

Reminder
By Speed Post



F. No. DPCC/CMC-VII/C&D Drive/E-133370/2022/6440-42 Dated: 16-9-22

Subject: Reminder Show Cause Notice (SCN) in relation to SCN for imposition of EC dated 21.11.2022.

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

And whereas, Central Pollution Control Board has delegated all its powers and functions under Air (Prevention and Control of Pollution) Act, 1981 in respect of NCT 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.

And whereas, Delhi faces grave air pollution particularly in winter season and level of pollutants like Particulate Matter Concentration (PM_{2.5} and PM₁₀) goes much beyond the prescribed standards for Ambient Air Quality.

And whereas, the Commission for Air Quality Management in NCR and adjoining areas has repeatedly taken up the matter relating to air pollution with Government of NCT of Delhi and various organizations and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR from time to time.

And whereas, you, **Sh. Sushil Sehgal (Builder), 6/1, Roop Nagar, Delhi - 110007** (hereinafter referred as addressee) were operating a construction site at the said address and engaged in the running of Construction & Building Project.

And whereas, an inspection of the aforesaid site was conducted by DPCC officials on 15.10.2022 and it was observed that you are violating the dust pollution mitigation norms. During the inspection, the following observations/deficiencies were found:-

- i. Site was found operational without registration on Dust portal as the plot area of the unit is 920 sq. m. as informed by the builder.
- ii. Dust/Wind breaking walls of appropriate height around the periphery of the construction site was not provided.
- iii. Tarpaulin or green net on scaffolding around the area under construction and the building was not provided.
- iv. Construction material was stored on public foot path and on the road.
- v. Loose construction material left uncovered on site.
- vi. Unpaved surface with loose soil left unsprinkled.

And whereas, Show Cause Notice (SCN) for imposition of Environmental Damage Compensation (EDC) of Rs. 1,00,000/- (Rupees One Lakh Only) dated 21.11.2022 (copy enclosed) was issued to you.

And whereas, you, the addressee, have neither submitted any reply nor deposited the EC till date.

Cont.

And whereas, case of your unit was placed before the Competent Authority in Delhi Pollution Control Committee and it has been decided to issue a reminder Show Cause Notice.

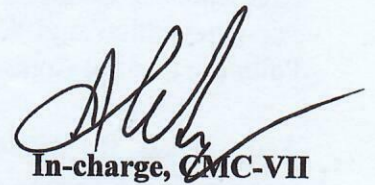
Now therefore as per "Polluter Pays Principle" and DPCC EDC policy dated 30.03.2022, the following direction are hereby proposed to be issued:

1. That EDC of Rs. 1,00,000/- (Rupees One Lakh Only) shall be imposed following 'Polluter Pays Principle' and DPCC EDC policy dated 30.03.2022.

Hence, by way of this notice, you are hereby given one more opportunity to submit your reply as to why the aforesaid proposed direction of EDC of Rs. 1,00,000/- (Rupees One Lakh Only) should not be confirmed. Your reply should reach to this office within 15 days from date of issuance of this Show Cause 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. This may also be treated as last opportunity of being heard.

This is being issued as per the approval of the Competent Authority, Delhi Pollution Control Committee.

Encl: As above


In-charge, CMC-VII

To,

Sh. Sushil Sehgal (Builder),
6/1, Roop Nagar,
Delhi - 110007

Copy to: -

1. In-charge, IT Cell, DPCC – with request to upload on DPCC website.
2. Master File, CMC-VII

By Speed Post

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in
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F. No. DPCC/CMC-VII/C&DDrive/E-133370/2022 / 987-88 Dated: 21-11-22

Sub: SCN for imposition of Environmental Compensation (EC)-reg.

Whereas, Delhi is facing severe ambient air pollution levels and level of pollutants like particulate matter (PM-2.5 & PM-10) has gone up multifold.

Whereas, Hon'ble National Green Tribunal passed orders dated 14.12.2014, 10.04.2015 and 20.07.2016 in O.A. No. 21 of 2014 and in MA No. 360 of 2016 in the matter of Vardhman Kaushik vs. Union of India & others and Sanjay Kulshreshtha Vs Union of India & Ors observing that it primarily results from demolition and construction activity going on in NCR Delhi.

Whereas, Hon'ble National Green Tribunal (NGT) vide above said orders dated 14.12.2014, 10.04.2015 and 20.07.2016 issued certain directions in respect of air pollution from dust resulting from demolition and construction activity.

Whereas, public notice dated 08.05.2015 was issued notifying mandatory strict adherence to and compliance of the directions contained in the order of Hon'ble Tribunal as well as MoEF Guidelines, 2010 in relation to precautions required to be taken while carrying on construction & demolition.

Whereas, copy of NGT orders dated 04.12.2014, 10.04.2015, copy of MoEF guidelines 2010 and copy of notice issued were made available at the DPCC website as well for general awareness of the stake holders.

And whereas, you, **Sh. Sushil Sehgal (Builder), 6/1, Roop Nagar, Delhi - 110007** (hereinafter referred as addressee) are operating construction site at the above said address & engaged in the running of **Construction & Building Project**.

And whereas, the aforesaid Construction & Building Project was inspected by DPCC officials on 15.10.2022 to check the compliance w.r.t dust pollution control measures and following discrepancies were observed:-

- i. Site found operational without registration on Dust portal as the plot area of the unit is □920 sq. m. as informed by the builder.
- ii. Dust/Wind breaking walls of appropriate height around the periphery of the construction site are not provided.
- iii. Tarpaulin or green net on scaffolding around the area under construction and the building are not provided.
- iv. Loose construction material left uncovered on site.
- v. Construction material is store on public foot path and road.
- vi. Unpaved surface with loose soil left unsprinkled.

Now, therefore, the Competent Authority in DPCC in exercise of powers conferred upon it u/ s 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 as amended to date has decided to issue the following proposed directions:

1. That the addressee shall deposit **Environment Compensation (EC) of Rs. 1,00,000/- (Rupees One Lakh Only)** for non-compliance of the guidelines issued by DPCC for dust pollution control and operating without consent to operate under Water Act 1974 & Air Act, 1981.

By way of this notice you the addressee are hereby called upon to show cause as to why the above said direction should not be confirmed. Your reply if any should be submitted with Delhi Pollution Control Committee **within 15 days** from the service of this Show Cause Notice along with compliance report.

Failure to comply with the above directions will attract penal action under the provisions of the Water Act, 1974 and Air Act, 1981.

This is being issued with the approval of Competent Authority.


Sr. Env. Engineer
CMC-VII

Sh. Sushil Sehgal (Builder),
6/1, Roop Nagar,
Delhi – 110007

Copy to:

1. Master File (CMC-VII).