

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

OA NO. 992/2018

**In the matter of:**

Narendra Vats, Vice President

Gramin Vikas Samiti

...Applicant

Versus

Govt. of NCT of Delhi.

...Respondents

NDOH:- 26.11.2019

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Filed by:

(Delhi Pollution Control Committee)  
Respondent

New Delhi:  
Dated: 07.11.2019

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**  
Original Application NO. 992/2018

**In the matter of:**

Narendra Vats, Vice President Gramin Vikas Samiti ...Applicant

Versus

Govt. of NCT of Delhi. ...Respondents

**STATUS REPORT WITH RESPECT TO ORDER DATED 11.09.2019.**

1. That it is most respectfully submitted that the as regards the unregulated markets at Samalkha Extension, East Telephone Exchange Road, Near Sonia Gandhi Camp, Samalkha village and NH-48 by way of Timber Market, SDMC had submitted before Hon'ble NGT that these markets are located at Private Land and as such no action can be carried out by the SDMC. Accordingly, the Hon'ble NGT was pleased to pass the following orders on 11.09.2019:

*"The SDMC may give its report to the Chief Secretary about the authority to take further action within one week by email.*

*The Chief Secretary may monitor the action by the relevant concerned authority and furnish a composite report in the matter within one month by email."*

2. That it is most respectfully submitted that in order to comply with the orders of Hon'ble NGT, the Chief Secretary, Delhi took a meeting on 25.09.2019 with the

officers of South Delhi Municipal Corporation, District Magistrate (New Delhi) and Delhi Pollution Control Committee to ensure the implementation of Hon'ble NGT orders. The following decisions were taken in the meeting :-

*"After the detailed deliberation, Chief Secretary directed that since the area is within the jurisdiction of SDMC and no trade license has been taken by the shops operating in the timber market from SDMC under the SMC Act, prompt action should be taken by SDMC. The officer of the District Magistrate (SW) and the DPCC are directed to assist SDMC in clearing the area and also the small drains filled by solid waste..."*

Minutes of the Meeting are enclosed herewith as **Annexure-1**.

- 3. That, Dy. Commissioner South DMC reported to the Chief Secretary vide letter dated 10.10.2019, in following terms:

*"Now, in continuation of the above report dated 20.09.2019, it is submitted that the said unregulated timed Market has been vacated/removed from Samalkha Extension, East Telephone Exchange Road Near Sonia Gandhi Camp (Photograph enclosed for kind perusal).*

Copy of the report addressed to Chief Secretary dated 10.10.2019 alongwith photographs are collectively enclosed herewith as **Annexure-2**.

The present status report may kindly be taken on record, as cause of action does not survive any more hence, matter may kindly be disposed off.

  
(Dr. Chandra Prakash),  
Sr. Env. Engineer



DELHI POLLUTION CONTROL COMMITTEE  
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)  
5<sup>th</sup> TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6  
visit us at : <http://dpcc.delhigovt.nic.in>

F.NO. DPCC/NGT (CMC-II)2019/8955-8962

Dated: 29/10/19.

**Sub:- Minutes of meeting held under Chairmanship of Chief Secretary, Delhi on 25.09.2019 at 05.00 PM in connection with Hon'ble NGT matter OA No. 992/2018 titled " Narendra Vats, Vice President, Gramin Vikas Samiti Vs GNCTD & Ors.**

Please find enclosed herewith minutes of the meeting held under Chairmanship of Chief Secretary, Delhi on 25.09.2019 at 05.00 PM in connection with Hon'ble NGT matter OA No. 992/2018 titled " Narendra Vats, Vice President, Gramin Vikas Samiti Vs GNCTD & Ors. regarding illegal encroachments and unregulated markets at Samalkha Extension near Kapashera, for necessary action.

  
(Dr. Chandra Prakash)  
Incharge ( CMC-II)

Encl: As above

To,

1. The Commissioner, South Delhi Municipal Corporation. Dr. S.P.M. Civic Centre, Minto Road, New Delhi – 100 002.
2. District Magistrate (New Delhi), 12/1, Jam Nagar House, Shahjahan Road, New Delhi-110011.
3. District Magistrate (South-West), Old Terminal Tax Building, Kapashera, Delhi-110037
4. Secretary (I&FC) Irrigation and Flood Department, L.M.Bund Office Complex, Shastri Nagar, Delhi
5. MD, DSIIDC, N-Block, Bombay Life Building, Connaught Place, New Delhi-110001

Copy to:-

1. OSD to Chief Secretary : For information pl.
2. PA to Chairman, DPCC- For information of Chairman, pl.
3. PA to MS, DPCC- For information of MS, pl.



(4) (23)

**DELHI POLLUTION CONTROL COMMITTEE**  
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI  
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006  
visit us at : <http://dpcc.delhigovt.nic.in>

### MINUTES OF MEETING

Minutes of meeting held on 25.09.2019 at 05.00 PM in the Conference Room of Chief Secretary at Delhi Secretariate in connection with Hon'ble NGT matter OA No. 992/2018 titled as "Narendra Vats, Vice President, Gramin Vikas Samiti Vs GNCTD & Ors." Regarding illegal encroachments and unregulated markets at Samalkha Extension near Kapashera.

