

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

I.A. NO. 329 OF 2024

IN

O.A. NO. 06 OF 2012

IN THE MATTER OF:

NIZAMUDDIN WEST ASSOCIATION

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

AND IN THE MATTER OF:

ABHISHEK DUTT

...APPLICANT

INDEX

NDOH: 19.12.2024

S. No.	Particulars	Pg. No.
1.	Additional Affidavit on behalf of the Applicant – Abhishek Dutt in the captioned I.A. No. 329 of 2024	1 - 2
2.	Annexure K [Colly.] Copies of photos of the entry points of the Defence Colony Drain taken on 07.12.2024 and 14.12.2024	3 - 11
3.	Annexure L [Colly.] Copies of photos of the vents / gates of the Defence Colony Drain taken on 07.12.2024 and 14.12.2024	12 - 28
4.	Proof of Service	29

FILED BY:







Kunal Vajani | Kunal Mimani | Abhinav Jain

Advocates for the Applicant

Fox & Mandal, Solicitors & Advocates

D-394, Defence Colony, New Delhi - 110024

E: filings.newdelhi@foxandmandal.co.in | M: +91-98718 89444

New Delhi

Dated: 18.12.2024

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. NO. 329 OF 2024

IN

O.A. NO. 06 OF 2012

IN THE MATTER OF:

NIZAMUDDIN WEST ASSOCIATION

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

AND IN THE MATTER OF:

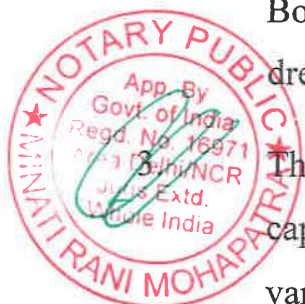
ABHISHEK DUTT

...APPLICANT

ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT

I, Abhishek Dutta, s/o Shri Kamal K. Dutta, aged about 44 years, having office at L-7, Lajpat Nagar – III, Near Sanatan Dharam Mandir, New Delhi – 110024, do hereby solemnly affirm and declare that: -

1. I am the Applicant in the accompanying Intervention Application and as such I am well versed with the facts and circumstances of the case and competent to depose the instant Affidavit.
2. The captioned Application has been filed on account of the deplorable and deteriorating condition of the Defence Colony stretch of the Kushak Drain ["**DC Drain**"] *inter alia* seeking issuance of necessary directions against the Municipal Corporation of Delhi ["**MCD**"] and the Delhi Jal Board ["**DJB**"] in relation to *inter alia* the installation of STPs, trapping, dredging and desilting of the DC Drain.



The Applicant had filed an Additional Affidavit dated 31.07.2024 in the captioned Application placing on record certain photographs of the various gates / vents / entry points of the DC Drain which could be used / accessed for the purpose of desilting / cleaning / dredging the DC Drain as suggested in the captioned Application.

4. Pertinently, this Ld. Tribunal *vide* Order dated 04.09.2024 directed MCD to take expeditious action in desilting of the Barapullah Drain including the DC Drain. Further, in order to ensure that foul smell and gases do not create any problems for the residents the Ld. Tribunal further directed the MCD to open the vents of the DC Drain in a manner that does not create problems for the nearby residents.
5. However, the desilting of the DC Drain is still not being carried out in an effective manner thereby leading to accumulation of waste on the sides of the DC Drain. Further, the vents / shafts have also not been used / opened till date hereof for desilting of the DC Drain.
6. Accordingly, the Applicant has filed the instant Affidavit for the limited purpose of placing on record certain photographs revealing the current status of the DC Drain. Copies of photos of the entry points of the DC Drain taken on 07.12.2024 and 14.12.2024 have been annexed hereto and marked as **Annexure K [Colly.]**. Copies of photos of the vents / gates of the DC Drain taken on 07.12.2024 and 14.12.2024 have been annexed hereto and marked as **Annexure L [Colly.]**.
7. I state that the contents of the foregoing Affidavit are true and correct to the best of my knowledge.

WJ
IDENTIFIED

Abhishek Dutt

DEPONENT

Verification: -

I, Abhishek Dutt, the deponent abovenamed, do hereby verify that the contents of foregoing affidavit are true to my knowledge. Nothing contained herein is false and nothing material has been concealed therefrom.

Verified at New Delhi on this **18 DEC 2024** day of December 2024

Abhishek Dutt

DEPONENT



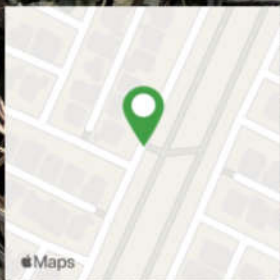
ATTESTED
 MINATI RANI MOHAPATRA
 NOTARY DELHI-R-16971
 GOVERNMENT OF INDIA
 SUPREME COURT OF INDIA
 COMPOUND NEW DELHI
 REGISTER Pg./Sl. No. *15*

18 DEC 2024
ATTESTED
 MINATI RANI MOHAPATRA
 ADVOCATE (NOTARY)
 Mob. No.: 8130128457

Annexure K [Colly.]



