

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

Original Application No. 1357/2024

**In the matter of:**

Sh. Rishi Sharma

...Applicant

Versus

Harmeet Singh & Ors.

...Respondents

**NDOH:- 03.04.2025**

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Filed by

New Delhi:

Dated: 7<sup>th</sup>.02.2024

Delhi Pollution Control Committee

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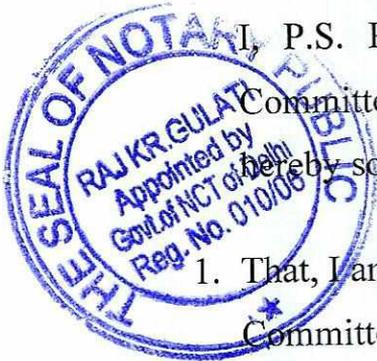
Harmeet Singh & Ors.

...Respondents

**RESPONSE ON BEHALF OF DELHI POLLUTION CONTROL  
COMMITTEE (RESPONDENT NO. 06) WITH RESPECT TO THE  
ORDER DATED 11.12.2024.**

I, P.S. Pankaj, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3th Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That this Hon'ble Tribunal taken up the above captioned matter on 11.12.2024 on the basis of Original Application filed by Mr. Rishi Sharma against the illegal extraction of groundwater from the borewell's at House number 43 and 42A Bungalow Road (Western side) Near Kamlanagar Market, Delhi- 110007. This Hon'ble Tribunal has pleased to appoint a Joint Committee comprising the representative of the Central Pollution Control Board and Delhi Jal Board. Delhi Jal Board was appointed as Coordinating Agency for this matter.



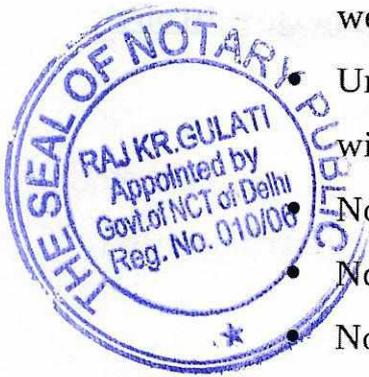
3. That, answering respondent on the basis of the complaints, had inspected the construction sites on 25.10.2024. The details of the inspection are as follows:

(a) M/s SS Buildwell C/o Sh. Ranjit Singh Kohli, 43, Bungalow Road, Kamla Nagar:

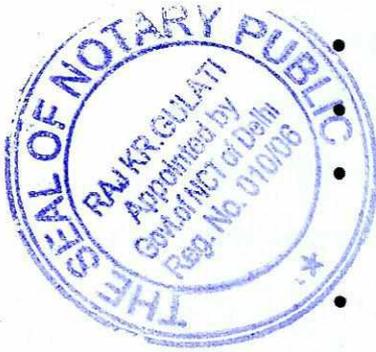
- Dust/wind breaking walls of appropriate height around the periphery of the construction site had not compliance.
- Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.
- No wheel washing arrangement of vehicles was observed.
- All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
- No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance.
- Unpaved surfaces and areas had not been adequately sprinkling with water to suppress dust.
- No dust-mask on workers working in construction site.
- No Arrangement for Medical Help present on site.
- No dust mitigation measure had been displayed prominently at the construction site for easy public viewing.
- Illegal Ground water extraction for Commercial usage.

(b) M/s Sprectrum Construction, C/o Sh. R.D. Singh & Sh. Anil Bagai. 42A, Bungalow Road, Kamla Nagar:

- Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.
- Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.



- No wheel washing arrangement of vehicles was observed.
- All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
- No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance,
- Unpaved surfaces and areas had not been adequately sprinkling with water to suppress dust.
- No dust-mask on workers working in construction site.
- No Arrangement for Medical Help present on site.
- No dust mitigation measure had been displayed prominently at the construction site for easy public viewing
- Illegal Ground water extraction for Commercial usage.
- C&D site was not registered on DPCC dust portal.



