

**BEFORE THE PRINCIPAL BENCH,
NATIONAL GREEN TRIBUNAL, NEW DELHI
Original Application No. 100/2019**

IN THE MATTER OF:

Surender Pal Verma

..... Applicant

VERSUS

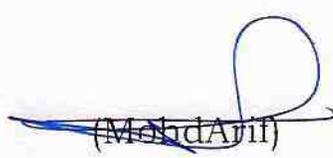
Ministry of Public Works Department &Ors.

... Respondents

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Filed by:


(Mohd Arif)

Senior Environmental Engineer
(Delhi Pollution Control Committee)

Respondent

New Delhi

Dated:

①

**BEFORE THE PRINCIPAL BENCH,`
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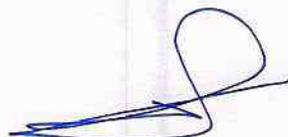
VERSUS

Ministry of Public Works Department &Ors. ... Respondents

**ADDITIONAL ACTION TAKEN REPORT ON BEHALF OF DELHI
POLLUTION CONTROL COMMITTEE**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this additional Action Taken Report is being filed in addition to the compliance affidavit dated 12.03.2019 and additional Action Taken Report dated 29.07.2019 & 21.10.2019 already filed before this Hon'ble NGT.
2. That PWD has informed on 20.11.2019 that the RCC drain work is likely to be completed within this month. The other related works like dressing of surface and repair of boundary wall will also be completed simultaneously, after lifting of ban for construction work by Hon'ble Supreme Court. (Copy of Action Taken Report alongwith photographs are herewith marked and annexed as **Annexure-A**)
3. That Delhi Urban Shelter Improvement Board (DUSIB) has informed on 14.11.2019, that following actions have been taken by it.



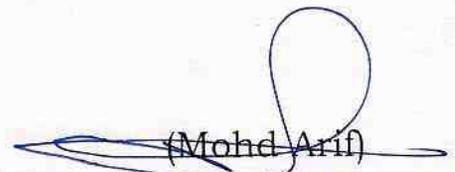
a. A proposal has been sent to Urban Development Department of Delhi Govt. seeking necessary approval as an special case for transferring the requisite fund to DJB amounting to Rs. 297.85 Lacs as demanded by DJB for carrying out the work of Trapping and conveyance from PWD Drain up to DJB's Trunk sewer and construction of sewage pumping station.

b. Delhi Development Authority was requested by Chief Engineer-II (DUSIB) on 09.10.2019 for handing over a piece of land measuring about 500sqm. in DDA park 8A Block, Trilokpuri as identified/ selected by DJB for construction of sump and sewage pumping station for the treatment of sewage coming in PWD Drain from that area.

(Copy of letter received from DUSIB is herewith marked and annexed as **Annexure-B**)

4. That the Veterinary Services Department, EDMC has informed on 27.11.2019 and 27.09.2019 that regular inspections of the piggery rearing sites at Trilokpuri were carried out including on 19.09.2019 and 25.09.2019, however no case of pigs slaughtering was reported

(Copy of Action Taken Report from EDMC is herewith marked and annexed as **Annexure-C**)


(Mohd Arif)

Senior Environmental Engineer
(Delhi Pollution Control Committee)

New Delhi

Dated: 28/11/2019

Annexure - A

Delhi Pollution Control Committee

Duty No.

22 NOV 2019

Sign of Receiving Officer

C/M/S



राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
लोक निर्माण विभाग

PUBLIC WORKS DEPARTMENT

कार्यालय कार्यपालक अभियंता

Office of Executive Engineer

लोक निर्माण विभाग सिसअनुम-ईस्ट रोड(एम-212),

Public Works Department, CRM Division East Road(M-212),

रमेश पार्क, नियर शककरपुर थाना, पुस्ता रोड, दिल्ली-110092

Ramesh Park, Near Shakarpur Police Station, Pusta Road, Delhi-110092

☎ 011-21210380 & ☎ 011-21210381 Email:- eepwddelhim212@gmail.com



पत्रांक:- 70DB(III)/लो0नि0वि0/एम-212/3012

दिनांक :- 20/11/19

सेवा में,

Sh. Mohd. Arif

Incharge-CMC-I

Delhi Pollution Control Committee

Govt. of NCT of Delhi

4th & 5th floor, ISBT Building

Kashmere Gate, Delhi-06

~~MS/10/19~~
~~गुप्त~~

Delhi Pollution Control Committee
62914
22 NOV 2019
M/C MCI
Receiving Officer

विषय:- Surender Pal Verma Vs Ministry of Public Works Department & Ors
vide Original Application No.100/2019(IA No.50/2019 and IA No.51/2019.