New Delhi, Delhi, India



Latitude

28°34'9"N

Longitude

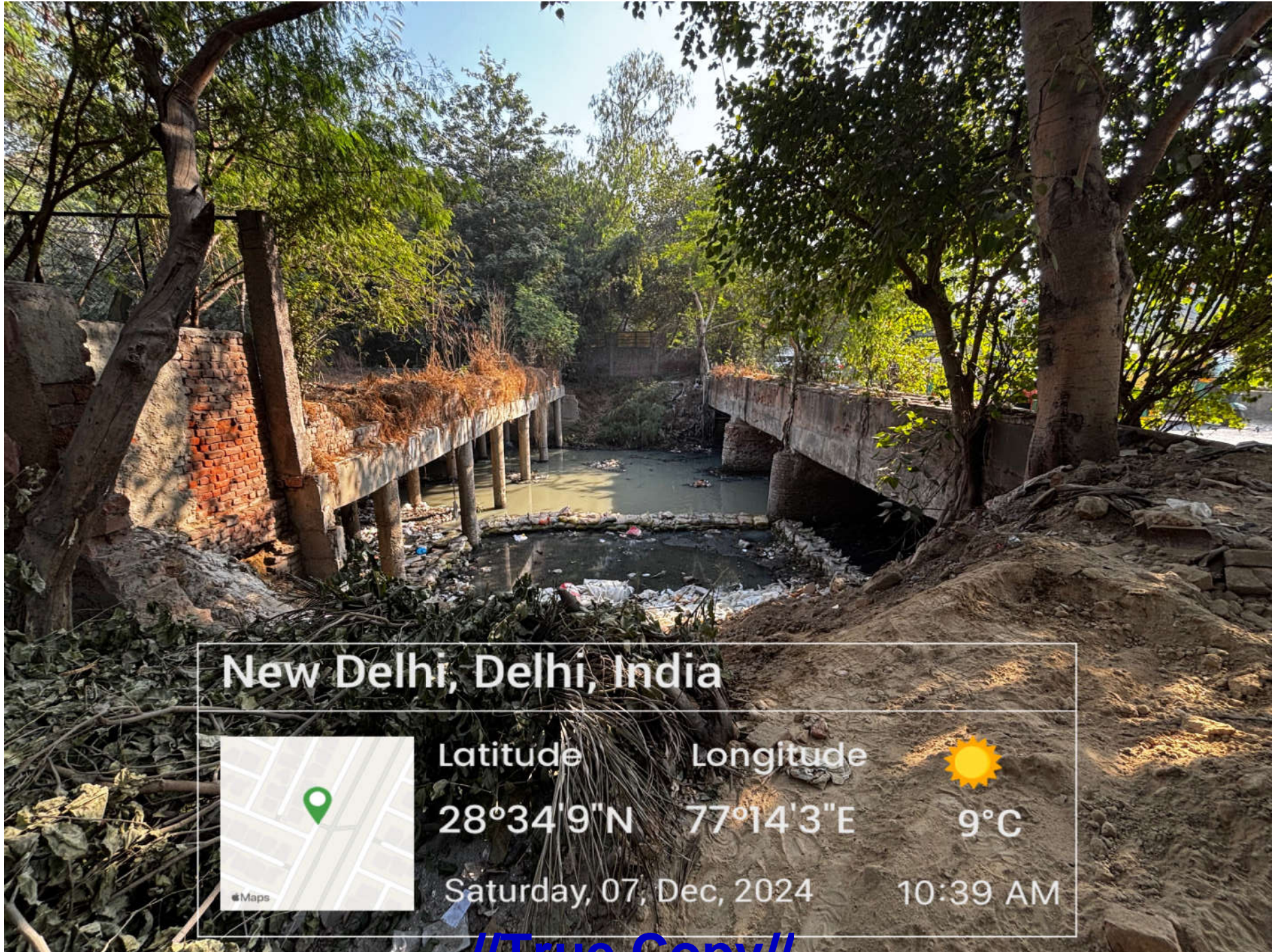
77°14'3"E



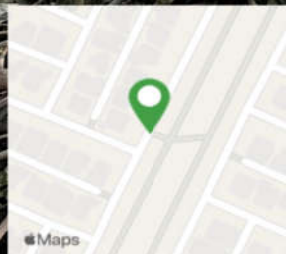
9°C

Saturday, 07, Dec, 2024

10:38 AM



New Delhi, Delhi, India



Latitude

28°34'9"N

Longitude

77°14'3"E

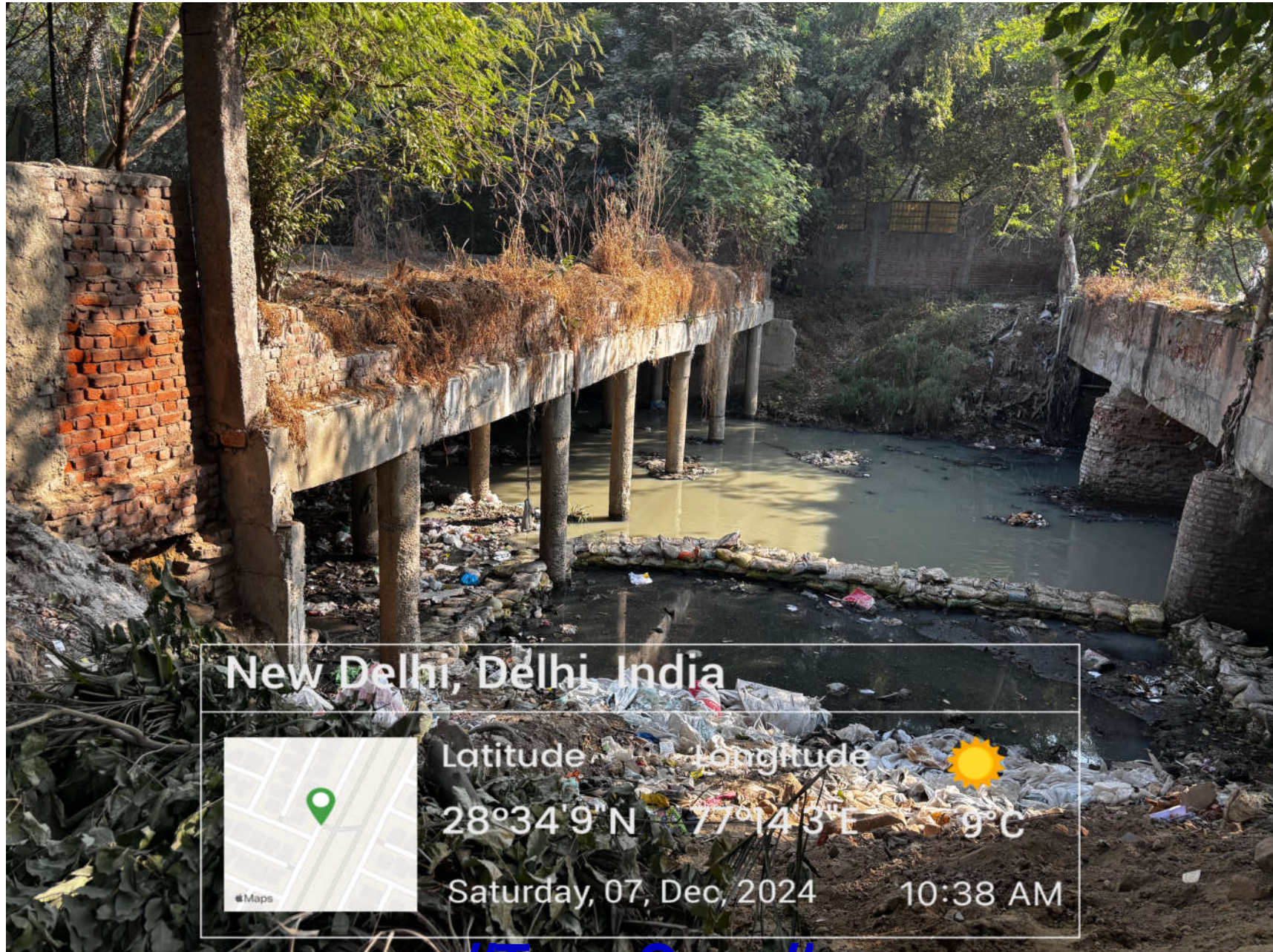


9°C

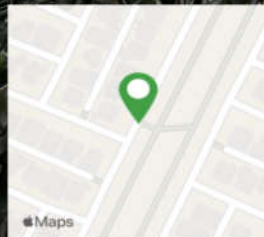
Saturday, 07, Dec, 2024

10:39 AM

//True Copy//



New Delhi, Delhi, India



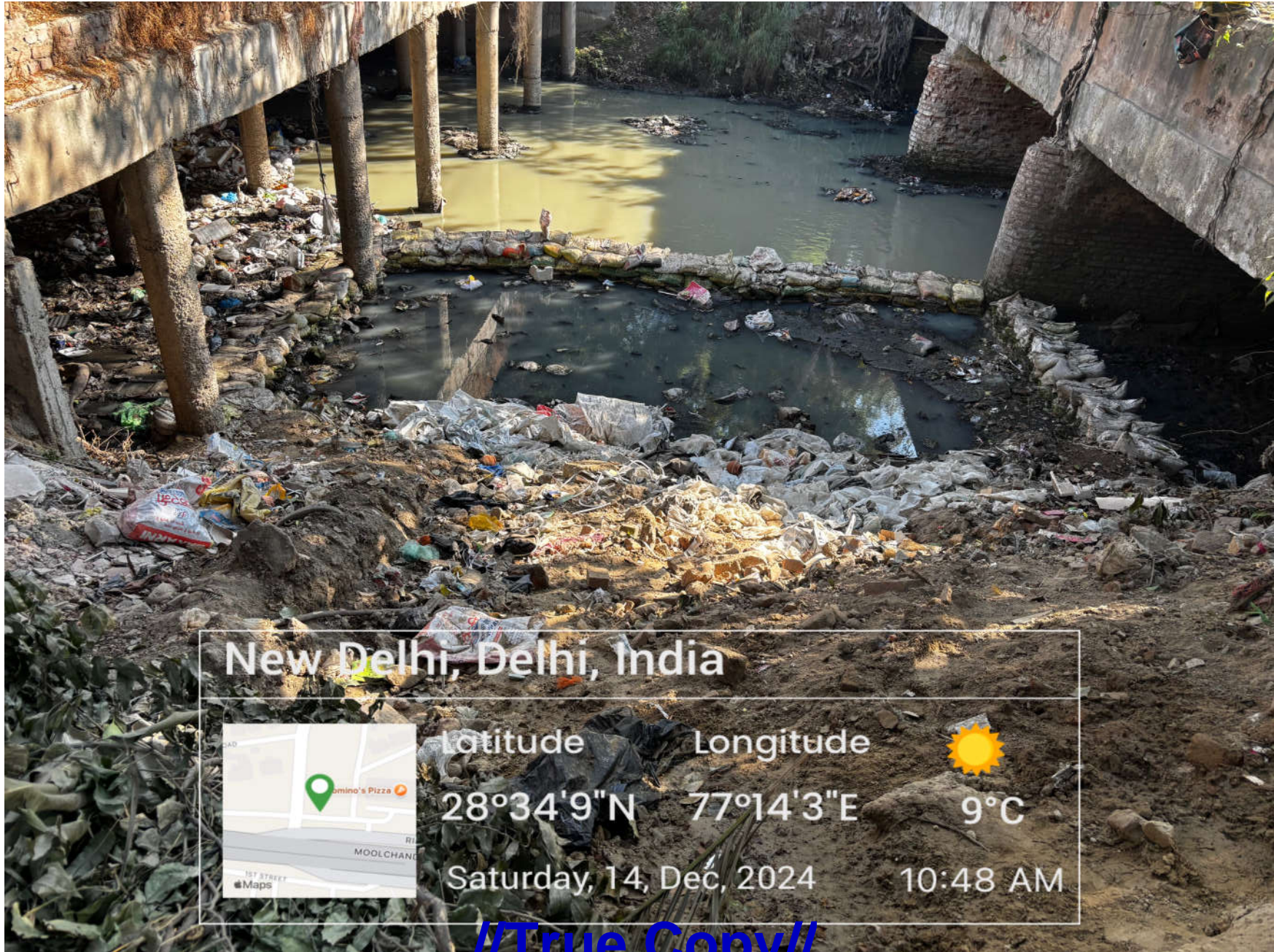
Latitude Longitude

28°34'9"N 77°14'3"E 9°C

