

621

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 109 OF 2022**

IN THE MATTER OF:

VIVEK KAMBOJ & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

INDEX

S. NO.	PARTICULARS	PAGE NO.
1.	ADDITIONAL SUBMISSIONS ON BEHALF OF THE APPLICANT	1-4
2.	ANNEXURE A-1 Copy of emails dated 22.07.2025, 04.08.2025, 13.08.2025, 23.08.2025, 28.08.2025, 20.09.2025, 05.10.2025 and 21.10.2025	5-12
3.	ANNEXURE A-2 Copy of photographs dated 12.10.2025 and 23.10.2025 showing the extent of leachate discharge	13-14
4.	ANNEXURE A-3 Copy of newspaper article titled " <i>Gurgaon residents seek Centre's intervention amid Bhandwari leachate 'inaction'</i> " reported in Times of India on 25.10.2025	15-16

Through



RITWICK DUTTA



**RAHUL CHOUDHARY ITISHA AWASTHI
ADVOCATES**

Counsel for the Applicant

N-73, Lower Ground Floor, Greater Kailash-1
New Delhi-110048

Email id:- Litigation@dclawchambers.com

Place:- New Delhi

Dated:- 25.10.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 109 OF 2022**

IN THE MATTER OF:

VIVEK KAMBOJ & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

ADDITIONAL SUBMISSIONS ON BEHALF OF THE APPLICANT

MOST RESPECTFULLY SHOWETH:

1. That the above-titled Original Application has been filed bringing to the notice of the Hon'ble Tribunal dumping of municipal solid waste in forest areas of Aravallis and discharging of leachate in surrounding areas of Bandhwari landfill site in District Gurugram, Haryana. This leachate is flowing into nearby agricultural fields and affecting the quality of soil. It is submitted that this action of dumping of waste and discharging leachate is not only in violation of the Solid Waste Management Rules, 2016, Forest (Conservation) Act, 1980, Punjab Land Preservation Act, 1900 but also in violation of several directions of this Hon'ble Tribunal.
2. That during the course of hearing it has been recorded in previous Affidavits dated 02.09.2024 (Page 581), 16.05.2024 (Page 566), 16.12.2024 (Page 602), and IA No. 757 of 2023 dated 29.09.2023 (at Page 361) and in previous Orders of this Hon'ble Tribunal dated 18.09.2025, 14.08.2025, 03.09.2024, 04.04.2024, 09.01.2024 and 07.11.2023 that there is discharge of leachate from the landfill in nearby areas.
3. That the fact about leachate entering village land is substantiated by the fact that complaints are sent on behalf of several houses through one

623

agency who is entrusted with the work of management of those houses. The house owners have reported on several occasions the constant discharge of leachate from the Bandhwari landfill into their lands, causing air pollution, water contamination, damage to agricultural fields, increase in vector- borne diseases and harm to livestock. The landfill is located less than a kilometre uphill from the village, and therefore there is a continuous flow of leachate downhill directly towards the village and its surroundings. Since no garland drain was constructed by the authorities around the landfill, all the leachate flows into the nearby villages.

4. That the agency by the name M/S Different Earth Spaces Real Estate Private Limited has forwarded their complaints to the Applicant No. 2 which is being placed on record. It is clear from these complaints that leachate is flowing into the village area for almost last 3 years but no action has been taken. It is also clear from one of the photographs shared by the agency that the entire pond is filled with leachate. The agency had approached the Municipal Corporation of Gurugram vide email dated 22.07.2025 to show that leachate is getting filled up in the area. Further emails were sent on 04.08.2025, 13.08.2025, 23.08.2025, 28.08.2025, 20.09.2025, 05.10.2025 and 21.10.2025 to the Municipal Corporation of Gurugram highlighting the gravity of the situation and harm caused due to continuous discharge of leachate.

Copy of emails dated 22.07.2025 04.08.2025, 13.08.2025, 23.08.2025, 28.08.2025, 20.09.2025, 05.10.2025 and 21.10.2025 is annexed herewith as **ANNEXURE A-1**.

5. That the Applicant is also annexing photographs dated 12.10.2025 and 23.10.2025 from the location of farmhouses to show the extent of discharge of leachate in the area. These photographs clearly show that

624

large pools of leachate are accumulated in the area, which are being pumped out by trucks.

Copy of photographs dated 12.10.2025 and 23.10.2025 showing the extent of leachate discharge is annexed herewith as **ANNEXURE A-2**.

6. That the fact that there is continuous discharge of leachate from the landfill is reported in the newspaper article titled "*Gurgaon residents seek Centre's intervention amid Bhandwari leachate 'inaction'*" reported in Times of India on 25.10.2025 wherein it is stated that the State Government has failed to comply with the directions of this Hon'ble Tribunal and the environmental degradation is continuing.

