

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

O.A. NO. 93/2019

IN THE MATTER OF:

VinodYadav

.... APPLICANT

VERSUS

Govt. of NCT of Delhi

....RESPONDENTS

NDOH: 27.09.2019

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Filed by

(B.L. Chawla)
Env. Engineer
(Delhi Pollution Control Committee)

(Respondent)

NEW DELHI
DATED:- 26.09.2019

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

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IN THE MATTER OF:

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**ADDITIONAL ACTION TAKEN REPORT ON BEHALF OF
DELHI POLLUTION CONTROL COMMITTEE IN
COMPLIANCE WITH ORDER DATED 21/08/2019**

MOST RESPECTFULLY SHOWETH:

1. That the captioned matter is pending before this Hon'ble Court and is fixed for hearing on 27/09/2019.
2. That in compliance of the order dated 30.05.2019, DPCC /respondent number 2 filed its ATR (Action taken report) on 19.08.2019.
3. That after going through the said ATR, the Hon'ble tribunal further directed that:

"The question for consideration is the remedial action against burning of plastic and PVC wires in a park in Mangolpuri, Delhi.

Vide order dated 26.02.2019, an action taken report was sought from Delhi Pollution Control Committee and North Delhi Municipal Corporation. A report was filed by the DPCC to the effect that such pollution is happening. The DPCC has written to the Delhi Development Authority (DDA) who is the owner of the land. On 30.05.2019, the Tribunal considered the report of the DPCC and sought further action taken report.

Further action taken report has been filed on 19.08.2019 to the effect that DDA has removed the plastic waste and deployed security guards to prevent burning of waste. Learned Counsel for the DDPC states that police force is being sought for restoration of the park, by removing the encroachers.

Let the same be done and a further report filed before the next date."

4. That it is submitted that encroachment removal programme of the Jhuggis was scheduled for 21.08.2019 & again on 12.09.2019 but the removal of encroachment could not be done due to non-availability of Police Force.
5. That DPCC issued directions on 18.09.2019 again after consultation with the DDA & Police officials and the encroachment removal programme scheduled for 24.09.2019. The encroachment removal programme started on 24.09.2019 and is

under progress. Copy of the directions and Photographs taken on 24.09.2019 are annexed herewith as Annexure – I.

6. That in view of the above actions, it is humbly prayed before this Hon'ble tribunal that the application may please be disposed off.



(B.L. Chawla)

Env. Engineer

Dated: 26/09/2019

	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-III/2019/6386-94

Dated: 18/09/2019

To,

1. DCP (Outer District)
Guru Harikishan Marg,
Pushpanjali Enclave, Pitampura,
Delhi-110034
2. Station House Officer
Raja Park Police Station,
Opposite Sanjay Gandhi Hospital
Mangolpuri, Delhi-110083

Subject: Direction u/s 5 of Environment Protection Act, 1986 read with Solid Waste Management Rules 2016 as amended to date

Ref: Compliance of Hon'ble NGT Order dated 26.02.2019 & 21.08.2019 in ON No. 93/2019 titled as Vinod Yadav v/s Govt. of NCT of Delhi

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

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 (DPCC) vide notification Dated 15.03.1991.

And whereas, the Central Government has notified the Solid Waste Management Rules 2016 (here after referred as SWM Rules, 2016) notified under Environment (Protection) Act, 1986 for proper management and handling of Solid Wastes.

And whereas, as per the Rule (4) (1) Every waste generator shall (a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non-bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016;

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

Whereas, Hon'ble NGT vide order dated 26.02.2019 in OA No. 93/2019 titled as Vinod Yadav v/s Govt. of NCT of Delhi" that

"The application alleges burning of plastic and PVC wires in a park in Mangolpuri, Delhi in ward No.55, T-Block adjacent to a plastic and scrap market. Apart from this, it has been alleged that the plastic and scrap market has been set up illegally in an unauthorisedly occupied area."

And whereas, joint committee comprising of DPCC and NDMC inspected the above site on 30.04.2019 and it was observed that huge quantity of the plastic waste is littered in the land of DDA and the resident of Jhuggi Jhopri cluster existing in the DDA land found engaged in activity of plastic waste collection and

sorting. After extracting the valuable material, the remaining non valuable solid waste material used to be dump in the DDA land.

And whereas, Hon'ble NGT has passed following order on 21.08.2019 that
"Action taken report has been filed on 19.08.2019 to the effect that DDA removed the plastic waste and deployed security guards to prevent burning of waste. Learned Counsel for the DDPC states that police force is being sought for restoration of the park, by removing the encroachers."

