

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 3rd Floor, Block-1, DMRC IT Park, Shastri Park, Delhi-110053 visit us at : http://dpcc.delhigovt.nic.in	By Speed Post 
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F. No. DPCC/(10)(10)(48)/Leg-24/ 391-93
To,

Dated: 21/05/2025

M/s Sh. Munnavar Ali,
D-23/4, Gali No. 16, Chauhan Banger,
Main Road, Brahampuri,
Delhi-110053.

Subject: Order for imposition of Environmental Compensation (EC).

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.

Whereas, Hon'ble NGT vide its order dated 09.07.2024 in the matter of "Mohd Danish Vs GNCTD" constituted a joint committee comprising of District Magistrate North-East Delhi and Delhi Pollution Control Committee (DPCC) to look into the matter and take appropriate preventive, prohibitive, punitive and remedial action in case of violation.

Whereas, in compliance of Hon'ble NGT order, a joint inspection team comprising of officials of SDM (Seelampur) and DPCC visited alleged site (house at D-23, Gali No. 16, Chauhan Banger, Main Road, Brahampuri, Delhi-110053) and conducted an inspection on 06.09.2024. One number of borewell found at the corner plot i.e. D-23/4. Owner of the plot (Sh. Munnavar Ali) was present during the joint inspection. Permission for borewell was not furnished/ presented by unit owner.

Whereas, Central Pollution Control Board (CPCB) has framed guidelines for Assessing of Environmental Compensation with respect to illegal extraction of Ground Water vide its "In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund".

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.

Whereas, in compliance of stipulated guidelines of CPCB, a Show Cause Notice (F.No. DPCC/(10)(10)(48)/Leg-24/6246-47) dated 17.03.2025 (copy enclosed) for imposition of EC of Rs. 35,064/- was issued to M/s Sh. Munnavar Ali, D-23/4, Gali No. 16, Chauhan Banger, Main Road, Brahampuri, Delhi-110053.

Whereas, your reply is received on 18.04.2025 wherein you (the addressee) has contended that you have not been heard by the DPCC at any point of time which is against the principle

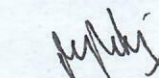
of natural justice, equity and good conscience. It is also stated that the sealed borewell, installed 8-9 years ago, was not operational because it did not yield water, and as such, requested waiver of the Environmental Compensation (EC).

Whereas, in the present case, you the addressee had earlier submitted that the borewell was operated for 10 minutes per day, approximately 4 to 5 days per week over a period of 8 to 9 years. The statement is part of the Inspection report dated 06.09.2024 which is duly signed by you voluntarily. Therefore, the statement in the reply that the borewell was not used at all is incorrect and an afterthought just to avoid penal action. So, your denial is hit by the principle of Estoppel.

Whereas, as per the principle of Natural Justice, Show Cause Notice was issued to you (the addressee) and thus got the opportunity to present your case through reply dated 08.04.2025 which is being considered before initiating action. Therefore, the statement that you not have been given an opportunity of being heard and that principles of Natural Justice are violated is infructuous and not supported by facts of the case. Further, the claim of you (the addressee) that the tenant has been evicted is irrelevant as the Show Cause Notice is issued in your name and you are filing the reply to SCN on factual as well as legal aspect.

In view of above and after due consideration of your representation dated 08.04.2025, the competent authority has decided to impose Environment Damage Compensation (EDC) of Rs. 35,064/- (**Rupees Thirty Five Thousand Sixty Four only**) on you (addressee unit). Therefore, you (the addressee) is hereby directed to deposit the EDC of Rs. 35,064/- (**Rupees Thirty Five Thousand Sixty Four only**) compulsorily through Demand Draft (DD) in favour of "Delhi Pollution Control Committee" payable at Delhi within 15 days of issue of this order failing which action shall be taken as per Law.

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



M.S. Rawat

SEE, CFC-I

msrawat.dpcc@nic.in

Copy to:

1. **The SDM Seelampur, New Seelampur, GT Road, Delhi-110053.**
2. **Incharge, IT Cell for uploading on website of DPCC.**
3. **Master file, CFC-I.**