संदर्भ:- This office letter No. 70DB(III)/PWD/M-212/2549 dated 03.10.2019

With reference to the above, the RCC drain work has almost been completed and the likely to be completed within this month. The other related works like dressing of surface and repair dwarf of boundry wall will also be completed simultaneously. After lifting of ban for construction work by Hon'ble Supreme Court. The related current photographs are enclosed for your kind consideration please.

Encl:- As Above

~~MS/10/19~~
25/11/19

2991/CMCI
25/11/19

कार्यपालक अभियंता
लो.नि.वि. अनुम ईस्ट रोड(एम-212)
रमेश पार्क, दिल्ली

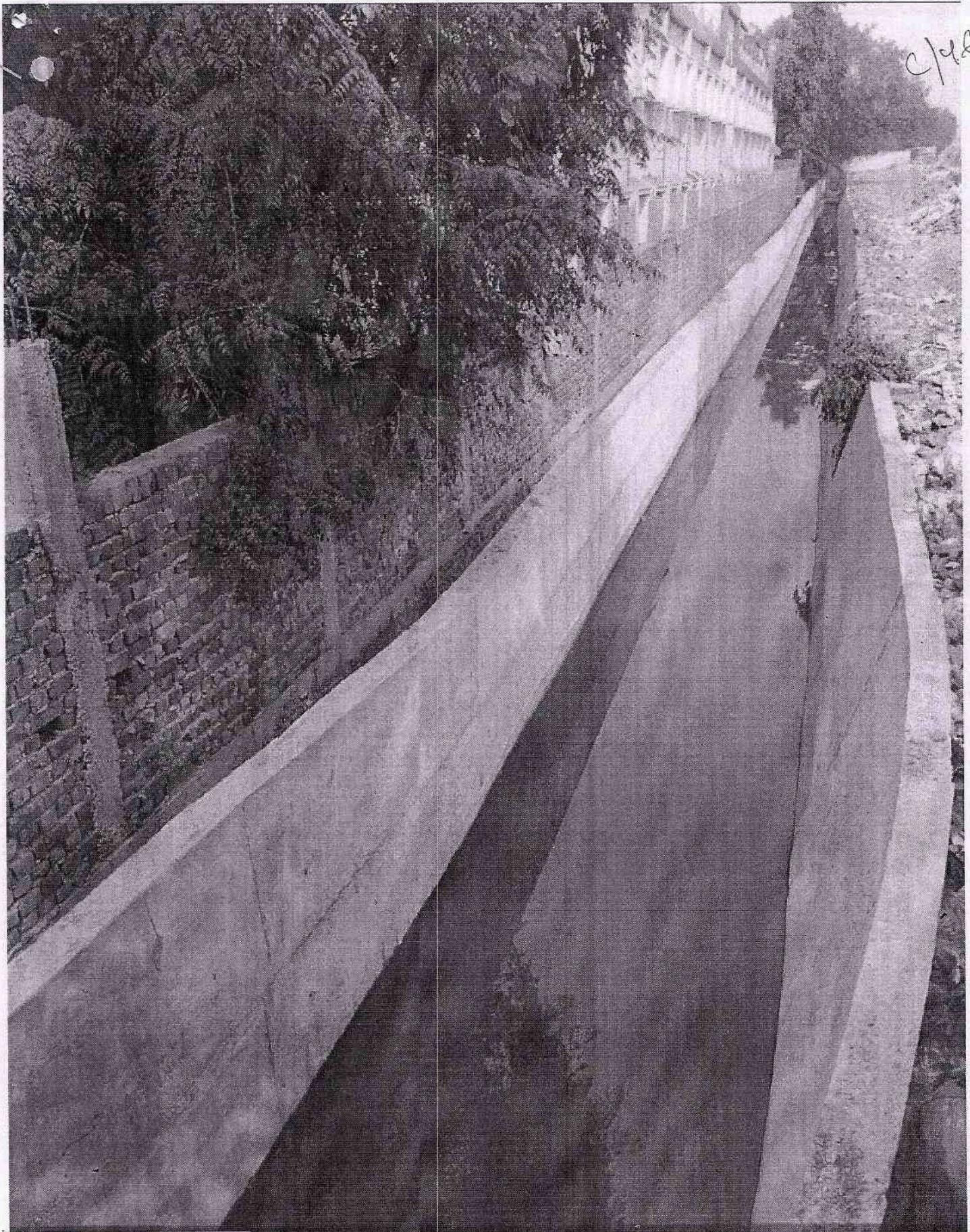
प्रतिलिपि प्रेषित:-

1. अधीक्षण अभियंता, लो.नि.वि, स.अनु.परि0 एम-22, द्वितीय तल, दिल्ली सचिवालय, नई दिल्ली को सूचनार्थ हेतु।
2. सहायक अभियंता, लो0नि0वि0, स0अनु0उपमंडल ईस्ट रोड-3, दिल्ली को सूचनार्थ व आवश्यक कार्यवाही हेतु।

कार्यपालक अभियंता

4

C/1869

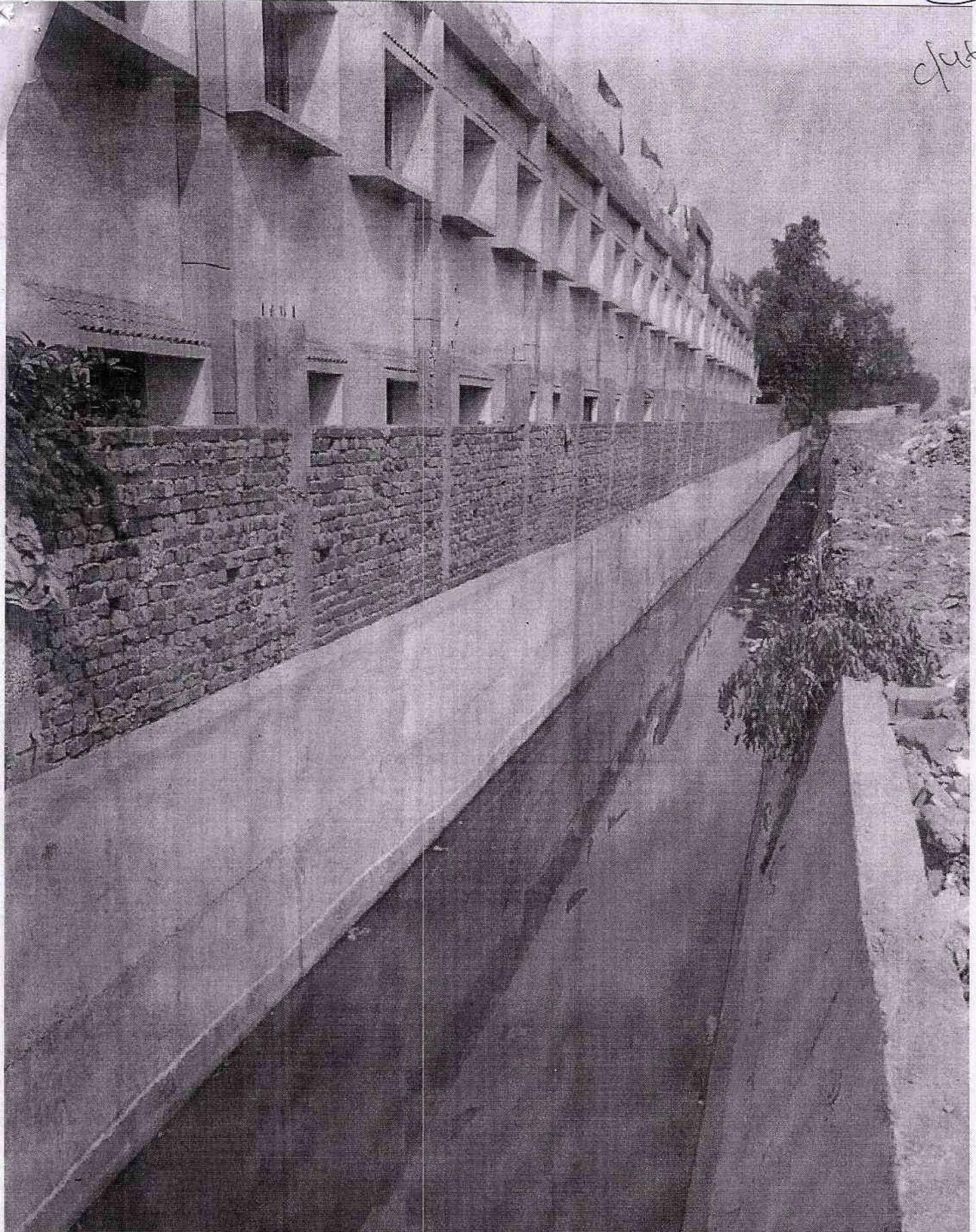


87, Ghazipur Road, Chilla, Chilla
Sarda Bangar Village, Mayur Vihar,
New Delhi, Delhi 110091, India