And whereas, DDA had scheduled the drive for removal of encroachment from the DDA land at Ward no. 55, T-Block, Mangolpuri, Delhi on 14.06.2019, 10.07.2019, 21.08.2019 & 12.09.2019.

And whereas, you have failed to provide the Police Force to make the drive successful which would result dumping of solid waste including plastic waste again on the DDA land.

And whereas, drive for removal of encroachment by the Jhuggi dwellers dealing with the plastic waste material is again scheduled to be held on 24.09.2019 at Ward no. 55, T-Block, Mangolpuri, Delhi by DDA.

Now therefore, Delhi Pollution Control Committee in exercise of powers conferred upon it, u/s 5 of Environment Protection Act, 1986 you are hereby directed to provide enough security arrangement (Police Force) on 24.09.2019 for compliance of above said orders of Hon'ble NGT.



(B.L. Chawla)
Env. Engineer

Copy to:

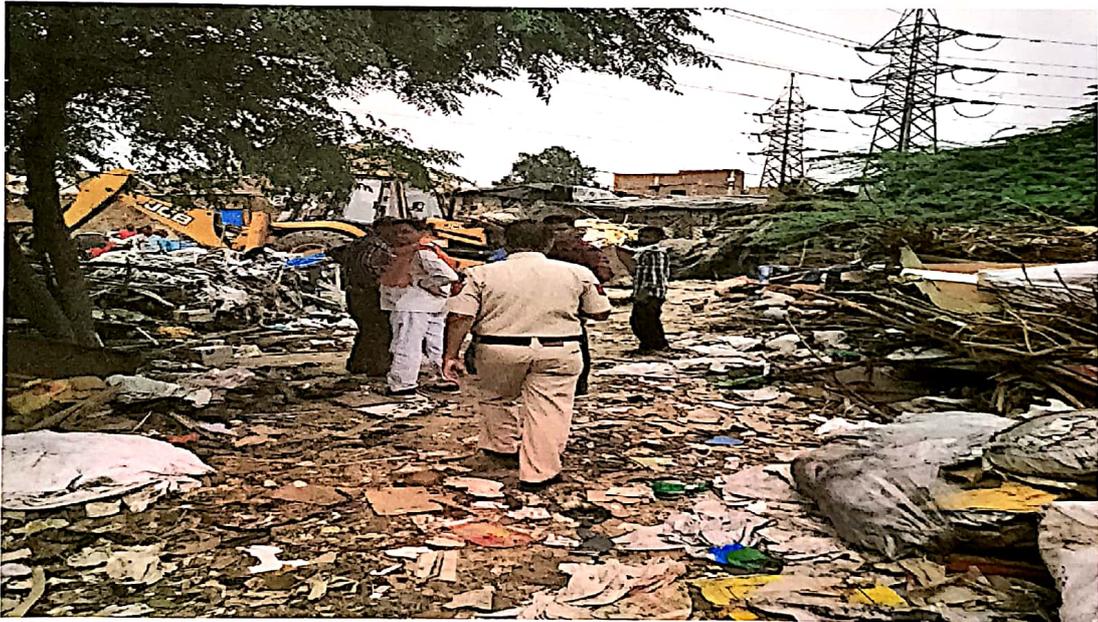
1. Vice Chairman, DDA, Vikas Sadan, I.N.A., New Delhi-110023.
2. Chief Engineer, Rohini Project Division – 10, 1st Floor, DDA Office Complex, Madhuban Chowk, Sector-14, Rohini, Delhi-110085
3. Superintendent Engineer, Rohini Project Division – 10, 2nd Floor, DDA Office Complex, Madhuban Chowk, Sector-14, Rohini, Delhi-110085
4. Executive Engineer, Rohini Project Division – 10, 6th Floor, DDA Office Complex, Madhuban Chowk, Sector-14, Rohini, Delhi-110085 – DDA shall coordinate the drive for removal of encroachment and shall take steps immediately for removal of the solid waste including construction and demolition waste as per the directions issued on 13.06.2019. DDA shall also submit time targeted action plan for restoration of the park.
5. Dy. Commissioner (Rohini Zone), North Delhi Municipal Corporation, Sec-5, Rohini, Delhi-110085 – with a request to depute an officer to make the drive successful.
6. Sub-Divisional Magistrate (Rohini), O/o Dy. Commissioner, North-West District, Kanjhawala, Delhi-110081
7. Master file.


(Amit Chaudhary)
Asstt. Env. Engineer

ck



Removal of Encroachment from T-55, Mangolpuri on 24.09.2019



Removal of Encroachment from T-55, Mangolpuri on 24.09.2019