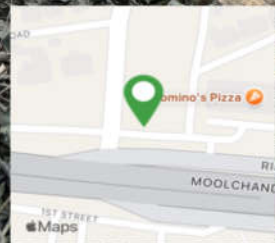
Saturday, 07, Dec, 2024

10:38 AM

//True Copy//



New Delhi, Delhi, India



Latitude

Longitude



28°34'9"N

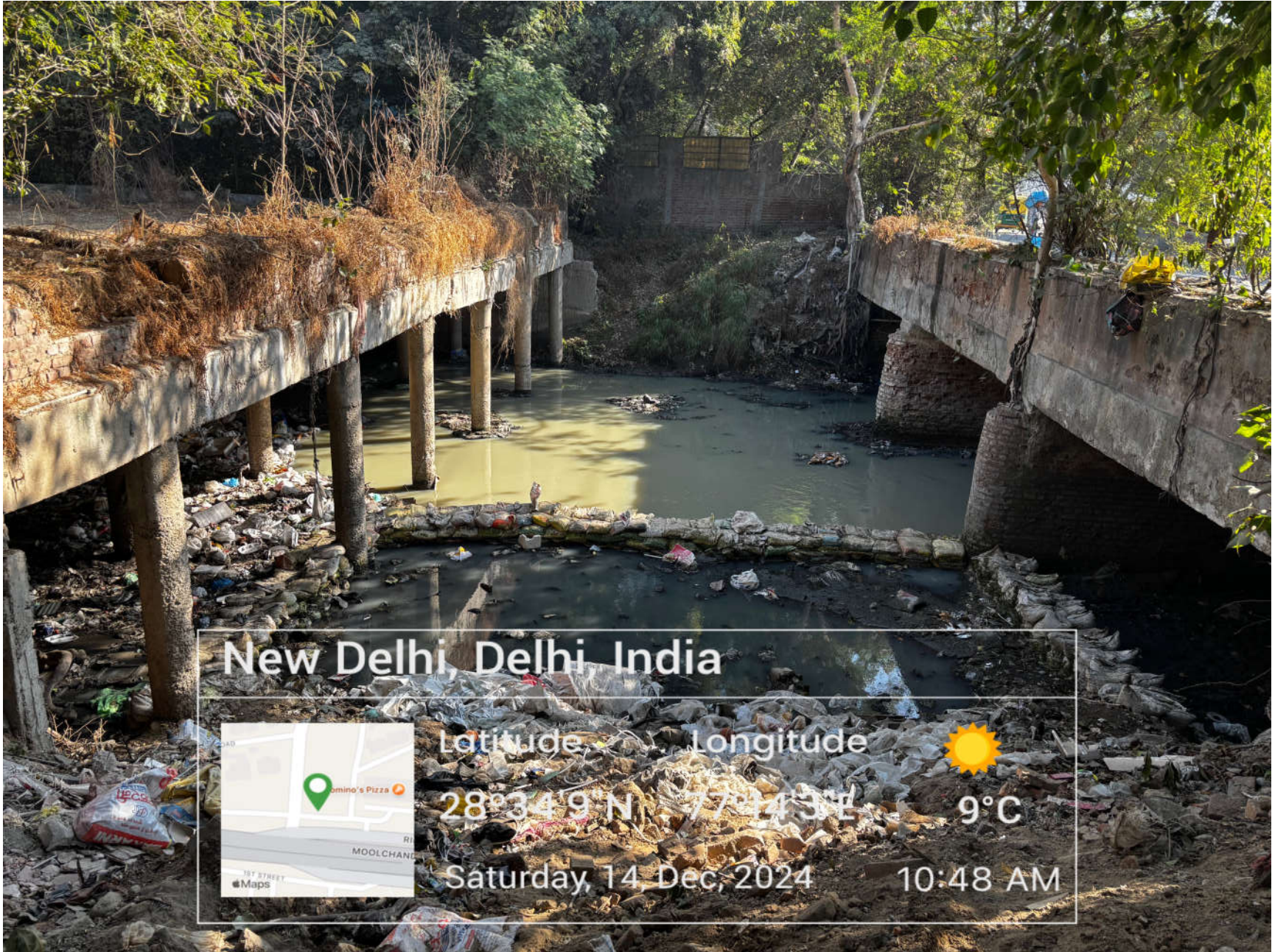
77°14'3"E

9°C

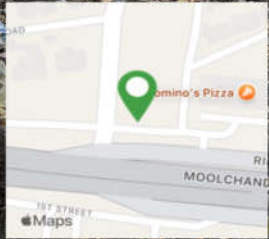
Saturday, 14, Dec, 2024

10:48 AM

//True Copy//



New Delhi, Delhi, India



Latitude

Longitude

28°34'9" N

77°14'31" E

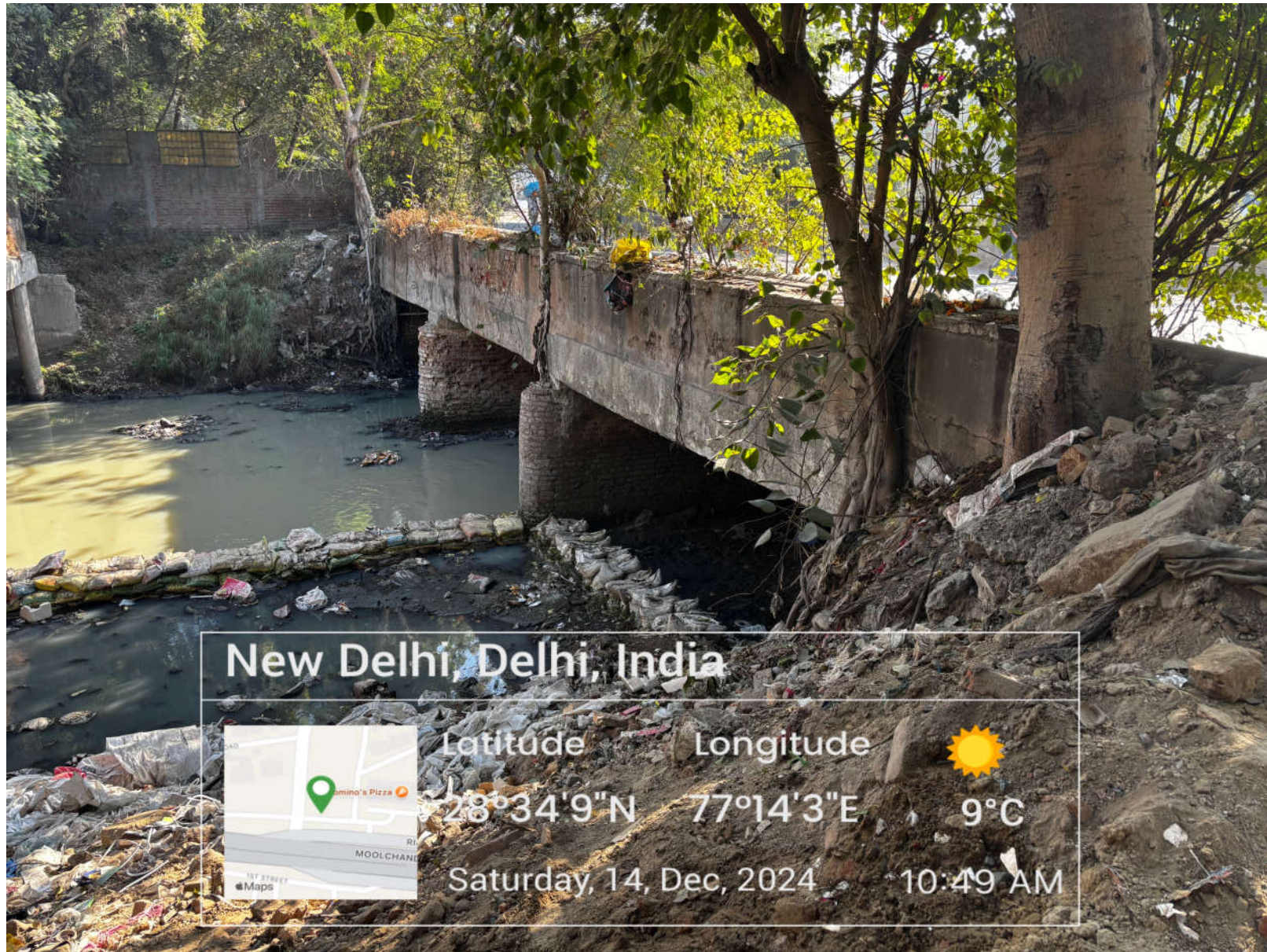


9°C

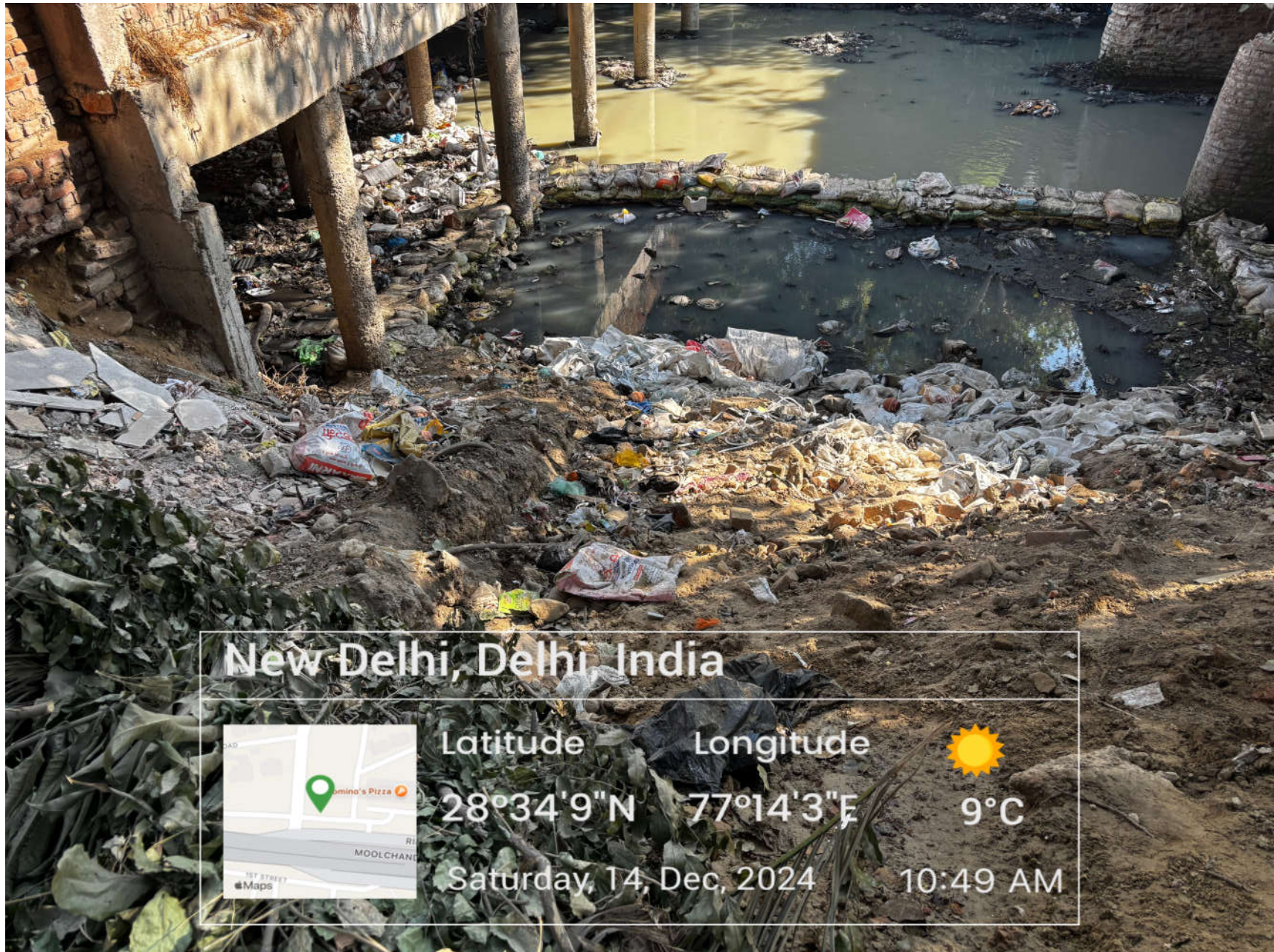
Saturday, 14 Dec, 2024

10:48 AM

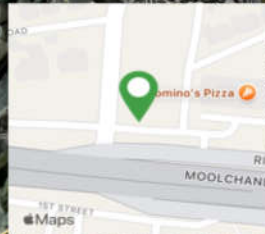