Smoke

3

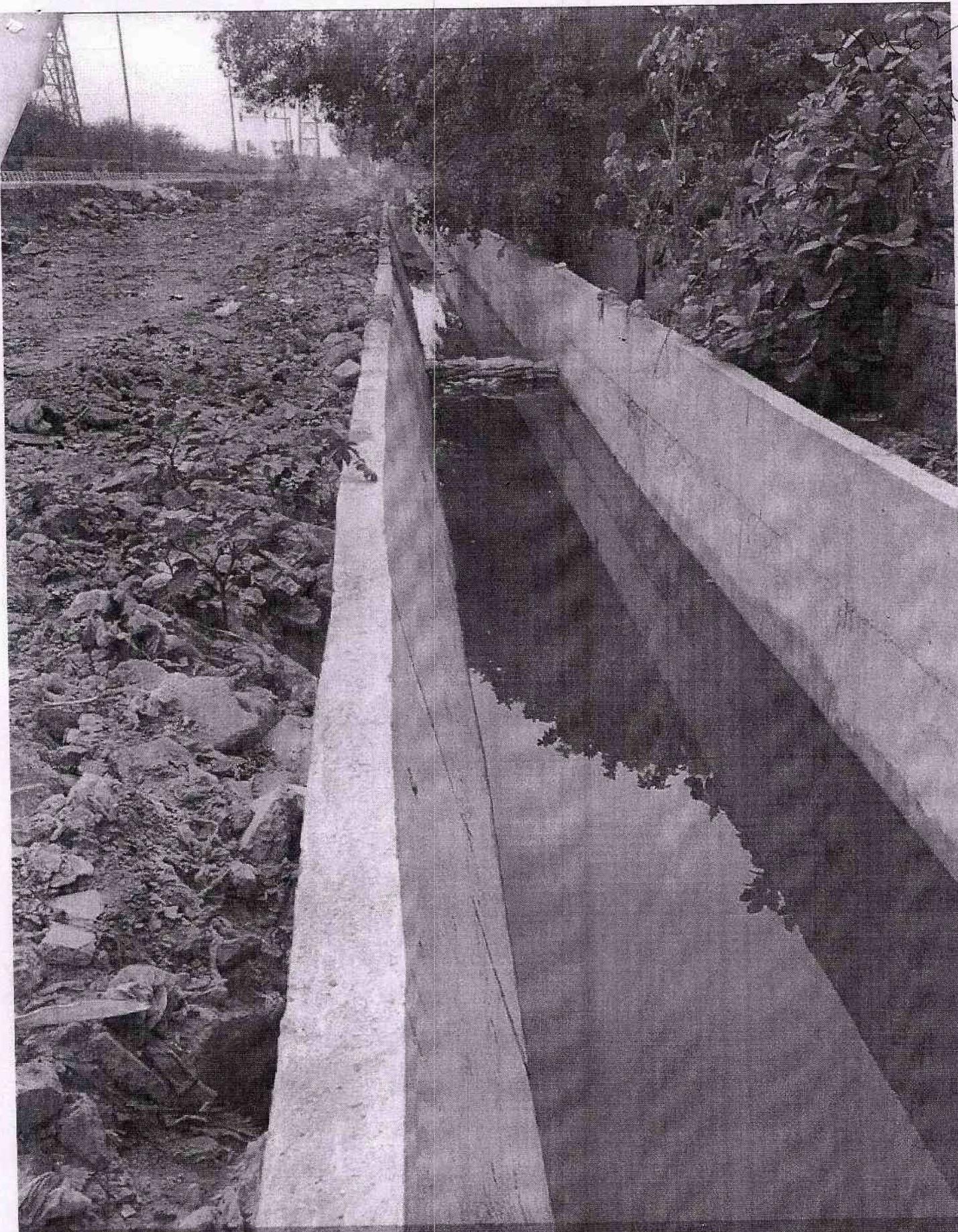
C/467



87, Ghazipur Road, Chilla, Chilla
Sarda Bangar Village, Mayur Vihar,
New Delhi, Delhi 110091, India

Smoke

6



10/88, Ghazipur Road, Subhash
Market, Block 9, Part 1, Trilokpuri,
New Delhi, Delhi 110091, India



