

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

M.A. No. 64/2024
In
Original Application No. 581/2023

Tribunal on its motion

Date of hearing: 16.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This MA has been registered on the basis of the report submitted by the Delhi Pollution Control Committee (DPCC) in pursuance to the order of the Tribunal dated 07.11.2023 in OA No. 581/2023.

2. In the OA, registered on the basis of the letter petition, the Applicant had raised the grievance that a Johar (pond) in Khasra No. 1706 Village Arya Nagar, New Delhi was being filled up with garbage, dumping material, raw material and was losing its identity as the pond.

3. The Tribunal by order dated 07.11.2023 had disposed of the OA directing the Member Secretary, DPCC to get the spot inspection done, ascertain the correct position and if required, take appropriate action and submit a report before the Registrar General of the Tribunal. There was a further direction to list the matter before the Court, if found necessary.

4. The report dated 12.03.2023 has been submitted by the DPCC and the findings on spot inspection as contained in the report is as under:

“2. That, in compliance to the order, an inspection of the site was carried out on 02.02.2024 by the DPCC officials. During the inspection, it was observed that:

- *Plastic waste such as bottles and polythene were found floating in the pond. Garbage was also found dumped in the pond. It seems the local people who are living nearby the pond, are dumping their waste in the pond illegally.*
- *There is a park which is maintained by MCD just adjacent to the pond wherein cow dungs and garbage were observed. The local enquiry revealed that some people washing their cows/cattle in the park and discharged all the waste water into the pond.*
- *The local enquiry informed that that there is no sewerage system in the locality. Also, it is observed that there is an open drain beside the pond from which the sewage is directly discharged into the pond.*
- *Lots of Garbage was also found dumped at the entrance of the park which may ultimately falls into the pond.*
- *There is no Malba, Construction and demolition waste was observed near the pond. Local people informed that around 1 year ago MCD had got the work done to maintain the park and got installed the railing surrounding the pond.”*

5. The above report reveals clear violation of the environmental norms and throwing of garbage in the pond and nearby park. Hence, we implead the following as respondents in this MA:

- (1). Member Secretary, DPCC.
- (2). Commissioner, MCD.
- (3). Vice-Chairman, DDA.
- (4). Member Secretary, Delhi Wetland Authority.

6. Let notice be issued to above respondents for filing their reply in the form of affidavit atleast one week before the next date of hearing.

7. List on 29.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 16, 2024
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