//True Copy//



//True Copy//



New Delhi, Delhi, India



Latitude

Longitude

28°34'9"N

77°14'3"E

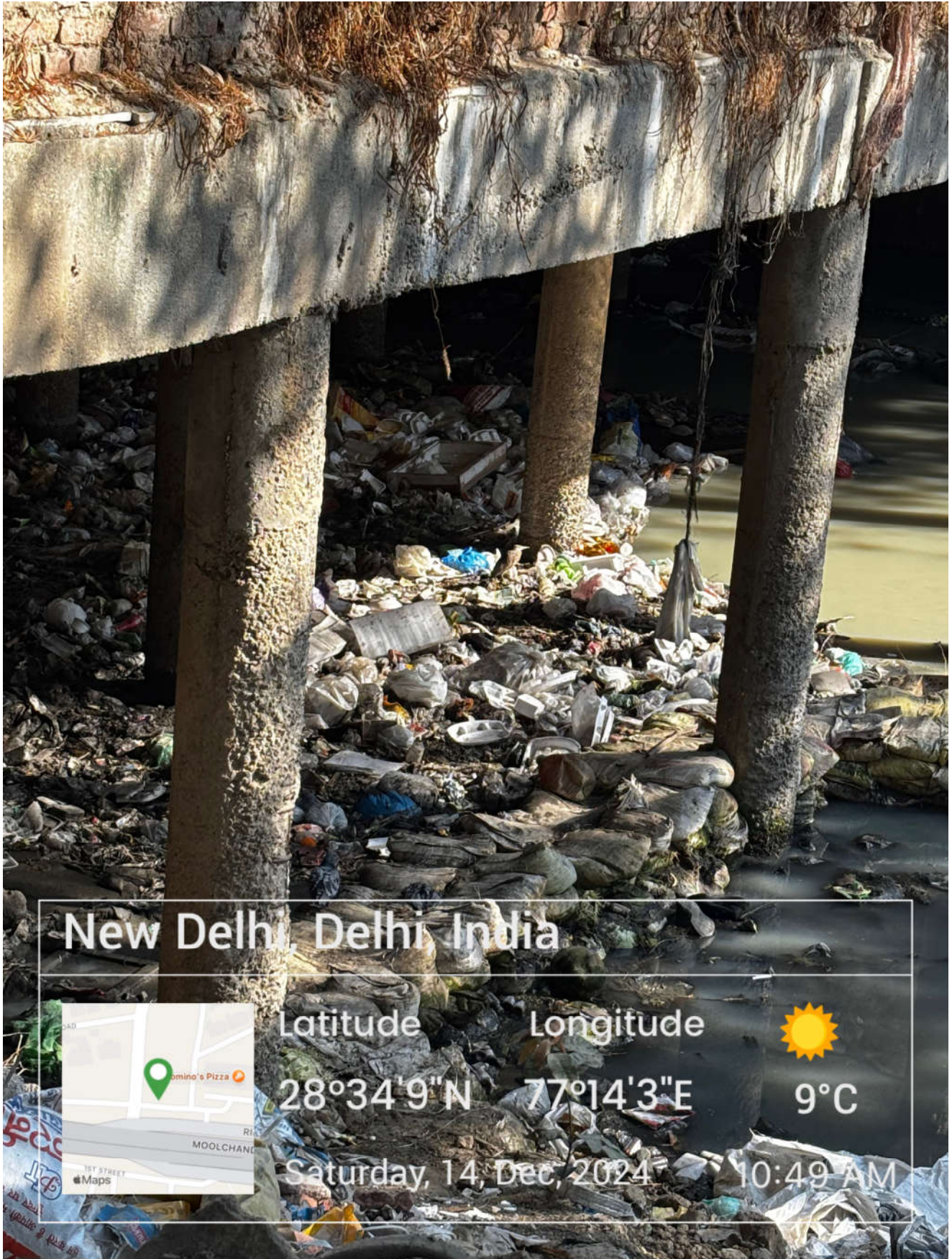


9°C

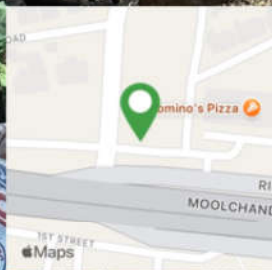
Saturday, 14, Dec, 2024

10:49 AM

//True Copy//



New Delhi, Delhi, India



Latitude

Longitude



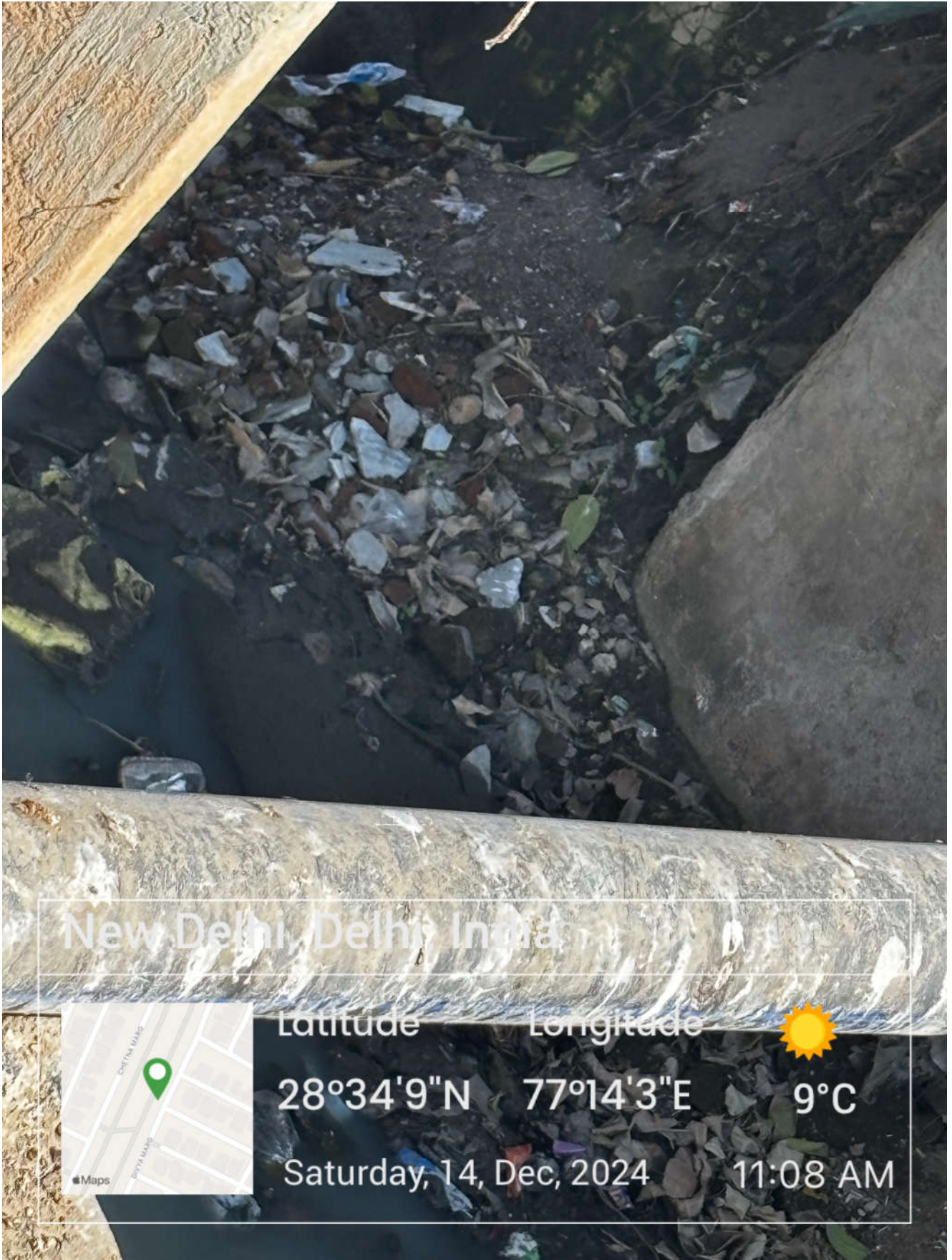
28°34'9"N

77°14'3"E

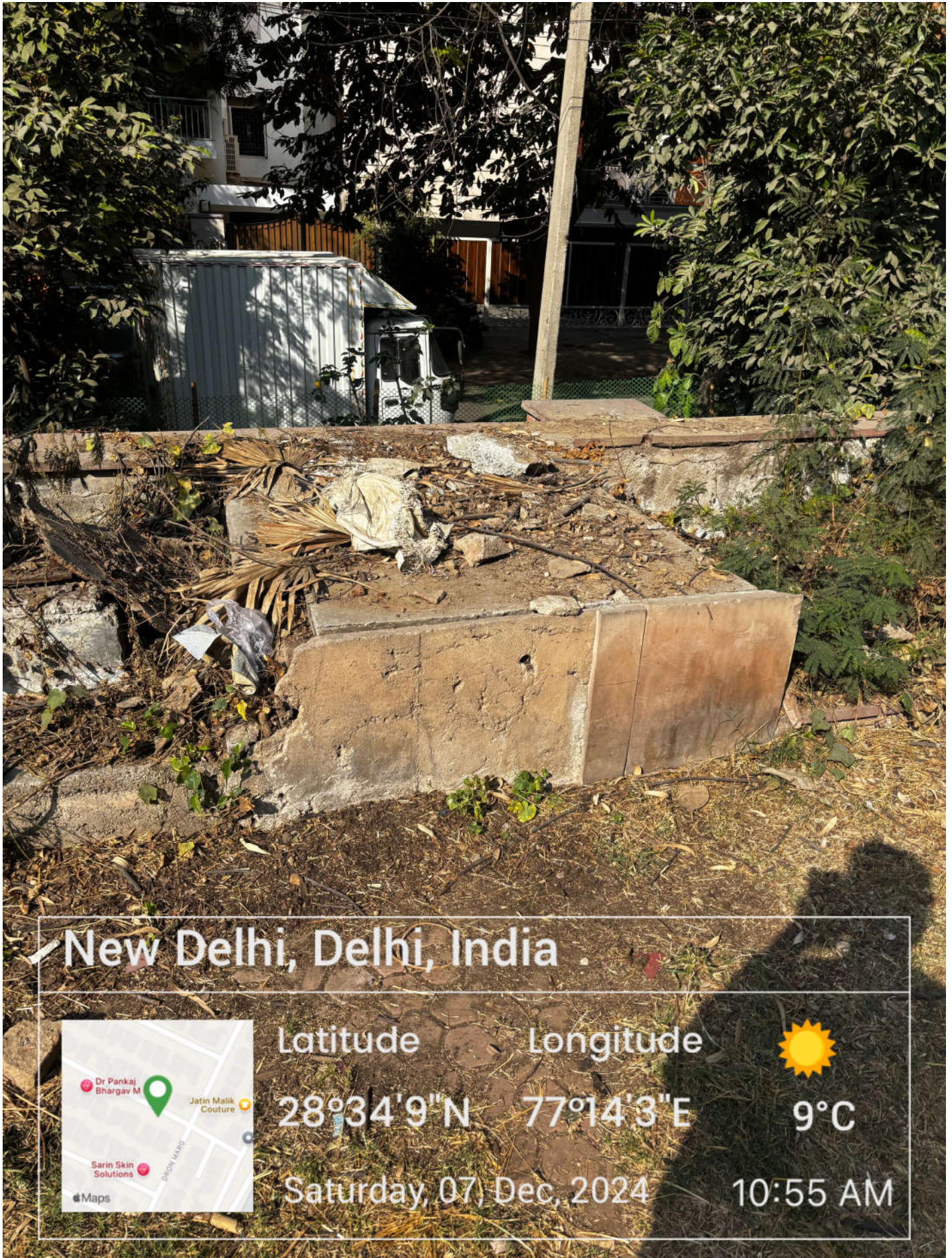
9°C

Saturday, 14, Dec, 2024

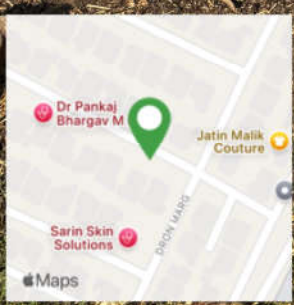
10:49 AM



Annexure L [Colly.]