4. That letter's were issued to DM (Central) on 13.11.2024 asking to take necessary action for stoppage of unauthorized extraction of ground water by the occupier(s). Copies of the letter dated 13.11.2024 are enclosed herewith as ANNEXURE-..(Colly).

**M/s SS Buildwell C/o Sh. Ranjit Singh Kohli, 43, Bungalow Road, Kamla Nagar:**

5. That, in view of the finding of the inspection, a Show Cause Notice for imposition of Environmental Compensation of Rs. 2 lakhs was issued on 13.11.2024. Project Proponent has submitted reply on 25.11.2024 with respect to SCN dated 13.11.2024, reply was found not satisfactory, therefore, DPCC had issued direction for imposition of Environmental Compensation of Rs. 2 lakhs on 30.12.2024. Copy of the direction dated 30.12.2024 is enclosed herewith as ANNEXURE-...

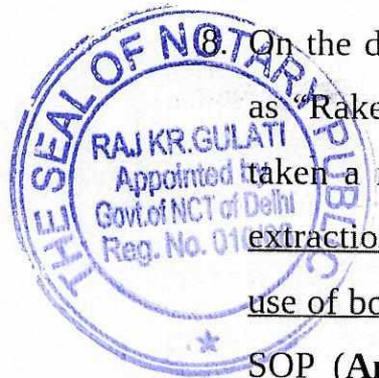
M/s Sprecrtrum Construction, C/o Sh. R.D. Singh & Sh. Anil Bagai,  
42A, Bungalow Road, Kamla Nager:

6. The plot is more than 500 Sqm and site had not been registered on Dust Portal of DPCC, which was in violation of CAQM directions as well as the direction of GRAP Stage-1. Therefore, DPCC had issued direction for compliance of GRAP Stage-1 on 13.11.2024 and directed to stop construction at the site and register on the Dust Portal of DPCC. Copy of the direction dated 13.11.2024 is enclosed herewith as ANNEXURE- .
7. That, in view of the finding of the inspection, a Show Cause Notice for imposition of Environmental Compensation of Rs. 3 lakhs on 13.11.2024 was issued. Project Proponent has not submitted reply with respect to SCN dated 13.11.2024, therefore, DPCC had issued direction for imposition of Environmental Compensation of Rs. 3 lakhs on 30.12.2024. Copy of the direction dated 30.12.2024 is enclosed herewith as ANNEXURE- .

Stand of GNCTD before this Hon`ble Green Tribunal on the issue of  
extraction of ground water:

On the directions passed by this Hon`ble Tribunal in OA No. 685/2019 titled as "Rakesh Kumar vs Govt of NCT of Delhi", the Chief Secretary, Delhi has taken a meeting on 12.06.2020 and prepared a SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/ tubewells", for taking action on such illegal borewells. As per SOP (Annexure- .), following actions are required to be taken by different authorities of GNCTD:

- 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 Deputy Commissioner (Revenue) is required to supervise checking



violation i.e. detection of illegal wells and closure thereof.

- 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.
- 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.
- 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.

The above mentioned SOP in brief reveals that, the role of DPCC on the issue of illegal borewell is limited to impose EDC, Delhi Jal Board has to identify the illegal borewell and SDM concerned has to seal the borewell.

It is therefore requested to this Hon'ble Tribunal that the present status report may kindly be taken on record.



*[Signature]*  
DEPONENT

VERIFICATION:

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

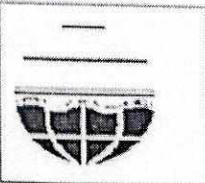
Verified at New Delhi on this \_\_\_ day of February, 2025.