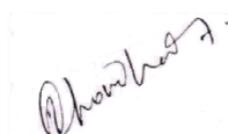
Copy of newspaper article titled "*Gurgaon residents seek Centre's intervention amid Bhandwari leachate 'inaction'*" reported in Times of India on 25.10.2025 is annexed herewith as **ANNEXURE A-3**.

7. That this Hon'ble Tribunal may take the above facts into consideration and pass appropriate orders.

Through



RITWICK DUTTA



**RAHUL CHOUDHARY ITISHA AWASTHI
ADVOCATES**



Counsel for the Applicant
N-73, Lower Ground Floor, Greater Kailash-1
New Delhi-110048

Email id:- Litigation@dclawchambers.com

Place:- New Delhi
Dated:- 25.10.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 109 OF 2022**

IN THE MATTER OF:-

VIVEK KAMBOJ & ORS.

...APPLICANTS

VERSUS

UNION OF INDIA & OTHERS

...RESPONDENTS

AFFIDAVIT

I, Vivek Kamboj, aged about 52 years, S/O Y. P. Kamboj, R/O C-579, Sushant Lok-I, Gurugram, Haryana, presently at New Delhi, do hereby solemnly affirm and declare as under:

1. That I am the Applicant No. 1 in the above titled Original Application, and hence well conversant with the facts and circumstances described in the present case and as such competent to swear this Affidavit.
2. That the contents of the accompanying Submission are true and correct and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

Verified on this 25 OCT 2025 day of October, 2025 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.

NOTARY PUBLIC APPOINTED BY GOVT. OF INDIA G. S. KHARBANDA	
Notary Reg. No. 785	25 OCT 2025
ADVOCATE ENL. No. D 287/M	
ATTESTED 9899422266	

ATTESTED

NOTARY PUBLIC

DEPONENT

I, IDENTIFIED THE
DEPONENT WHO HAS
SIGNED IN MY PRESENCE

Fwd: Urgent Request for Immediate and Permanent Solution to Leachate Pollution and Environmental Hazards from the Bandhwari Landfill – Stop and Remove Leachate from Water Sources

From vaishali2013.vrc@gmail.com <vaishali2013.vrc@gmail.com>

To itisha.awasthi@proton.me

Date Friday, 24 October 2025 at 13:08

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

From: **Shivam Daga** <shivam.daga@unthinkable.co>

Date: Tue, 21 Oct, 2025, 17:26

Subject: Re: Urgent Request for Immediate and Permanent Solution to Leachate Pollution and Environmental Hazards from the Bandhwari Landfill – Stop and Remove Leachate from Water Sources

To: <cmc@mcg.gov.in>, <adcmc@mcg.gov.in>, <adcmc3@mcg.gov.in>, <jc1@mcg.gov.in>, <jc2@mcg.gov.in>, <jc3@mcg.gov.in>, <jc4@mcg.gov.in>, <jcsbm@mcg.gov.in>, <psenv2016@gmail.com>, <hqhspcb@hspcb.org.in>, <environment@hry.nic.in>

Cc: Vaishali Rana <vaishali2013.VRC@gmail.com>

GENTLE REMINDER 8

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

- 1. Immediately remove all existing leachate from our land and surrounding areas.**
- 2. Construct a permanent embankment or barrier to stop future flow.**
3. Provide a written assurance of preventive measures and long-term action plan.
4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

627

On Sun, Oct 5, 2025 at 11:02 AM Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Ma'am,

GENTLE REMINDER 7

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

- 1. Immediately remove all existing leachate from our land and surrounding areas.**
- 2. Construct a permanent embankment or barrier to stop future flow.**
3. Provide a written assurance of preventive measures and long-term action plan.
4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

On Sat, 20 Sep 2025 at 10:57 AM, Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Madam,

Gentle Reminder 6

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

1. Immediately remove all existing leachate from our land and surrounding areas.

2. Construct a permanent embankment or barrier to stop future flow.

3. Provide a written assurance of preventive measures and long-term action plan.

4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

On Thu, Aug 28, 2025 at 2:24 PM Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Madam,

Reminder 5

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

1. Immediately remove all existing leachate from our land and surrounding areas.

2. Construct a permanent embankment or barrier to stop future flow.

3. Provide a written assurance of preventive measures and long-term action plan.

4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

629

On Sat, Aug 23, 2025 at 9:37 AM Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Madam,