New Delhi, Delhi, India



Latitude

Longitude



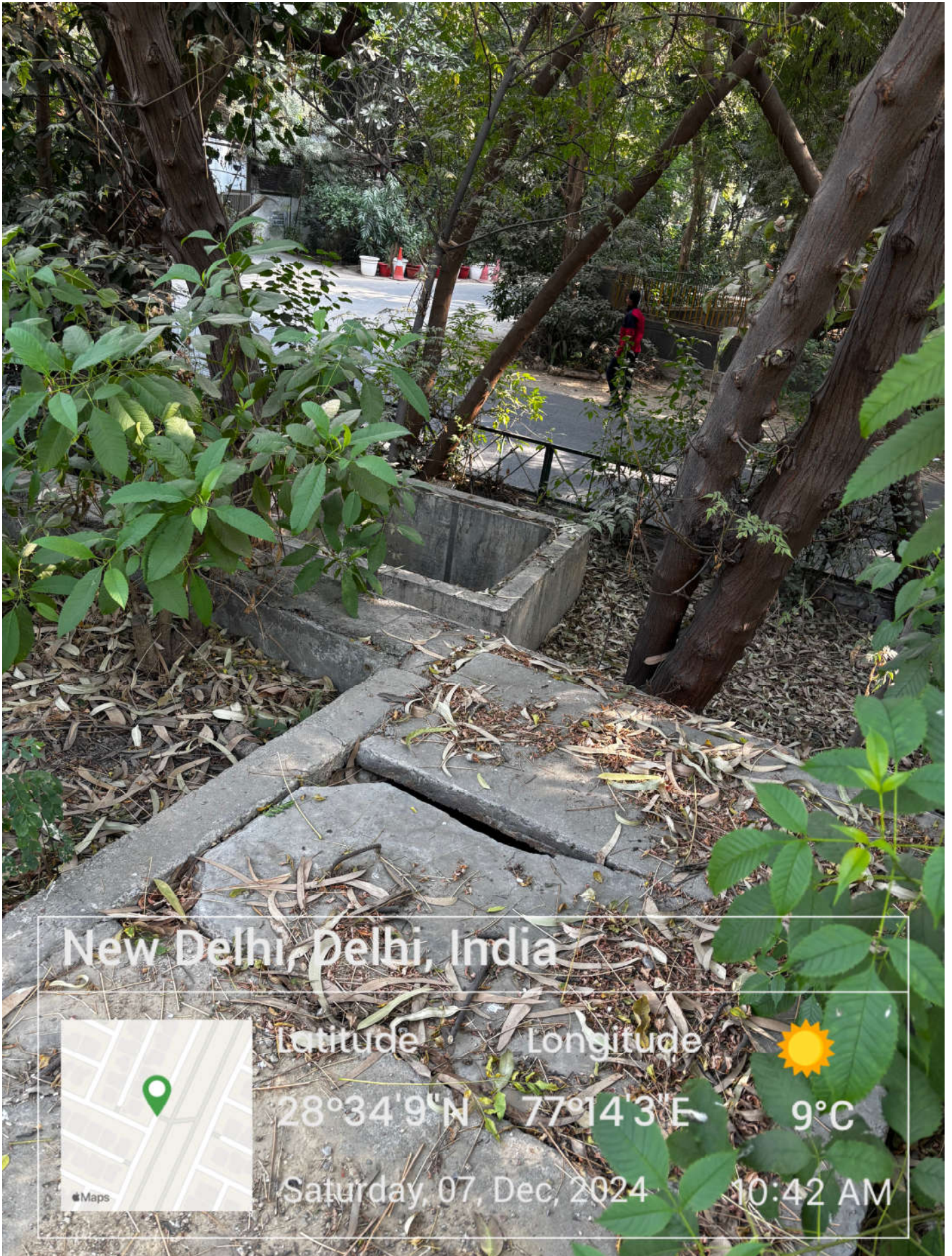
28°34'9"N

77°14'3"E

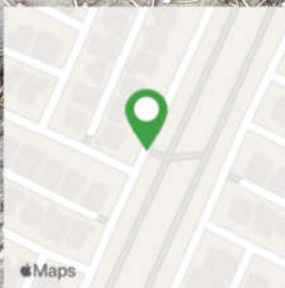
9°C

Saturday, 07, Dec, 2024

10:55 AM



New Delhi, Delhi, India



Latitude

Longitude

28°34'9"N

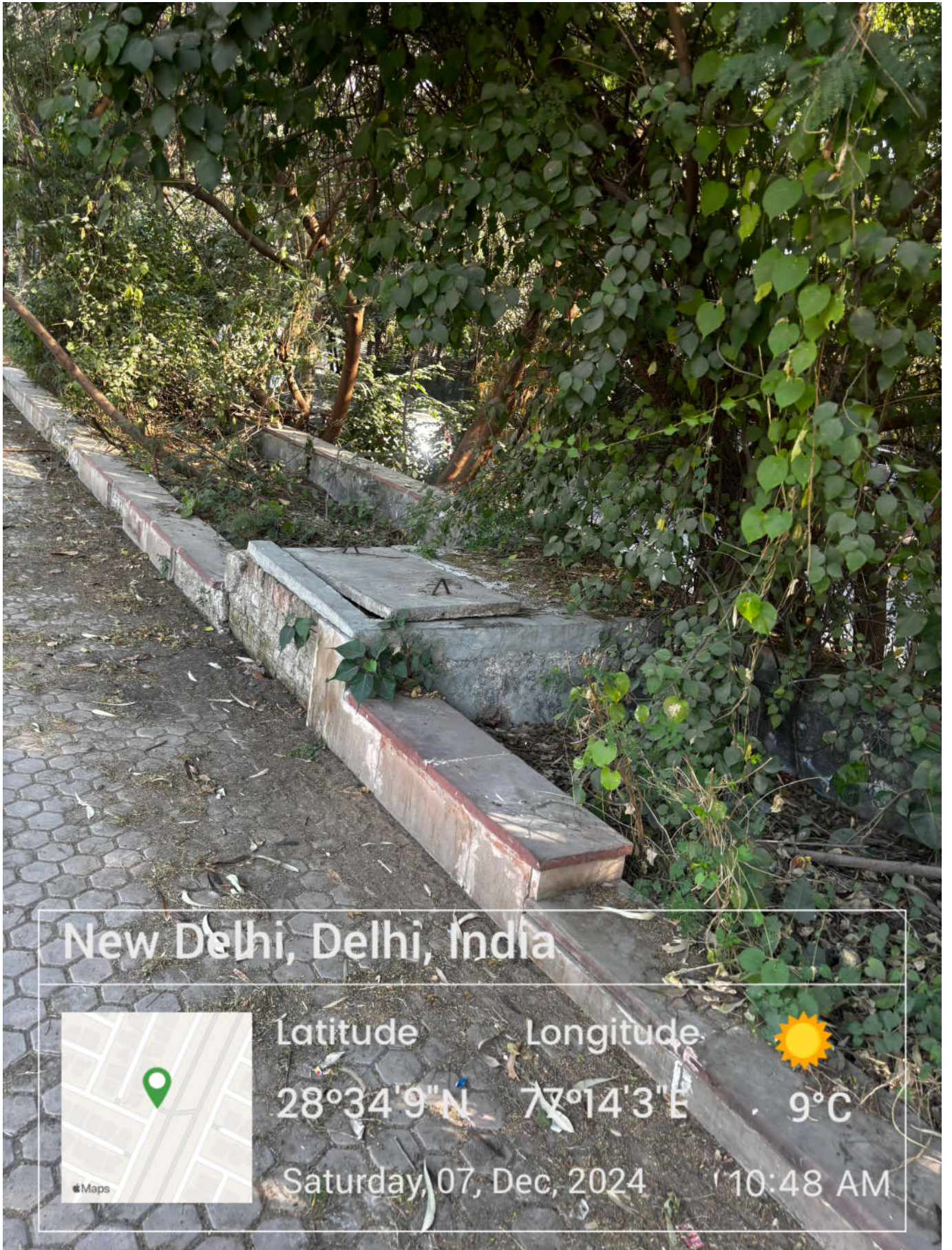
77°14'3"E



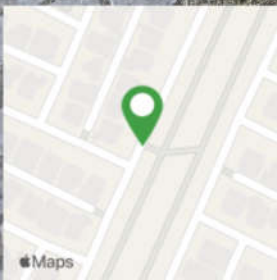
9°C

Saturday, 07, Dec, 2024

10:42 AM



New Delhi, Delhi, India



Latitude

Longitude

28°34'9"N

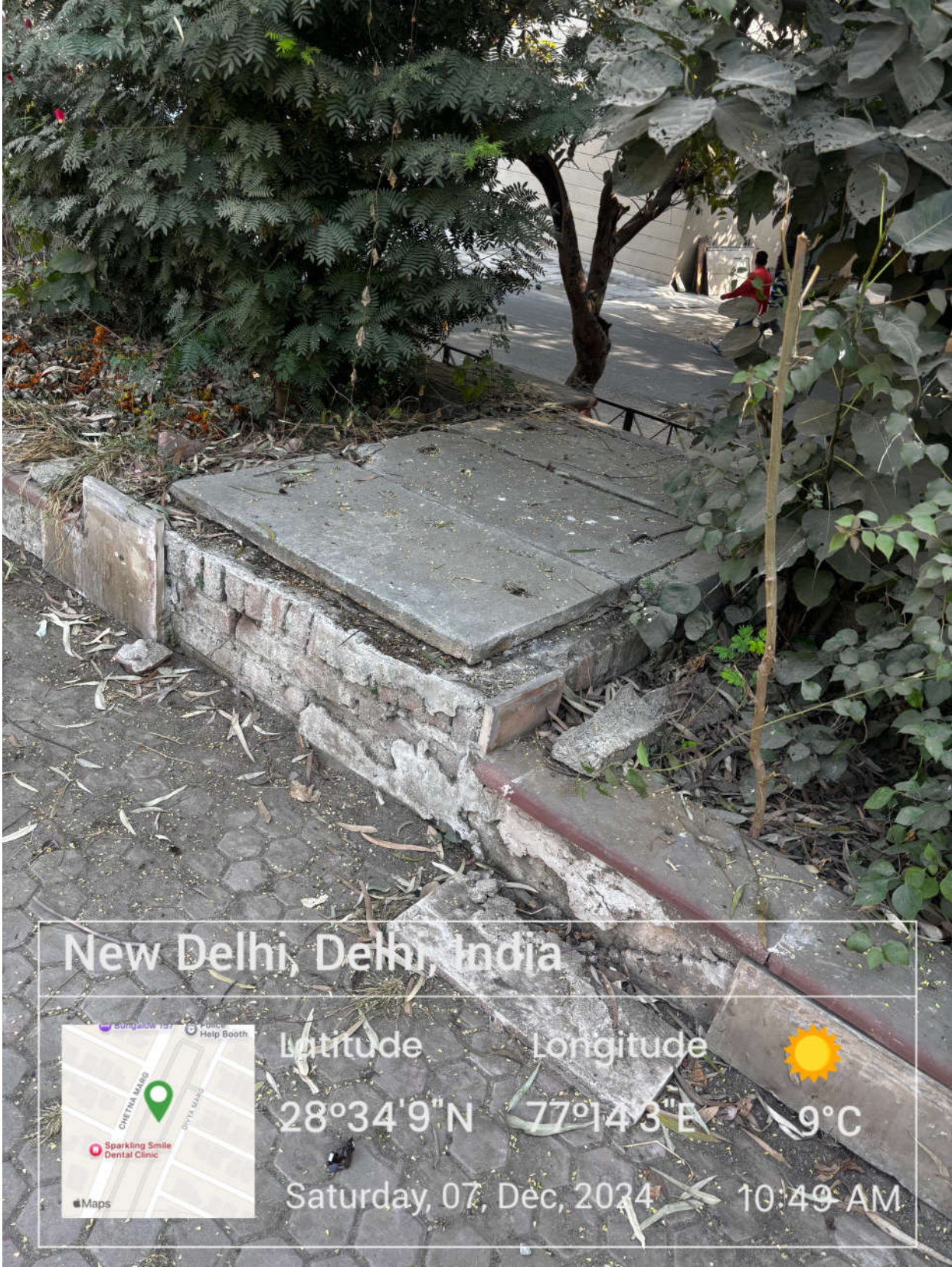
77°14'3"E

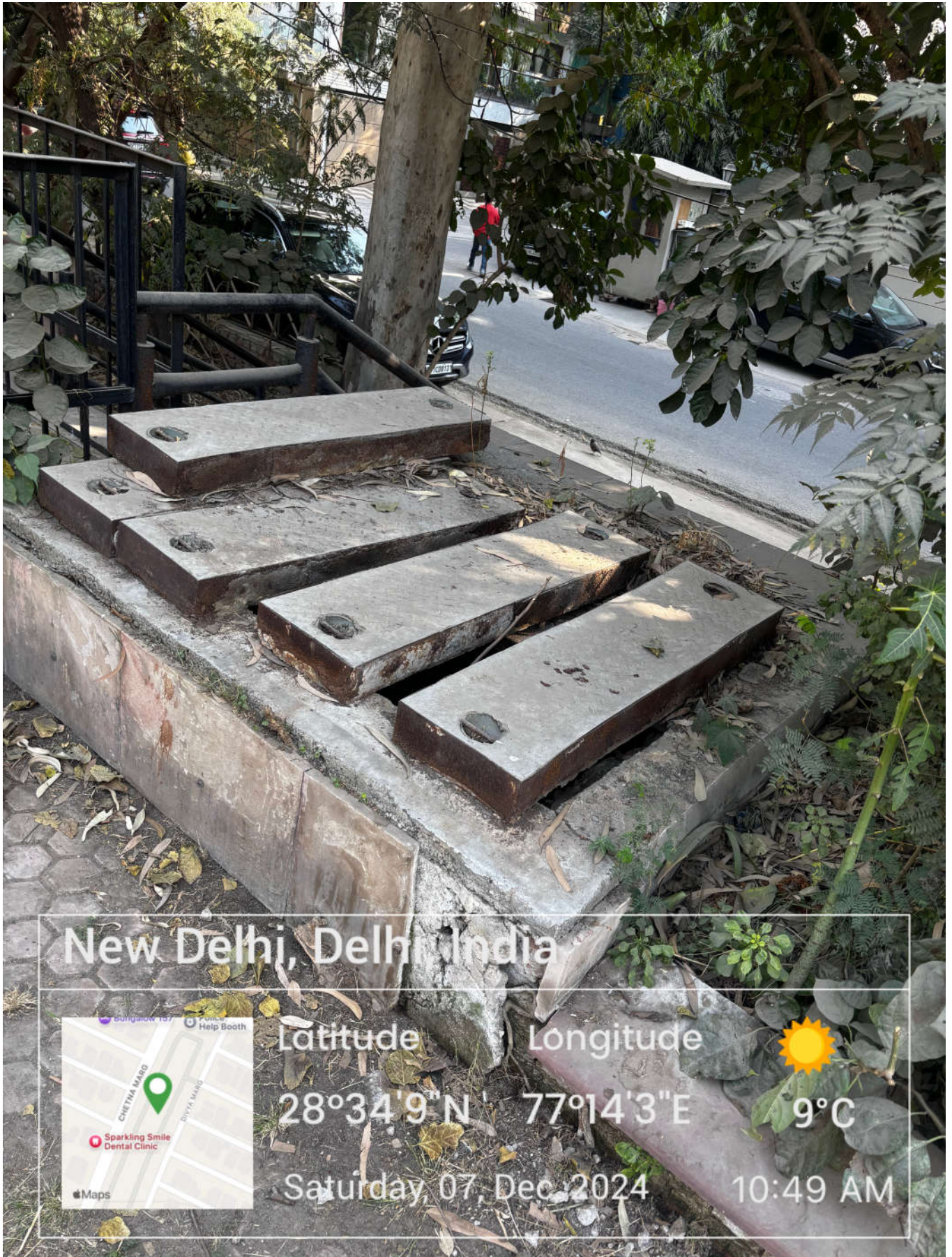


9°C

Saturday, 07, Dec, 2024

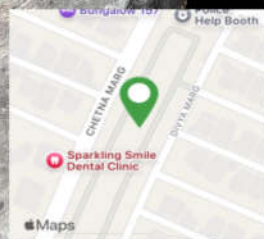
10:48 AM







New Delhi, Delhi, India



Latitude

28°34'9"N

Longitude

77°14'3"E

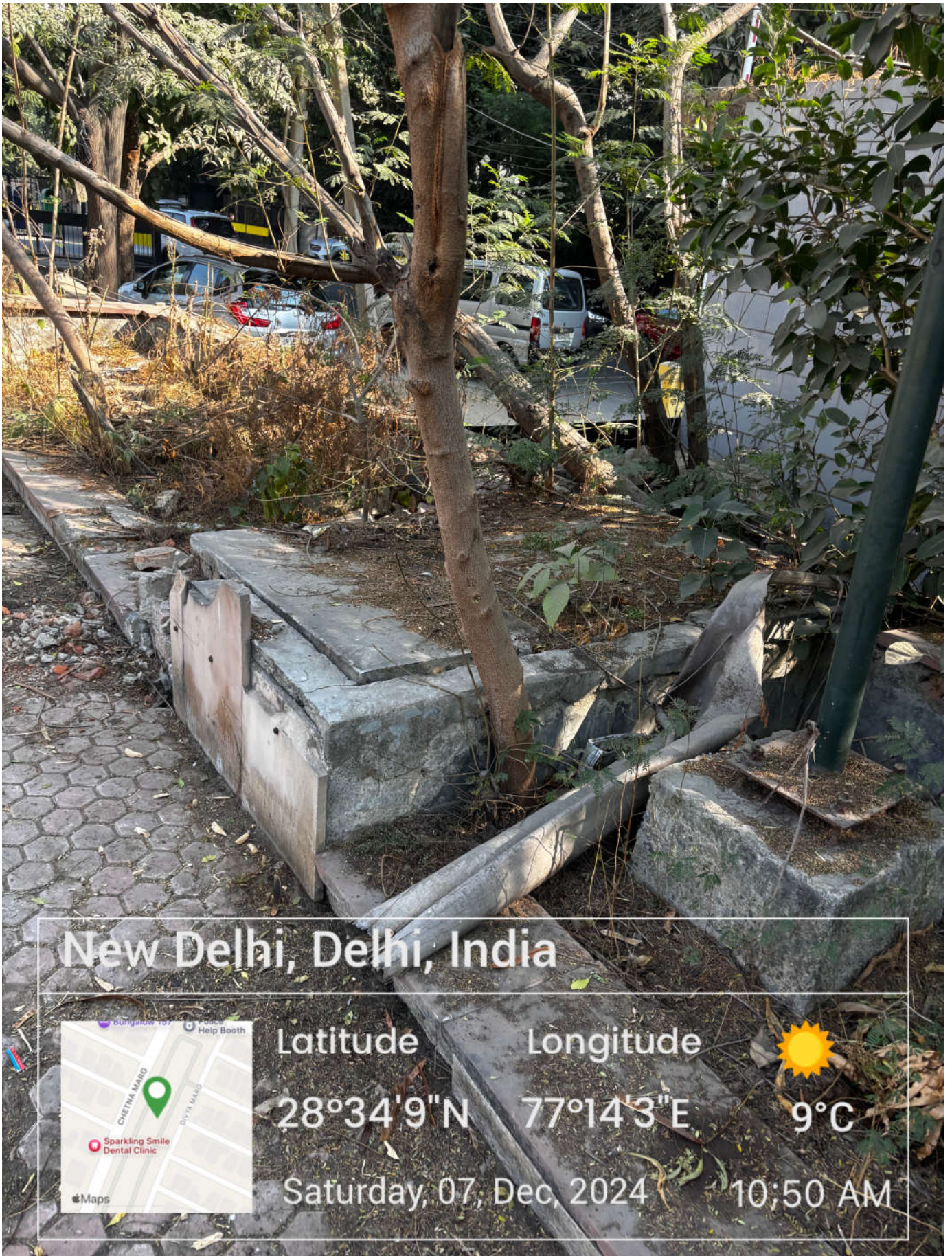


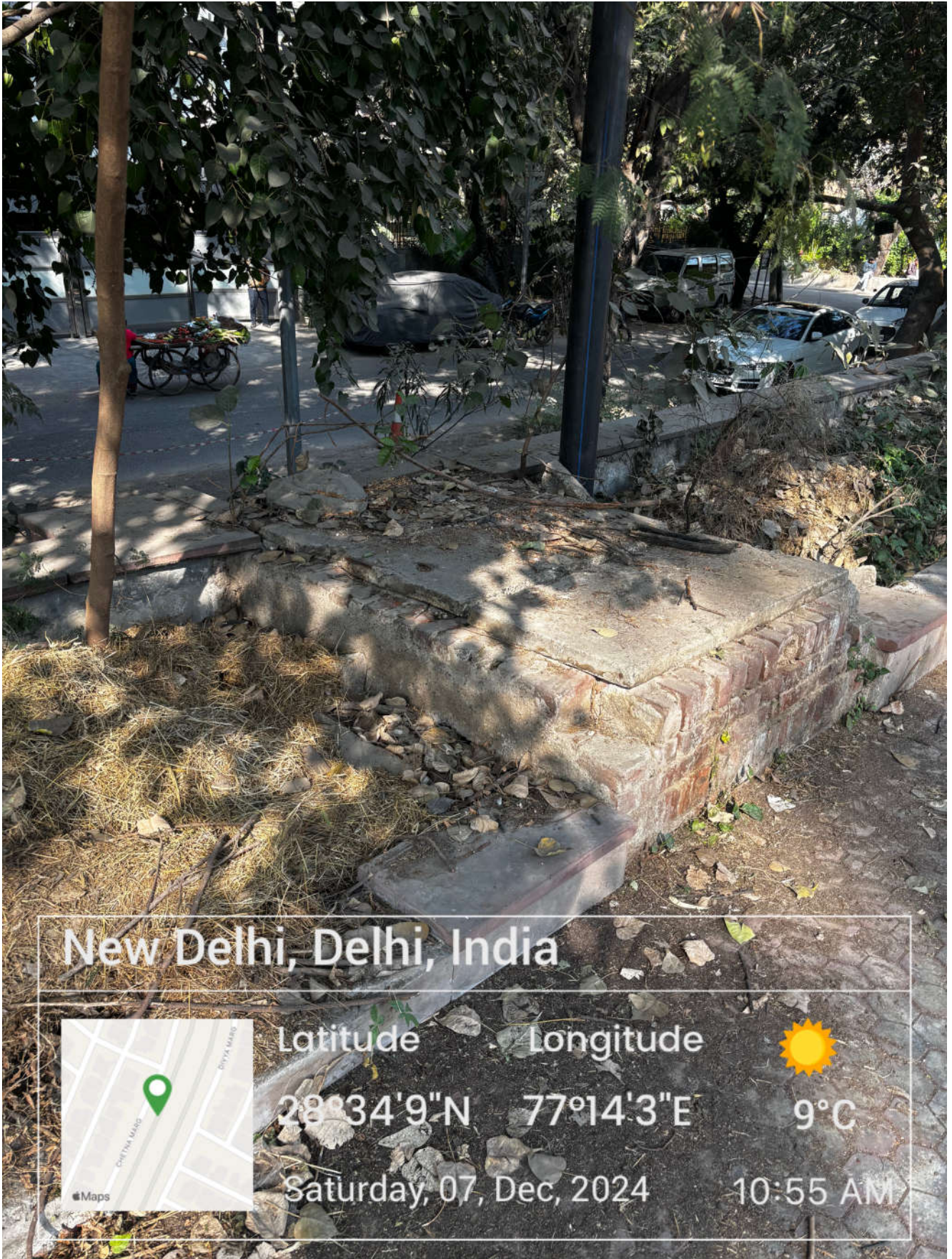
9°C

Saturday, 07, Dec, 2024

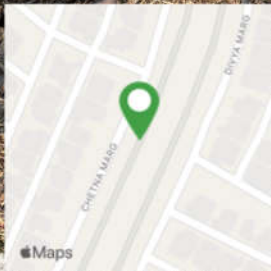
10:49 AM

//True Copy//





New Delhi, Delhi, India



Latitude

Longitude