Smoke



10/88, Ghazipur Road, Subhash
Market, Block 9, Part 1, Trilokpuri,
New Delhi, Delhi 110091, India



Smoke

C/10/23

DELHI URBAN SHELTER IMPROVEMENT BOARD

Government of National Capital Territory of Delhi

OFFICE OF THE CHIEF ENGINEER-II

Ce2.dusib@gmail.com

Punarwas Bhawan, I.P. Estate, New Delhi-110002

No. D-91/CE-II/Coordu/DUSIB/2019

Dated: 06/11/2019

To,

Member (Drainage)
Delhi Jal Board
Govt. of NCT of Delhi,
Varunalaya Ph-II, Jhandewalan,
New Delhi-110005.

Delhi Pollution Control Committee
Dairy No. 61933
11 NOV 2019
Sign: of Receiving Officer

Subject: Reply/comments on the notice issued under section 33(1) A&B of Delhi Water Board Act. 1988 regarding discharge of untreated sewerage and waste water from Indira Camp JSC, Trilokpuri.

Reference: 1. Issued from your office vide letter no. DJB/M(Dr.)/2019/497 dated: 25.09.2019.

With reference to above cited subject point wise reply/statement of fact is as under:

- The notice issued to the CEO(DUSIB) under the referred section 33(A&B) Water Board Act. 1998 seems arbitrary and illegal as it is issued without knowing the facts.

As per the DUSIB Act, 2010 DUSIB is primarily carrying out the rehabilitation of JJ dwellers and implementation the scheme regarding improvement of JJ Basti.

These scheme of improvement of JJ Basti area as per the approved plan of DUSIB for which necessary funding is received from the Govt. of NCT of Delhi. The following activities are undertaken in these plan Schemes.

1. Environment Improvement in Urban Slums: Providing cement concrete pavements in lanes and drains.
2. Pay & Use JSC: Providing community toilet complexes to curb the open defecation.
3. Basti Vikas Kendra: Small size temporary halls for social activities by NGOs for the welfare of the slum dwellers of JJ Basti.
4. Shishu Vatika: To undertaken development of small parks in JJ Basti for children of JJ dwellers.

380
2835/CMC II
14/11/19

15/11/19
E.E. (G.H. SKR)

C/472

Besides above, the respective agencies are providing services and facilities as under:

1. Drinking water: Delhi Jal Board is providing potable water through hydrants, tankers and individual connections wherever feasible.
2. Electricity: DISCOMS are providing street lightings and individual electric connections.
3. Sanitation: Cleaning, scavenging and de-silting of drains and solid waste management is done by respective DMCs.

The above contention has already been endorsed by CEO (DUSIB) vide D.O. No. D-33/CE(Coord.)/DUSIB/2019 dated: 10.05.2019 to Pr. Secretary UD Govt. NCT of Delhi (Copy Annexed 'A').

Accordingly DUSIB has provided small brick masonry storm water drain in the lanes of this JJ basti which is a unplanned growth on Govt. land and zig zag drain are provided on both/single sides of the narrow lanes to drain out liquid waste and connecting the same to regular drain maintained by ULBs. DUSIB has never allowed any dweller to make any insanitary latrine and its connection to open surface drains constructed by the department.

For providing toilet facilities a community toilet complex/Jan Suvidha Complex (20 seater) for the use of dwellers has been constructed by the department and the same is being used by the dwellers free of cost 24x7 as per the decision taken in 19th board meeting w.e.f. 01.01.2018. However, in future, if any necessity is noticed for the augmentation of toilet facility, the same shall be made by the department in future. So the direction issued under the notice for construction of additional community toilet shall only be complied if necessitated in that JJ Basti.

The services of this colony i.e. cleaning, sweeping, desilting etc. are being maintained by EDMC, so the action on account of any violation of the services as well as against the construction of insanitary latrine is required to be taken by EDMC under DMC Act. 1957.

As such, DUSIB cannot be made responsible for not having any sewage system and the treatment of sewage if unauthorizedly/illegally coming from the JJ Cluster.

- In prima facie the proposal for taking over land DDA under the provision in section 14 of DUSIB Act. not seems feasible under this Act. we may use the land only for temporary purpose if it is vacant. In this instant case, the proposed work for construction of sump and sewage pumping station cannot be considered purely temporary as well as the land piece as identified by DJB is presently under the use of residents of DDA Janta Flats.