Reminder 4

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

1. Immediately remove all existing leachate from our land and surrounding areas.

2. Construct a permanent embankment or barrier to stop future flow.

3. Provide a written assurance of preventive measures and long-term action plan.

4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

On Wed, Aug 13, 2025 at 2:22 PM Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Madam,

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

1. Immediately remove all existing leachate from our land and surrounding areas.

2. Construct a permanent embankment or barrier to stop future flow.

3. Provide a written assurance of preventive measures and long-term action plan.
4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

Thanks & Regards

Shivam Daga | Senior Associate - Legal & Secretarial

Unthinkable Solutions

US: Tel: +1 726 227 4610

India: +91 124 681 7000



On Mon, Aug 4, 2025 at 11:34 AM Shivam Daga <shivam.daga@unthinkable.co> wrote:

Respected Sir/Madam,

I am writing to urgently follow up on our formal complaint (No. 2046 dated 22.07.2025) regarding the repeated discharge of toxic leachate from the Bandhwari landfill onto our land for the third consecutive year.

Despite earlier visits and assurances, no effective preventive measures have been implemented, and the situation has now escalated into a serious environmental and public health hazard. Residents and local farms continue to suffer due to air pollution, water contamination, and ecosystem degradation.

We once again request the Municipal Corporation Gurugram to:

- 631**
1. Immediately remove all existing leachate from our land and surrounding areas.
 2. Construct a permanent embankment or barrier to stop future flow.
 3. Provide a written assurance of preventive measures and long-term action plan.
 4. Initiate regular monitoring to prevent further damage.

This matter is extremely urgent and demands prompt resolution. We request immediate field inspection and written confirmation of actions being taken.

Looking forward to your swift and effective response.

Best regards,

Shivam Daga

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

On Tue, Jul 22, 2025 at 6:36 PM Shivam Daga <shivam.daga@unthinkable.co> wrote:

To

Municipal Corporation Gurugram,

Vikas Sadan, Near D.C. Court,

1st Floor, Gurugram – 122001

Subject: *Urgent Request for Immediate and Permanent Solution to Leachate Pollution and Environmental Hazards from the Bandhwari Landfill – Stop and Remove Leachate from Water Sources*

Respected Sir,

I am Shivam Daga, Authorized Representative of *M/s Different Earth Spaces Real Estate Private Limited*, writing to bring to your urgent attention the escalating ecological and public health crisis caused by the Bandhwari landfill site.

For several years, our community has endured severe foul odor and air pollution due to this landfill. However, the situation has now become critical with toxic leachate from the site flowing directly onto our land for **consecutively for the 3rd time in 3 years**, causing widespread contamination and irreversible environmental damage.

Despite raising this issue for the 3rd time in row including formal complaints submitted in 2023 and 2024 no effective remedial action has been taken by the concerned authorities. During visits to the MCG office in September 2024 and January 2025, we were assured that the leachate problem had been permanently resolved. During our visits in September 2024 and January 2025, we insisted relevant officials to take preventive steps before Monsoon Season like building an obstruction or bandh; however, we were assured that leachate problem has been permanently resolved. However, leachate has

once again entered our premises, damaging the ecosystem and exposing residents to serious health hazards.

We request your immediate intervention on the following critical issues:

- 1. Air Pollution and Foul Odor:** Persistent emissions from the landfill are severely impacting air quality, leading to respiratory illnesses and daily discomfort among residents.
- 2. Water Contamination:** Toxic leachate is polluting local water sources, making them unfit for consumption or household use. This increases the risk of outbreaks of waterborne diseases such as cholera, hepatitis, and typhoid.
- 3. Damage to Agriculture:** Contaminated water and soil have rendered agricultural land infertile, leading to reduced crop yield and potential health risks from toxic produce.
- 4. Proliferation of Vector-Borne Diseases:** Stagnant leachate serves as a breeding ground for mosquitoes, leading to a rise in diseases such as dengue, malaria, and chikungunya.
- 5. Environmental Degradation:** Continued seepage threatens groundwater reserves and biodiversity, with long-term consequences for the region's ecology.
- 6. Harm to Livestock:** Polluted fields and water sources have adversely affected the health of animals dependent on this land, impacting rural livelihoods and food supply.

This is our **third formal complaint in three years.** After countless visit and formal complaints, each time, we have been given verbal assurances with no lasting resolution. The repeated inaction has now made the situation intolerable.

We therefore request the following:

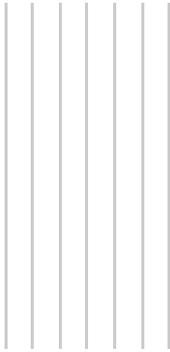
- Immediately clean and remove all existing leachate from our land and surrounding areas.
- Construct a permanent embankment or barrier to prevent future entry of leachate into private and agricultural land.
- Provide a written assurance detailing the concrete preventive measures they will implement to ensure that such leachate incidents are not repeated in the future.
- Implement regular monitoring and a long-term action plan to prevent further environmental damage and safeguard public health.