28°34'9"N

77°14'3"E

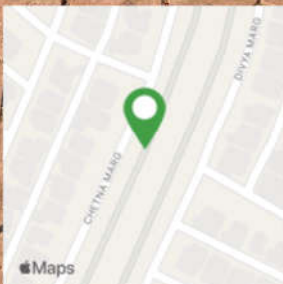
9°C

Saturday, 07, Dec, 2024

10:55 AM



New Delhi, Delhi, India



Latitude

Longitude



28°34'9"N

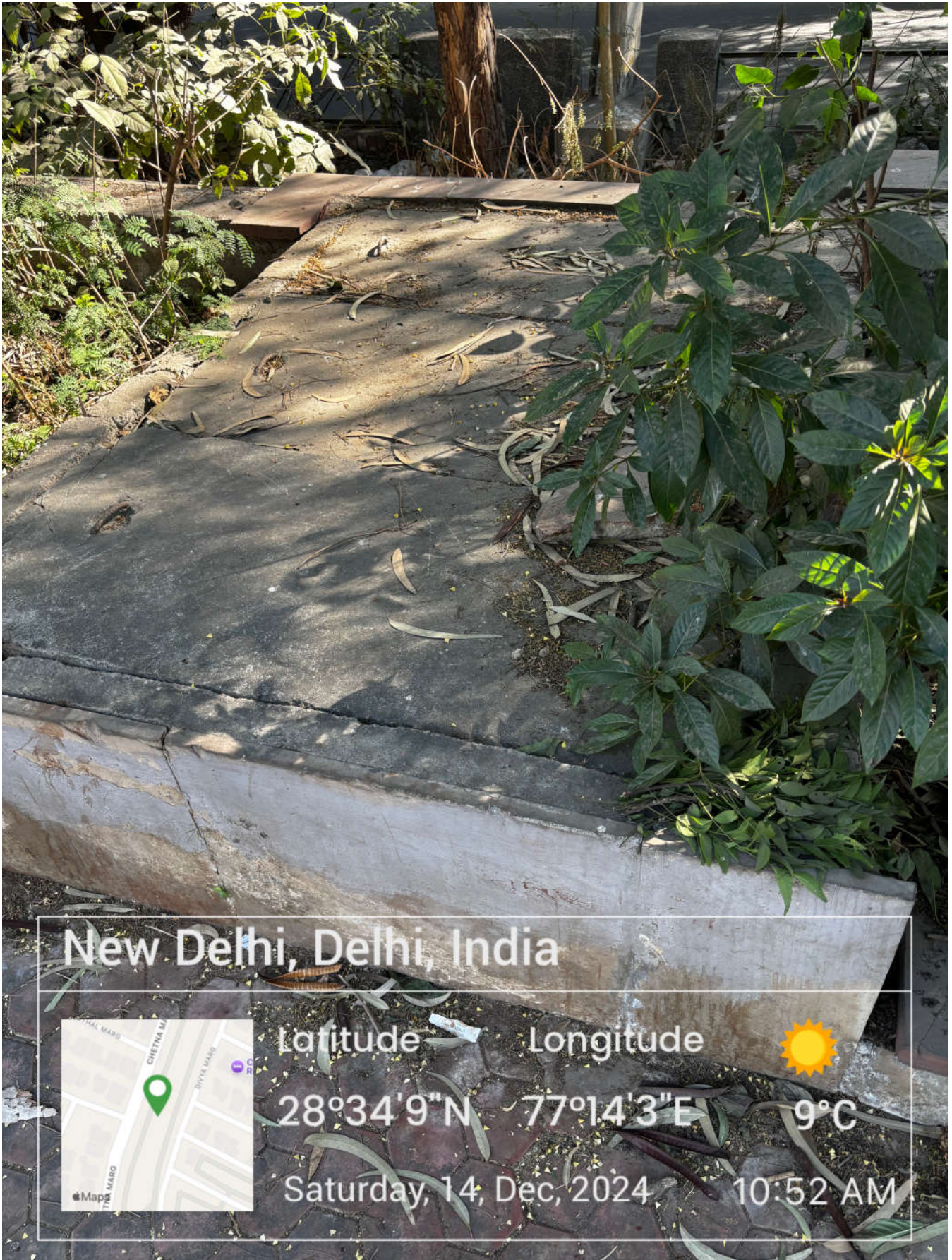
77°14'3"E

9°C

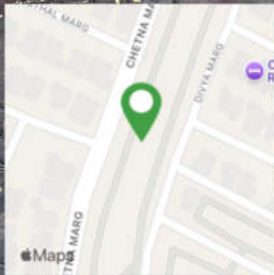
Saturday, 07, Dec, 2024

10:57 AM





New Delhi, Delhi, India



Latitude Longitude

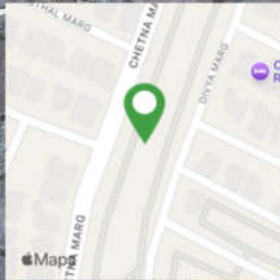
28°34'9"N 77°14'3"E 9°C



Saturday, 14, Dec, 2024 10:52 AM



New Delhi, Delhi, India



Latitude

Longitude

28°34'9"N

77°14'3"E



9°C

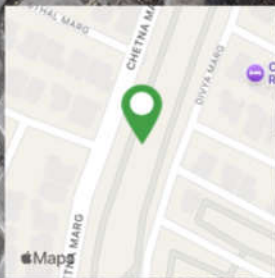
Saturday, 14, Dec, 2024

10:52 AM





New Delhi, Delhi, India



Latitude Longitude

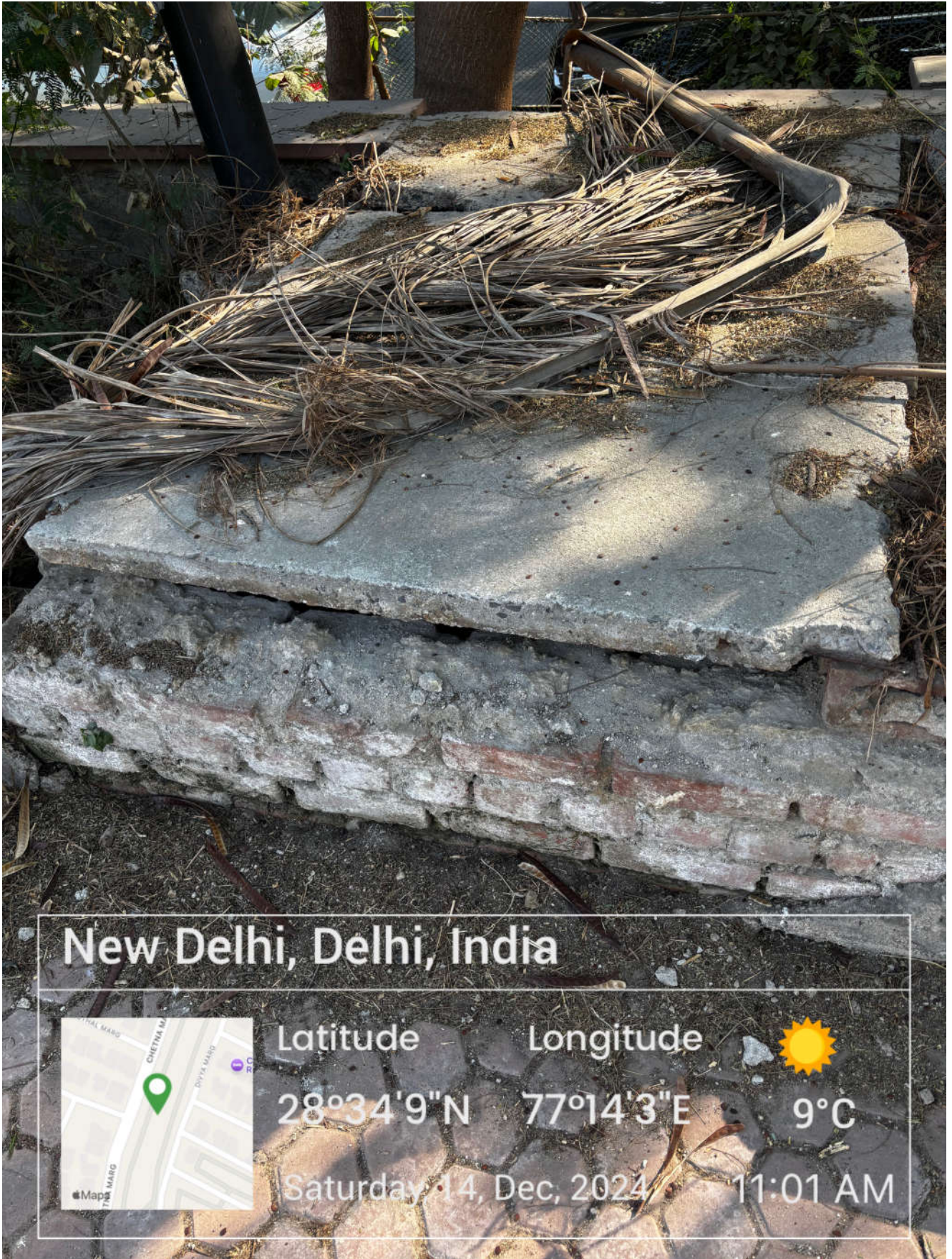
28°34'9"N 77°14'3"E

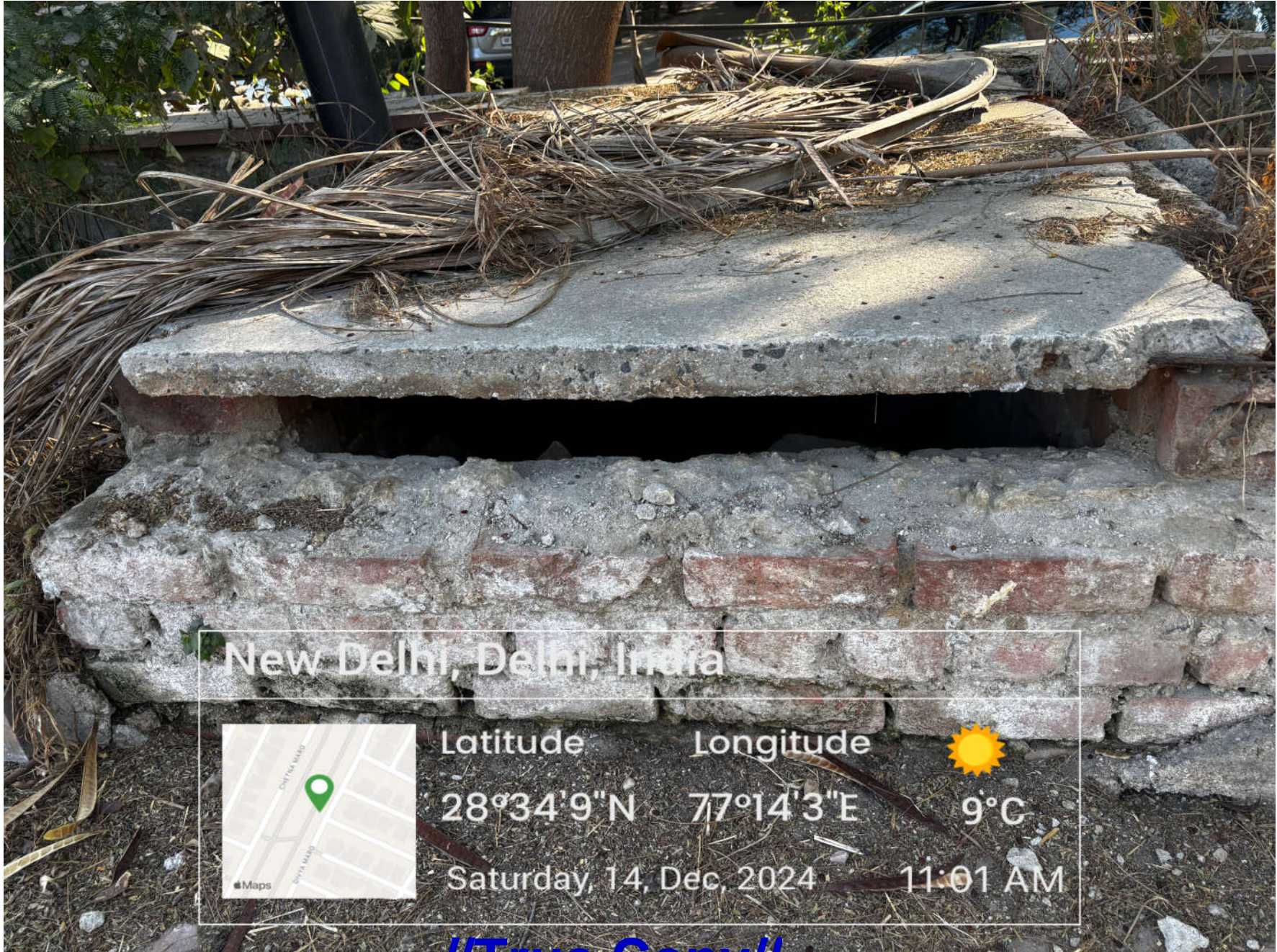


9°C

Saturday, 14, Dec, 2024

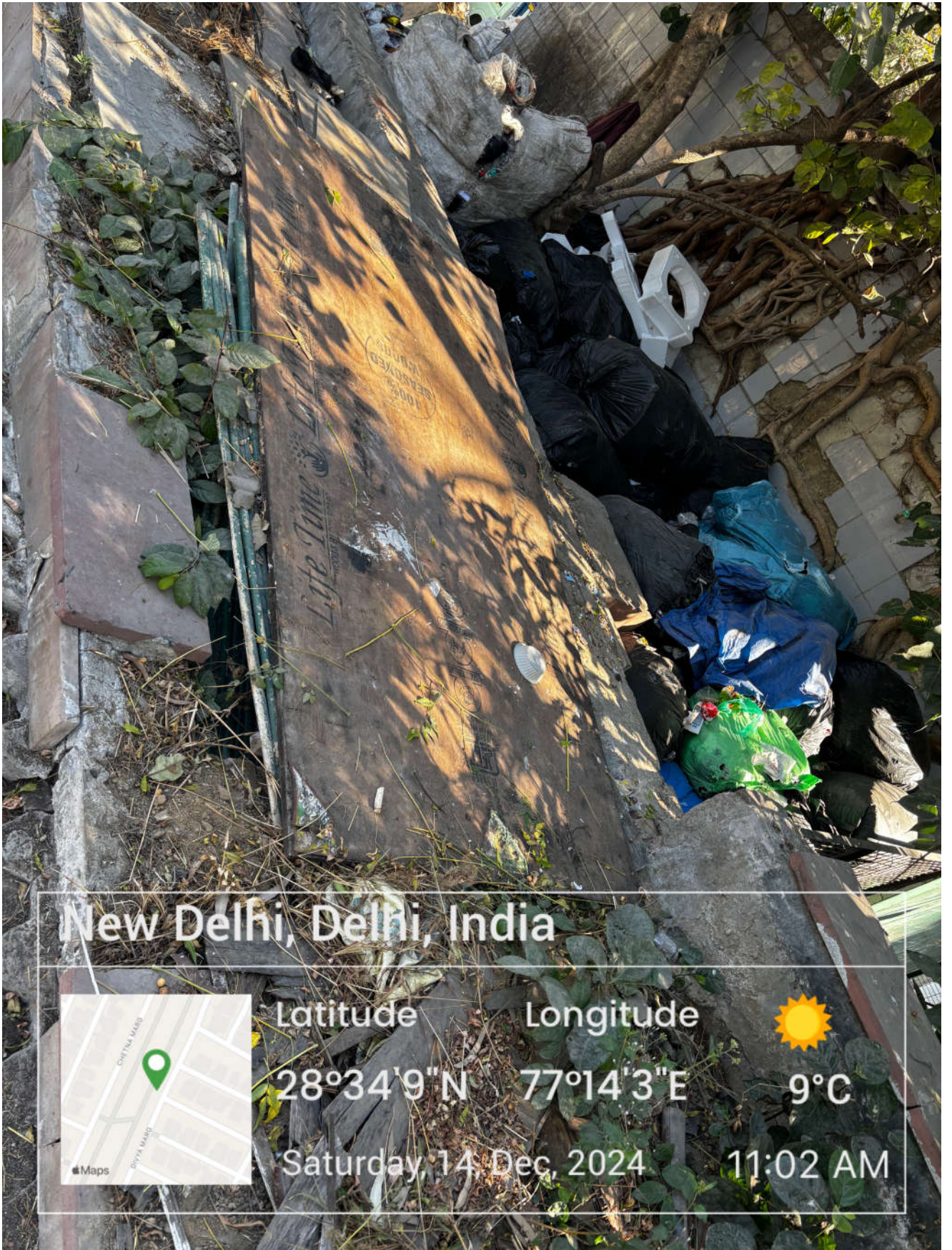
10:55 AM



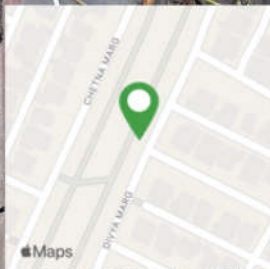


Latitude Longitude ☀
28°34'9"N 77°14'3"E 9°C