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

*[Signature]*  
DEPONENT

17 FEB 2025

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DELHI POLLUTION CONTROL COMMITTEE  
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)  
5<sup>TH</sup> FLOOR, ISBT BUILDING, KASHIMERE GATE, DELHI-6  
( visit us at website : <http://dpcc.delhigovt.nic.in/> )

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DPCC/CMC-VII/C&amp;DProjects/PhysicalInspections/2711-2712

Date: 13/11/2024

To

The District Magistrate (Central),  
14, Darya Ganj,  
New Delhi-110002

Annexure-1 (copy)**Sub: Illegal extraction of ground water**

Sir,

Inspection of the construction site at address M/s SS Buildwell C/o Sh. Ranjit Singh Kohli, 43, Bungalow Road, Kamla Nagar, Delhi- 110007 was conducted by DPCC official on 25.10.2024. During the inspection one borewell was found installed in the premises for which no permission from the Competent Authority could be shown.

As per the SOP prepared and submitted to Hon'ble NGT in OA No.685/2019, concerned SDM may be asked to take necessary action for stoppage of unauthorized extraction of ground water by the occupier. Further, you are requested to send ATR in this regard.

Incharge, CFC-II

Dr. B.M.S. Reddy  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building,  
Kashmere Gate, Delhi, Delhi-110006

Copy to: Master file, CFC-II

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DELHI POLLUTION CONTROL COMMITTEE  
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)  
5<sup>TH</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6  
( visit us at website : <http://dpcc.delhigovt.nic.in/> )

7

DPCC/CMC-VII/C&amp;DProjects/PhysicalInspections/2308-2309

Date: 13/11/2024

To

The District Magistrate (Central),  
14, Darya Ganj,  
New Delhi-110002

Sub: Illegal extraction of ground water

Sir,

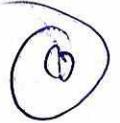
Inspection of the construction site at address M/s Specrtrum Construction Co. C/o Sh. R.D. Singh & Sh. Anil Bagai, 42A, Bunglow Road, Kamla Nagar, Delhi – 110007 was conducted by DPCC official on 25.10.2024. During the inspection one borewell was found installed in the premises for which no permission from the Competent Authority could be shown.

As per the SOP prepared and submitted to Hon'ble NGT in OA No.685/2019, concerned SDM may be asked to take necessary action for stoppage of unauthorized extraction of ground water by the occupier. Further, you are requested to send ATR in this regard.

Incharge, CFC-II

Copy to: Master file, CFC-II

Dr. B.M.S. Reddy  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building,  
Kashmere Gate, Delhi, Delhi-110006



By Speed Post

	<p><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>2<sup>nd</sup> FLOOR, C-BLOCK, VIKAS BHAWAN-II,</b>  <b>UPPER BELA ROAD, CIVIL LINES DELHI-54</b>          ( visit us at website : <a href="http://dpcc.delhigovt.nic.in/">http://dpcc.delhigovt.nic.in/</a> )</p>	
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File No. DPCC/CMC-VII/C&amp;DProjects/2710

Date: 13/11/2024

**Subject: Show Cause Notice for imposition of Environmental Compensation.**

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (1) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification No. GSR 106 (E) dated 20.02.1987.

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM<sub>2.5</sub> & PM<sub>10</sub>) is deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And Whereas, Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide various orders have directed Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environment pollution in Delhi and also fixed compensation to be paid for violation in terms of the section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

*Kaur*

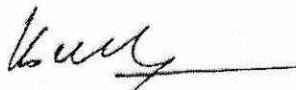
And whereas, the construction site at M/s Spectrum Construction Co. C/o Sh. R.D. Singh & Sh. Anil Bagai, 42A, Bungalow Road, Kamla Nagar, Delhi – 110007 (hereinafter referred as the Addressee) was inspected by the officials of DPCC on 25.10.2024 and the following observations/deficiencies were made wrt dust pollution control guidelines:

1. Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.
2. Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.
3. No wheel washing arrangement of vehicles was observed.
4. All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
5. No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance.
6. Unpaved surfaces and areas was not being adequately sprinkle with water to suppress dust.
7. No dust-mask on workers working in construction site.
8. No Arrangement for Medical Help present on site.
9. No dust mitigation measure were being displayed prominently at the construction site for easy public viewing
10. Illegal Ground water extraction for Commercial usage.
11. C&D site was not registered on DPCC dust portal.