4/11/19

However, as per the direction issued in the meeting held on 27.09.2019, Chaired by Chief Secretary Govt. of NCT of Delhi, to discuss the issues regarding treatment of untreated sewage from Indira Camp Trilokpuri, JJ Cluster in reference to direction of Hon'ble NGT dated: 31.07.2019 in OA No. 100 of 2019 titled Surender Pal Verma V/s Ministry of PWD and Others, and further conveyed vide minutes of the meeting from the office of Delhi Pollution Control Committee vide letter no. F. No. DPCC/CMC-I/2019/2830-2837 dated: 09.10.2019, following action has been taken by this office.

1. A proposal has been sent to UD Department of Delhi Govt. for accord of necessary approval as an special case for transferring the requisite fund to DJB under the head of EJUS for amounting to Rs. 297.85 Lacs as demanded by DJB for carrying out aforesaid work .
2. Request letter to Principal Commissioner (Land & Management), Delhi Development Authority has been issued by Chief Engineer-II (DUSIB) on 09.10.2019 for handing over a piece of land measuring about 500sqm. in DDA park 8A Block, Trilokpuri as identified/ selected by DJB for construction of sump and sewage pumping station for the treatment of sludge coming in PWD Drain from that area (Copy Annexed 'B').

However you are requested to take up the matter with DDA for the early handing over of the site so that, you may be able to execute the work as per their time frame mentioned in the action plan as submitted from the office of Chief Engineer (East). DJB to Member Secretary Delhi Pollution Control Committee vide their letter no. DJB/CE(East)/2019/521 dated: 30.09.2019

In light of the above facts and circumstances the notice issued under section 33(1) A&B of Delhi water Board Act. 1988 regarding discharge of untreated sewerage and waste water from Indira Camp JSC, Trilokpuri may kindly be withdrawn.

Encl: as above

S.K. Mahajan
 06.11.19
 S.K. Mahajan
 CE-II/DUSIB

C/420

Copy to:

1. Staff Officer of Chief Secretary Delhi Govt. for kind information.
2. CEO (DUSIB) for kind information.
3. CE (East) DJB, with request to incorporate necessary amendment in the action plan submitted Member Secretary DPCC vide letter no. DJB/CE(East)/2019/521 dated: 30.09.2019.
- ✓ 4. In charge (CMC) Delhi Pollution Control Committee, 4th floor ISBT Kashmiri Gate, Delhi.
5. SE-III to pursue the matter.
6. Office copy.

S.K. Mahajan
06.11.19
(S.K. Mahajan)
CE-II/DUSIB

27/6/19

Singh, IAS
Executive Officer



DELHI URBAN SHELTER IMPROVEMENT BOARD
दिल्ली शहरी आश्रय सुधार बोर्ड

Govt. of National Capital Territory of Delhi
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
New Delhi - 110 002
नई दिल्ली-110 002

D.O. No. D-33/CE (Coord) DUSIB/2019

Dated 10.5.19

Dear Sir,

In this regard DUSIB has already sent its report to DPCC vide letter No. D-09/CE (Coord)/DUSIB/2019 dated 22.02.2019 (copy enclosed). Further, a meeting was taken by yourself on 09.05.2019 at 12.30 p.m. which was attended by Chief Engineer (Coord) DUSIB. It has been reported to me verbally that yourself has directed that DUSIB shall hold responsibility in respect of violation in JJ Bastis and sought details of area Jurisdiction of Executive Engineer of DUSIB with respect to drains in various JJ Bastis in the prescribed format.

Till now, the cleaning/ de-silting of drains and scavenging in JJ Bastis has not been carried out by DUSIB and the same have been undertaken by respective Municipal Corporations.

Further, as per the DUSIB Act, 2010 DUSIB is primarily carrying out the rehabilitation of JJ dwellers and implementing the schemes regarding improvement of JJ Bastis.

These schemes of improvement of JJ Bastis are as per the approved plan of DUSIB for which necessary funding is received from the Govt of NCT of Delhi. The following activities are undertaken in these Plan Schemes:

1. Environmental Improvement in Urban Slums : providing cement concrete pavements in lanes and drains.
2. Pay & Use JSC : providing community toilet complexes to curb the open defecation.
3. Basti Vikas Kendra: small size temporary halls for social activities by NGOs for the welfare of the slum dwellers of JJ Bastis
4. Shishu Vatika : to undertake development of small parks in JJ bastis for children of JJ dwellers.