At the outset MS, DPCC informed that there was a complaint filed before the Hon'ble NGT regarding illegal encroachment and unregulated markets at Samalkha Extension, East Telephone Exchange Road, Near Sonia Gandhi Camp, Samalkha Village and NH-48 by way of timber market and inappropriate and illegal segregation of waste collected from Hotels in a plot in the said colony. The Hon'ble NGT vide order dated 03.01.2019 directed for a joint inspection by DPCC, DM (West Delhi) and SDMC to sort out the issues. The joint inspection was carried out on 18.03.2019 and report was filed by DPCC on 05.04.2019. DPCC further directed Dy. Commissioner, Najafgarh, SDMC for compliance.

2. The Inspection report was also filed by DPCC on 05.04.2019 before the Hon'ble NGT. In the said report, DPCC had pointed out that there are illegal activities regarding a timber market and unlicensed waste collection and segregation and has further directed MCD to take immediate steps for removal of solid waste and to stop the illegal activities. After going through the report, Hon'ble NGT vide orders dated 09.04.2019 directed Dy. Commissioner, Najafgarh Zone SDMC to file a status report regarding compliance.

(S) (M)

3. In its status report filed by Dy. Commissioner, Najafgarh Zone SDMC, it was submitted that SDMC had removed the encroachments at Samalkha Extension, Near Sonia Gandhi Camp and Thursday weekly market at Shamshan Ghat. But it was also submitted by SDMC that markets are located on private land and no such action can be carried out by SDMC and further the area being an unauthorized colony, SDMC is not authorized to carry out any work in the said colony. The Hon'ble NGT was not satisfied with such stand of SDMC regarding shifting of responsibility and has directed Chief Secretary to sort out the authority to take further action in the matter and file report.

4. District Magistrate (New Delhi) submitted that the land on which said unauthorized colony has come up has already been transferred to SDMC after acquisition of land . Hence, the responsibility for removing the encroachment lies with the SDMC.

5. After the detailed deliberations, Chief Secretary directed that since the area is within the jurisdiction of SDMC and no trade license has been taken by the shops operating in the timber market from SDMC under the SDMC Act, prompt action should be taken by SDMC. The office of the District Magistrate (S W) and the DPCC are directed to assist SDMC in clearing the area and also the small drains filled by solid waste. It was also decided that Environmental Compensation Damage (EDC) should be imposed on the shop owners and other persons who are causing damages to the environment. An action taken report should be filed in the NGT at the earliest.

The meeting ended with vote of thanks to the Chair.

  
(Chandra Prakash)  
In-charge (CMC-II)



**SOUTH DELHI MUNICIPAL CORPORATION**  
**OFFICE OF THE DEPUTY COMMISSIONER**  
**NAJAFGARH ZONE**  
**DHANSA STAND, NAJAFGARH**  
**NEW DELHI - 110043**



Annexure-2

8

135

2503/888/19  
17/10/19

No. DC/NGZ/SDMC/2019/D-457

CV. No. 500/2019/48678

Dated:-10.10.2019

**Subject: Report in compliance of order dated 11.09.2019 passed by the Hon'ble National Green Tribunal in O.A. No. 992/2018 Narender Vats, Vice President Gramin Vikas Samiti Vs GNCTD Delhi-reg.**

\*\*\*\*

2284/181/19  
16/10/19

S.S. CRW.  
MS & DPCC

SO to CS  
15/10/19

Prsecy (Env)

Sh Nareen  
(P-1)

In the above mentioned case, the issue for consideration before the Hon'ble National Green Tribunal is "Remedial Action against the alleged illegal encroachments and unregulated markets at Samalkha Extension, East Telephone Exchange Road, near Sonia Gandhi Camp, Samalkha Village and National Highway-48. There is further complaint that the garbage created by the hotels and the airport is being unscientifically disposed of.

The Hon'ble National Green Tribunal vide order dated 03.01.2019, directed DPCC, DM (West Delhi) and SDMC to file their reports. The SDMC filed its report dated 25.07.2019 and submitted to the Hon'ble National Green Tribunal that SDMC is not authorized to undertake work in an unauthorized colony. The report of the SDMC was referred in para 4 of the order dated 11.09.2019 (copy enclosed). The Hon'ble National Green Tribunal further directed that the SDMC may give its report to the Chief Secretary within one week from order dated 11.09.2019. Accordingly, in compliance of the Hon'ble National Green Tribunal's order dated 11.09.2019 a report dated 20.09.2019 was submitted by this department to the competent authority (Copy enclosed).

Now, in continuation of the above report dated 20.09.2019, it is submitted that the said unregulated timber Market has been vacated/removed from Samalkha Extension, East Telephone Exchange Road Near Sonia Gandhi Camp (Photograph enclosed for kind perusal).

This report is also being submitted for kind perusal of the Competent Authority.

ACC (Copy)

Deputy Commissioner,  
Najafgarh Zone, SDMC

CMC II/20985  
28/10/19

To  
The Commissioner, SDMC

Copy for information to:-

PS to Chief Secretary, Delhi

21/10

Does not refer to CMC other than this

M. Nareen

SEE CMC II

Refers to CMC II

MS/168  
18/10/19

CMC II/2862  
21/10/19

SEE CMC II  
EE II

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