution), Act-1981 as amended thereafter, you are hereby directed to instruct concerned officials of UPCL for discontinuing the power supply of the Unit with immediate effect and intimate to this office on priority.

This issues with the approval of the Competent Authority of the Board.

(S.P. Subudhi)  
Member Secretary

Copy to :-

1. District Magistrate, Haridwar for information and arrange to seal the Unit please.
2. Regional Officer (I/c), UKPCB, Regional Office, Roorkee, Distt- Haridwar with the direction for strict compliance of the closure order and to seal the Unit.
3. Guard File.

(S.P. Subudhi)  
Member Secretary



क्षेत्रीय कार्यालय  
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड  
सिंचाई परिकल्प भवन परिसर, रुड़की -247667 हरिद्वार

पत्रांक-यूकेपीसीबी/आर0ओ0आर0/सहमति/एस0-429/2022/194  
पंजीकृत डाक द्वारा

दिनांक: 13.05.2022

एन0जी0टी0 मेटर/अति महत्वपूर्ण

सेवा में,

सदस्य सचिव महोदय,  
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,  
देहरादून।

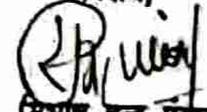
विषय: मै0 सुरेन्द्र मोटर्स, प्लॉट न0- 03, शुभम विहार कालोबी, कनखल, हरिद्वार को निर्गत बंदीकरण आदेश के अनुपालन में विद्युत विच्छेदन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक राज्य बोर्ड के पत्रांक सं0- यूकेपीसीबी0/एच0ओ0/सहमति/एस0-434/2022/03 दिनांक 29.04.2024 को निर्गत बंदी आदेश के अनुपालन में अधिशासी अभियंता, उत्तराखण्ड पावर कार्पोरेशन लि0, विद्युत वितरण खंड, ज्वालापुर, हरिद्वार द्वारा उद्योग का स्थायी रूप से विद्युत विच्छेदन कर दिया गया है। (संलग्न संलग्न)। उद्योग द्वारा बंदीकरण आदेश का अनुपालन कर लिया गया है।

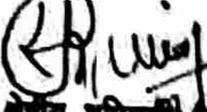
अतः आख्या आपके अवलोकनार्थ एवं अंतिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

संलग्नक: दसोपरि।

भवदीय,  
  
(सुभाष चन्द पंवार)  
क्षेत्रीय अधिकारी (प्र0)

प्रतिलिपि:-

1. जिलाधिकारी महोदय, जिला हरिद्वार को सादर सूचनार्थ-प्रेषित।
2. श्री पी0के0 जोशी, पर्यावरण अभियंता, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून को सादर सूचनार्थ-प्रेषित।
3. एच0 राजेन्द्र सिंह, सहा0 वैज्ञानिक अधिकारी, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून को सादर सूचनार्थ-प्रेषित।

  
क्षेत्रीय अधिकारी (प्र0)

81.

OFFICE OF THE EXECUTIVE ENGINEER  
Uttarakhand Power Corporation Ltd.



कार्यालय अधिशासी अभियन्ता  
उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)

विद्युत वितरण खण्ड ज्वालापुर,

हरिद्वार - 249402,

दूरभाष सं० - 9412073716

दिनांक ...13/05/2022

Phone No. - 9412073716

पत्रांक 1275/अ०अभि०वि०वि०ख०/ह०/Gen.

विषय:-मैसर्स सुरेन्द्र मोटर्स, प्लॉट नं० 03, शुभम विहार कालोनी, कनखल, हरिद्वार के विद्युत विच्छेदन के सम्बन्ध में।

क्षेत्रीय अधिकारी,  
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,  
सिचाई परिकल्प भवन परिसर, रुड़की-247667,  
हरिद्वार।

UKPC/DIR/...  
D.No. 430  
13.05.2022

उपरोक्त विषयक आप अपने पत्र संख्या-यूकेपीसीवी/आर०ओ०आर०/सहमति/एस-429/2022/177, दिनांक 12.05.2022 का सन्दर्भ ग्रहण करने की कृपा करें। जिसके सापेक्ष मैसर्स सुरेन्द्र मोटर्स, प्लॉट नं० 03, शुभम विहार कालोनी, कनखल, हरिद्वार का विद्युत संयोजन संख्या JW6/1430/094031 स्थायी रूप से विच्छेदित कर दिया गया है।

अतः आपको आवश्यक कार्यवाही हेतु प्रेषित है।

(अरविन्द कुमार)  
अधिशासी अभियन्ता

SA  
रुड़की जिले

13/5/22



मुख्यालय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

“गौरा देवी पर्यावरण भवन”

46बी, आई0टी0 पार्क, सहस्त्रधारा रोड, देहरादून

Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com

पत्रांक सं०-यूकेपीसीबी/एच.ओ/सा०-183/466/2022/117

दिनांक :- 18.02.2022

सेवा में,  
जिलाधिकारी,  
जनपद-हरिद्वार,  
उत्तराखण्ड।

विषय :- मै० सुरेन्द्र मोटर्स पर जल/वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियमों के उल्लंघन के सापेक्ष राज्य बोर्ड द्वारा लगाये गये पर्यावरणीय क्षतिपूर्ति की धनराशि वसूल किये जाने के सम्बन्ध में।  
महोदय,

अवगत कराना है कि जनपद हरिद्वार के प्लॉट नं०-3 शुभम विहार कालोनी, कनखल, जिला-हरिद्वार में सुरेन्द्र मोटर्स नाम से एक वर्कशाप का संचालन किया जा रहा है। पूर्व में बोर्ड दिनांक 22.12.2020 में उक्त वर्कशाप पर पर्यावरणीय मानकों एवं जल/वायु अधिनियमों के उल्लंघन पाये जाने पर रु०-3,88,500/- की पर्यावरणीय क्षतिपूर्ति आरोपित की गयी थी। (प्रति संलग्न)।

उक्त वर्कशाप द्वारा पर्यावरणीय क्षतिपूर्ति की धनराशि बोर्ड में जमा नहीं करायी गयी है। इस सम्बन्ध में अध्यक्ष/प्रमुख सचिव, पर्यावरण, संरक्षण एवं जलवायु परिवर्तन, उत्तराखण्ड शासन के अनुमोदन के कम में आपसे अनुरोध है कि मै० सुरेन्द्र मोटर्स, प्लॉट नं०-3 शुभम विहार कालोनी, कनखल, जिला-हरिद्वार पर बोर्ड द्वारा आरोपित की गयी पर्यावरणीय क्षतिपूर्ति की धनराशि रु०-3,88,500/- की वसूली 'भू-राजस्व' प्रक्रिया की भांति करते हुये धनराशि इस कार्यालय को प्रेषित करने का कष्ट करें।

भवदीय

(एस०पी० सुबुद्धि)

सदस्य सचिव।

प्रतिलिपि :- क्षेत्रीय अधिकारी (प्र०), रुड़की, जिला-हरिद्वार को इस निर्देश के साथ प्रेषित कि जिलाधिकारी, हरिद्वार से समन्वय स्थापित करते हुये संस्था से पर्यावरणीय क्षतिपूर्ति की धनराशि वसूल कराने की कार्यवाही करना सुनिश्चित करें।

सदस्य सचिव।

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