We trust the MCG will take urgent and effective action in view of the gravity of the matter. Kindly find enclosed relevant photographs and copies of our previous complaints filed with the Municipal Corporation of Gurugram.

The complaint is filed with MCG Office with the Complaint No. 2046 on 22.07.2025.

We look forward to your prompt and decisive response.

Warm regards,



Shivam Daga

633

Authorized Representative

M/s Different Earth Spaces Real Estate Private Limited

Contact: +91-8447637140, +91-7827442628

3.77 MB 3 files attached

PHOTO-2025-10-14-15-33-20.jpg 161.64 KB

VIDEO-2025-10-14-15-33-20.mp4 2.74 MB

Leachate Pictures (2).pdf 895.72 KB

Photographs dated 12.10.2025 and 23.10.2025 showing discharge of leachate from Bandhwari landfill





Gurgaon residents seek Centre's intervention amid Bandhwari leachate 'inaction'

TOI timesofindia.indiatimes.com/city/gurgaon/gurgaon-residents-seek-centres-intervention-amid-bandhwari-leachate-inaction/articleshow/124792165.cms

Ipsita Pati / Oct 25, 2025, 05:31 IST



Gurgaon: Residents and activists on Friday sent an appeal to Union environment minister Bhupender Yadav, alleging that toxic leachate from Bandhwari landfill continued to flow into Aravali forest and adjoining Bandhwari village. This, despite repeated orders from National Green Tribunal (NGT) and years of complaints to state authorities. Vaishali Rana, the original applicant before NGT, urged the minister to intervene, calling the situation "a grave environmental and human crisis that has been unfolding for nearly a decade". The complaint cited video evidence from this month showing black leachate trickling into Bandhwari village, contaminating water sources and seeping into forest depressions that serve as animal watering holes. "The landfill lies barely a kilometre uphill..., and therefore there is a continuous flow of leachate downhill directly towards the village and its surroundings," Rana wrote. NGT, in an order on Sept 18, asked Gurgaon municipal corporation (MCG) to verify whether the leachate was reaching human habitation. This followed a report by Central Pollution Control Board (CPCB) a day earlier, confirming discharge into the Aravali forest.

According to residents, neither containment nor cleanup measures have been implemented. Locals accuse MCG of filing false affidavits before NGT stating that a "garland drain" was constructed around the landfill to contain leachate — a claim CPCB contradicted in its report. The complaint noted that the tribunal order was "deafeningly silent" on this issue. The letter also accused Haryana wildlife department of inaction, alleging that Bandhwari landfill has severely degraded the leopard habitat. Sources say a

637

leopard carcass with a tumour was found last year. Activists added that wild animals were observed eating waste multiple times. Wildlife officers in Gurgaon had earlier recommended cancellation of the no objection certificate issued to MCG for the site, citing violations of the Wildlife (Protection) Act — but no action followed. According to the complaint, MCG is also occupying "at least 20 acres more than what was originally allotted", amounting to encroachment on protected land. Haryana Human Rights Commission has been monitoring the issue since 2022. Its chairperson, Deep Bhatia, visited the landfill in May 2023 and termed the conditions "catastrophic". However, the letter said, despite multiple reminders — including on Oct 1 this year — the state chief secretary was yet to submit a compliance report to the panel. "The commission's proceedings have been rendered toothless due to the state's indifference," the letter stated, adding that the next HHRC hearing is scheduled for Nov 25. Citing "complete administrative apathy", the residents have sought the environment ministry's direct intervention. Their demands include immediate cessation and containment of leachate discharge from the landfill, accountability action against MCG officials for continued NGT violations, a long-term remediation plan for contaminated soil and groundwater in Bandhwari and nearby villages, revocation of the Wildlife NOC granted to MCG, demarcation and reclamation of encroached Aravali forest land, and direction to the Haryana chief secretary to submit the pending report before HHRC. After ten years of litigation before NGT, residents say their patience has run out. "We do not see any light or hope from the state administration, which has failed miserably to uphold its responsibilities under environmental and human rights law," the letter concluded. "If the suffering of more than 50,000 citizens living under the shadow of a toxic landfill and in the heart of the Aravali forest still does not move the system to act, it would indeed be a tragedy for governance and human rights." An MCG official told TOI, "We are regularly collecting and transporting leachate out of the landfill. We have four ponds at the site for leachate collection. We have also constructed garland drains. However, since residents are still complaining, we will conduct checks once again."