Now therefore, in view of the above, you are hereby given an opportunity to submit your reply as to why Environmental Compensation (EC) of Rs. 3 lakhs should not be imposed on the addressee Project Proponent in view of the damage caused to the environment by the addressee PP without taking requisite dust pollution control measures and also extracting ground water without permission from the Competent Authority. Your reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the competent authority of DPCC shall be free to take action as proposed above. Further, you are required to rectify the deficiencies found during inspection and submit compliance report alongwith geo-tagged photos and shall not carry out construction till that time. This shall also be treated as an opportunity of being heard.

This issues with the approval of Member Secretary, DPCC.

To,  
M/s Spectrum Construction Co.  
C/o Sh. R.D. Singh & Sh. Anil Bagai,  
42A, Bungalow Road, Kamla Nagar, Delhi – 110007

  
Incharge, CFC-II

Dr. B.M.S. Reddy  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building,  
Kashmere Gate, Delhi, Delhi-110006

By Speed Post

	<p style="text-align: center;"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>2<sup>nd</sup> FLOOR, C-BLOCK, VIKAS BHAWAN-II,</b>  <b>UPPER BELA ROAD, CIVIL LINES DELHI-54</b>          ( visit us at website : <a href="http://dpcc.delhigovt.nic.in/">http://dpcc.delhigovt.nic.in/</a> )</p>	
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File No. DPCC/CMC-VII/C&amp;DProjects/2713

Date: 13/11/2024

**Subject: Show Cause Notice for imposition of Environmental Compensation.**

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification No. GSR 106 (E) dated 20.02.1987.

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM<sub>2.5</sub> & PM<sub>10</sub>) is deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And Whereas, Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide various orders have directed Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environment pollution in Delhi and also fixed compensation to be paid for violation in terms of the section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

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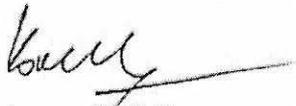
And whereas, the construction site at M/s SS Buildwell C/o Sh. Ranjit Singh Kohli, 43, Bunglow Road, Kamla Nagar, Delhi- 110007 (hereinafter referred as the Addressee) was inspected by the officials of DPCC on 25.10.2024 and the following observations/deficiencies were made wrt dust pollution control guidelines:

1. Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.
2. Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.
3. No wheel washing arrangement of vehicles was observed.
4. All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
5. No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance.
6. Unpaved surfaces and areas was not being adequately sprinkle with water to suppress dust.
7. No dust-mask on workers working in construction site.
8. No Arrangement for Medical Help present on site.
9. No dust mitigation measure were being displayed prominently at the construction site for easy public viewing
10. Illegal Ground water extraction for Commercial usage.

Now therefore, in view of the above, you are hereby given an opportunity to submit your reply as to why Environmental Compensation (EC) of Rs. 2 lakhs should not be imposed on the addressee Project Proponent in view of the damage caused to the environment by the addressee PP without taking requisite dust pollution control measures and also extracting ground water without permission from the Competent Authority. Your reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the competent authority of DPCC shall be free to take action as proposed above. Further, you are required to rectify the deficiencies found during inspection and submit compliance report alongwith geo-tagged photos and shall not carry out construction till that time. This shall also be treated as an opportunity of being heard.

This issues with the approval of Member Secretary, DPCC.

To,  
M/s SS Buildwell C/o Sh. Ranjit Singh Kohli,  
43, Bunglow Road,  
Kamla Nagar, Delhi- 110007

  
Incharge, CFC-II

Dr. B.M.S. Reddy  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building,  
Kashmere Gate, Delhi, Delhi-110006

By Speed Post

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File No. DPCC/CMC-VII/C&amp;DProjects/ 5032

Date: 30-12-24

**Subject: Direction for imposition of Environmental Compensation - reg.**

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification No. GSR 106 (E) dated 20.02.1987.