Beside the above, the respective agencies are providing services and facilities as under:

1. Drinking water : Delhi Jal Board is providing potable water through hydrants, tankers and individual connections wherever feasible.
2. Electricity : DISCOMS are providing street lightings and individual electric connections.
3. Sanitation: Cleaning, scavenging and de-silting of drains and solid waste management is done by respective DMCS.

Contd.....



Punerva Bhawan, I.P. Estate, New Delhi - 110002
E-mail: delhishelter@gmail.com Website: delhishelter.nic.in

13

Club

38/c

However, in view of your objections in mentioned letter, the proposal has been
revised explaining all the facts and details regarding the said case to the Hon'ble
Minister who is also the Hon'ble UP Minister, U.P. Further, action shall be taken as per
the decision and directions given by the Hon'ble UP Minister regarding the said case that
will be complied with under intimation to your office accordingly.

Yours faithfully,
[Signature]

Yours faithfully,
[Signature]

[Signature]

To,

Shri Hanley Yachavanthi, IAS
D. Secretary,
Urban Development,
Govt of NCT of Delhi,
Level 9, C/ Wing, Delhi Secretariat, W.P. Estate,
New Delhi

C/ubot
60/c

DELHI URBAN SHELTER IMPROVEMENT BOARD
Government of National Capital Territory of Delhi
OFFICE OF THE CHIEF ENGINEER-II
Ce2.dusib@gmail.com
Punarvas Bhawan, I.P. Estate, New Delhi

No. D-52/EE/C-9/DUSIB/2019

-Dated: 7/7/19

To,
Pr. Commissioner (Land Management)
Delhi Development Authority
Vikas Sadan, Delhi.

Subject: Handing over a piece of land measuring about 500 sqr. mtr. in DDA Park 8A Block, Trilokpuri.

Kindly refer to letter no. DJB/CE(East)/2019/548 dated: 07.10.2019 vide which DUSIB has been requested to arrange to provide land measuring 500 sqr. mtr. in DDA park 8A Block, Trilokpuri for construction of sump and sewage pumping station in persuasion of decision taken during the meeting dated: 27.09.2019 by Chief Secretary, Delhi in compliance of Hon'ble NGT order dated: 31.07.2019. DJB has made an action plan and further submitted it to DPCC (Copy of relevant reference are enclosed).

The National Green Tribunal in the matter Surender Pal Verma V/ Ministry of Public works Department and others vide original application No.100/2019(IA.50/2019 and IA No. 51/2019) has passed order 31.07.2019 (reproduced as under).

We may also note that as per recommendations of the Committee, DJB is to establish a system for carrying untreated sewage/ waste water of the colonies for treatment from Trilokpuri, Indira Camp. Such system may be established by the DJB within six months and a plan for the purpose be proposed within one month. The action plan may also provide for interim arrangement, such as Phytoremediation techniques to prevent untreated sewage being discharged into water bodies in violation of the provisions of the water Act. Action plan may be filed with the DPCC. The DPCC may file further action Taken report before the next date by e-mail at judicialngt@gov.in.

Accordingly necessary direction/permission be issued for handing over the said piece of land to DJB and its further use as suggested by DJB for construction of sump and sewage pumping station in DDA Park 8A Block, Trilokpuri in compliance of the direction of Hon'ble National Green Tribunal.

Encl: As Above

S.K. Mahajan
S.K. Mahajan
CE-II/DUSIB

C/466

g/c

Copy to:

1. Staff Officer of Chief Secretary Delhi Govt. for kind information.
2. CEO (DUSIB) for kind information.
3. CE (East) DJB, Room No.501, Varunalay Ph-II, Karol Bagh, New Delhi-05
to take up the matter with DDA at their on end.
4. In charge (CMC) Delhi Pollution Control Committee, 4th floor ISBT
Kashmiri Gate, Delhi.
5. SE-III to pursue the matter.
6. Office copy.

S.K. Mahajan
(S.K. Mahajan)
CE-II/DUSIB



monika singh <monisingh913@gmail.com>

Fwd: Surender Pal Verma

1 message

Mohammad Arif <arif430@gmail.com>
To: monisingh913@gmail.com

Wed, Nov 27, 2019 at 3:23 PM

----- Forwarded message -----

From: **Director Veterinary** <dirvetedmc@gmail.com>
Date: Wed, Nov 27, 2019 at 3:31 PM
Subject: Surender Pal Verma
To: <arif430@gmail.com>

In reference to Surender Pal Verma Versus Ministry of Public Works Department & Ors. (O.A. No. 100/2019) the regular inspection of Pig rearing huts are being conducted and no case of pigs slaughtering was reported this is for your information please.