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM<sub>2.5</sub> & PM<sub>10</sub>) is deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And Whereas, Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide various orders have directed Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environment pollution in Delhi and also fixed compensation to be paid for violation in terms of the section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

And whereas, the construction site at M/s SS Buildwell C/o Sh. Ranjit Singh Kohli, 43, Bunglow Road, Kamla Nagar, Delhi- 110007 (hereinafter referred as the Addressee) was inspected by the officials of DPCC on 25.10.2024 and the following observations/deficiencies were made wrt dust pollution control guidelines:

1. Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.

*Kaur*

2. Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.
3. No wheel washing arrangement of vehicles was observed.
4. All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
5. No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance.
6. Unpaved surfaces and areas was not being adequately sprinkle with water to suppress dust.
7. No dust-mask on workers working in construction site.
8. No Arrangement for Medical Help present on site.
9. No dust mitigation measure were being displayed prominently at the construction site for easy public viewing
10. Illegal Ground water extraction for Commercial usage.

And whereas, SCN proposing Environmental Compensation of Rs 2,00,000/- (Two Lakh Only) was issued to you vide letter dated 13.11.2024 through speed post. The addressee have submitted the reply of the said Show Cause Notice vide letter dated 25.11.2024 and same is found not satisfactory.

In view of above, the competent authority in DPCC has decided to impose Environmental Compensation of Rs 2,00,000/- (Two Lakh Only).

Now, therefore you are hereby directed to deposit an amount of Rs 2,00,000/- (Two Lakh Only) as Environmental Compensation in the form of Banker's cheque/Demand Draft or through RTGS/online system in Account No. 40071442347(IFSC Code: SBIN0005715) (Bank & Branch: State Bank of India, Kashmere Gate, Delhi-110006) in favour of Delhi Pollution Control Committee or DPCC within 15 days.

This issues with the approval of the Chairman, DPCC

  
Incharge, CFC-II

To,  
M/s SS Buildwell C/o Sh. Ranjit Singh Kohli,  
43, Bunglow Road,  
Kamla Nagar, Delhi- 110007

Annexure 3

(14)

By Speed Post

	<p><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>2<sup>nd</sup> FLOOR, C-BLOCK, VIKAS BHAWAN-II,</b>  <b>UPPER BELA ROAD, CIVIL LINES DELHI-54</b>  <b>( visit us at website : <a href="http://dpec.delhigovt.nic.in/">http://dpec.delhigovt.nic.in/</a> )</b></p>	
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File No. DPCC/CMC-VII/C&amp;DProjects/ 2730

Date: 13/11/2024

**Subject: Direction for Compliance of GRAP Stage-I**

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (1) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification No. GSR 106 (E) dated 20.02.1987.

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM<sub>2.5</sub> & PM<sub>10</sub>) is deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And Whereas, Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide various orders have directed Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environment pollution in Delhi and also fixed compensation to be paid for violation in terms of the section 15 of the National Green Tribunal Act, 2010 for polluting the environment.



And whereas, inspection of your construction site of M/s Spectrum Construction Co. C/o Sh. R.D. Singh & Sh. Anil Bagai, 42A, Bunglow Road, Kamla Nagar, Delhi – 110007 was carried out by the officials of DPCC on 25.10.2024 and found that the plot is more than 500 Sqm and the site has not been registered on Dust Portal of DPCC, which is in violation of CAQM directions as well as the directions of GRAP Stage-1.

Now therefore, you are hereby directed to stop construction at the above-mentioned site and not to restart construction till you register yourself on the Dust Portal of DPCC.

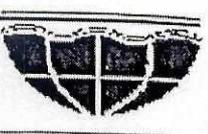
Violation of the abovesaid direction shall attract strict action as per the applicable provisions.