Director (VS)



**EAST DELHI MUNICIPAL CORPORATION
VETERINARY SERVICES DEPARTMENT**

419, Udyog Sadan, Patpar Ganj, Ind. Area, Delhi-92
Ph. No. 66667330, 66667331

Dated: 27.09.2019

Sub: - **OA No. 100/20019 (I.A. No. 50/2019 & I.A. No. 51/2019) Surender Pal Verma Versus Ministry of Public Works Department & Ors.**

Vide order dated 22.01.2019, This Tribunal sought a factual and action taken report from the joint committee comprising CPCB, DPCC and EDMC. The DPCC was to act as nodal agency. The report of the DPCC is that inspection was conducted 13.02.2019 and the some recommendations have been made by the inspecting team. Out of five recommendations, one mentioned at number 3 in the court order dated 31.07.2019 is related to the Veterinary Services Department which is reproduced as under: -

3. Illegally pig farm and slaughtering without any mitigation measures.

The action taken report is as under: -

Detailed facts related to the piggery farming Trilokpuri area in EDMC.

1. There is a pig farm for the activity of pig rearing in Trilokpuri area in EDMC which is situated adjacent to the drain. These pigs sheds were earmarked by DDA for resettlement of JJ Colonies. The land in question belonging to pigs sheds is under control of DUSIB. In this regard, a contempt case titled as U.P. Bihar Nagrik Parishad Vs Sh. Manmohan and Anr. WP (C) No. Cont Case(C) 136/2017 & CM Appl. 6064/2017 for the shifting of pig hutments from Trilokpuri to Saboli area Shahdara (North) Zone is pending before the Hon'ble High Court. **The next date of hearing is 30.09.2019**

A petition(s) titled (DDA V/s U.P. Bihar Nagrik Parishad and Ors) in Hon'ble Supreme Court of India for special leave to appeal (c) Nos. 31328-31329/2012 (Arising out of impugned final judgment dated 24.11.2014 and order dated 14.05.2012 in RP No. 304/2012, 10/08/2011 in WP No. 11150/2009 passed by the High Court of Delhi at New Delhi) wherein court directed as under: -

Delhi Development Authority says that 10 acres of land has already been allotted to the Municipal Corporation of Delhi and – 2 – possession has been handed over for setting up pig slaughter house. The learned counsel further says that a letter dated 11.11.2014 has been addressed to the Chief Executive Office, Delhi Urban Shelter Improvement Board (DUSIB) regarding allotment of land measuring 900 Sq. Yds for shifting of pigs shelter in Village Saboli, Delhi. He says that DUSIB has to take possession of this land and then hand it over to the Municipal Corporation. In view of the above, nothing survives in these matters. Accordingly, the special leave petitions are disposed of.

2. The land owning agency of this piggery farm is DUSIB.

3. A contempt case (c) 136/2017 titled as U.P. Bihar Nagrik Parishad Vs Sh. Manmohan and Anr in respect of shifting these piggery farm is pending before the Hon'ble High Court of Delhi and **next date of hearing is 30.09.2019**. The DDA has admitted before the Hon'ble High Court to provide the land to DUSIB to shift these piggery farms in Saboli Area, Shahdara, Delhi. The petitioner has prayed against the respondents/contemnor for wilful disobedience of order dt. 10.08.2011 passed by the Hon'ble Court of Delhi in WP (c) No. 11150/2009 and confirmed by the Hon'ble Supreme Court vide order dated 24.11.2014 in SLP(C) No. 31328-31329/2012.
4. Defaulters for pig slaughtering and creating nuisance have been issued show cause notices.
5. Inspections of the piggery rearing site at Trilokpuri were carried on dated 19.09.2019 and 25.09.2019 by the team of Shahdara (South) Zone and no pig slaughtering was found.

It is to mention here that after shifting the pig hutments from Trilokpuri to Saboli area, the pollution and its effect shall come down at zero. Moreover, a 10 acre of land has already been allocated/allotted at Ranikhera in the jurisdictional area of North DMC and the possession of the same has been handed over for setting up pig slaughter house. Further, DDA shall hand over the 900 sq. yds. land to Delhi Urban Shelter Improvement Board (DUSIB) for shifting of pigs shelter in Village Saboli from Trilokpuri Delhi. Further, DUSIB will hand over the same land to the EDMC for their rehabilitation

12/11/2019
27.09.19
Director (VS)