Incharge, CFC-II

To,  
M/s Spectrum Construction Co.  
C/o Sh. R.D. Singh & Sh. Anil Bagai,  
42A, Bunglow Road,  
Kamla Nagar, Delhi – 110007

By Speed Post

	<p><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>2<sup>nd</sup> FLOOR, C-BLOCK, VIKAS BHAWAN-II,</b>  <b>UPPER BELA ROAD, CIVIL LINES DELHI-54</b>          ( visit us at website : <a href="http://dpcc.delhigovt.nic.in/">http://dpcc.delhigovt.nic.in/</a> )</p>	 <p><b>LIFE</b>          Lifestyle for          Environment</p>
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File No. DPCC/CMC-VII/C&amp;DProjects/ 5031

Date: 30-12-24

**Subject: Direction for imposition of Environmental Compensation - reg.**

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee vide notification No. S.O. 198 (E) dated 15.03.1991.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification No. GSR 106 (E) dated 20.02.1987.

Whereas, Delhi is facing air pollution above the prescribed levels and the air quality w.r.t. levels of pollutants like Particulate Matter (PM<sub>2.5</sub> & PM<sub>10</sub>) is deteriorating thereby affecting public health. Activities related to construction and demolition have been identified as one of the major sources of air pollution and continuation of such activities without proper dust pollution control measures aggravate the situation.

And Whereas, Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide various orders have directed Government of NCT of Delhi to initiate steps to curb dust pollution. The Hon'ble National Green Tribunal has passed certain directions for controlling environment pollution in Delhi and also fixed compensation to be paid for violation in terms of the section 15 of the National Green Tribunal Act, 2010 for polluting the environment.

And whereas, the construction site at M/s Spectrum Construction Co. C/o Sh. R.D. Singh & Sh. Anil Bagai, 42A, Bunglow Road, Kamla Nagar, Delhi - 110007 (hereinafter referred as the Addressee) was inspected by the officials of DPCC on 25.10.2024 and the following observations/deficiencies were made wrt dust pollution control guidelines:

1. Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.

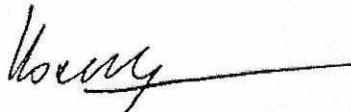
2. Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.
3. No wheel washing arrangement of vehicles was observed.
4. All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.
5. Grinding and cutting of building materials in open area .Wet jet not be used in grinding and stone cutting
6. Loose soil and construction & demolition waste and many other construction material that cause dust were left uncovered.
7. Unpaved surfaces and areas was not being adequately sprinkle with water to suppress dust.
8. No dust-mask on workers working in construction site.
9. No dust mitigation measure were being displayed prominently at the construction site for easy public viewing
10. Illegal Ground water extraction for Commercial usage.
11. C&D site was not registered on DPCC dust portal.

And whereas, SCN proposing Environmental Compensation of Rs 3,00,000/- (Three Lakh Only) was issued to you vide letter dated 13.11.2024 through speed post. The addressee has not submitted any reply of the said Show Cause Notice.

In view of above, the competent authority in DPCC has decided to impose Environmental Compensation of Rs 3,00,000/- (Three Lakh Only).

Now, therefore you are hereby directed to deposit an amount of Rs 3,00,000/- (Three Lakh Only) as Environmental Compensation in the form of Banker's cheque/Demand Draft or through RTGS/online system in Account No. 40071442347(IFSC Code: SBIN0005715) (Bank & Branch: State Bank of India, Kashmere Gate, Delhi-110006) in favour of Delhi Pollution Control Committee or DPCC within 15 days.

This issues with the approval of the Chairman, DPCC

  
Incharge, CFC-II

To,  
M/s Spectrum Construction Co.  
C/o Sh. R.D. Singh & Sh. Anil Bagai,  
42A, Bunglow Road, Kamla Nagar, Delhi - 110007

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 18<sup>th</sup> May, 2010 and on 10<sup>th</sup> 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.
- 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.
- 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.

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