Saturday, 14, Dec, 2024 11:01 AM

//True Copy//



New Delhi, Delhi, India



Latitude

28°34'9"N

Longitude

77°14'3"E



9°C

Saturday, 14 Dec, 2024

11:02 AM

Additional Affidavit | I.A. No. 329 of 2024 in O.A. No. 6 of 2012 [NGT]]

From Tanish Arora <tanish.arora@foxandmandal.co.in>

Date Wed 2024-12-18 11:40 AM

To secy-moef@nic.in <secy-moef@nic.in>; PUJAKALRA09@GMAIL.COM <PUJAKALRA09@GMAIL.COM>; bhanwar09jadon@gmail.com <bhanwar09jadon@gmail.com>; rk407@rediffmail.com <rk407@rediffmail.com>; aqzaidi110@gmail.com <aqzaidi110@gmail.com>; sk.bhardwaj24@gov.in <sk.bhardwaj24@gov.in>; deeksha.kakar@scladi.com <deeksha.kakar@scladi.com>; msdpcc@nic.in <msdpcc@nic.in>; csdelhi@nic.in <csdelhi@nic.in>; eecdr6.djb@gmail.com <eecdr6.djb@gmail.com>; irrigation@hry.nic.in <irrigation@hry.nic.in>; kaushalsanjeev@hry.nic.in <kaushalsanjeev@hry.nic.in>; sslg.delhi@gov.in <sslg.delhi@gov.in>; seclg@nic.in <seclg@nic.in>; mangal.singh@mcd.nic.in <mangal.singh@mcd.nic.in>; Office@marklegal.co.in <Office@marklegal.co.in>; Jmalawoffices@gmail.com <Jmalawoffices@gmail.com>; Sahayk@gmail.com <Sahayk@gmail.com>

Cc Kunal Vajani <kunal.vajani@foxandmandal.co.in>; Kunal Mimani <kunal.mimani@foxandmandal.co.in>; Kartikey Bhatt <kartikey.bhatt@foxandmandal.co.in>

 1 attachment (9 MB)

Additional Affidavit - IA 329 of 2024.pdf;

Dear All,

Please find attached an Additional Affidavit being filed on behalf of the Applicant - Abhishek Dutt before the Hon'ble National Green Tribunal in the captioned matter as and by way of advance service upon you.

Regards,

Tanish Arora

Associate



FOX & MANDAL
SOLICITORS & ADVOCATES
Estd. 1896

Kolkata | Mumbai | **New Delhi**

Fox & Mandal House, D 394, Defence Colony, New Delhi 110 024

T: +91 11 6932 4000 | M: +91 8795 374 874 | E: tanish.arora@foxandmandal.co.in

LinkedIn: <http://www.linkedin.com/in/tanish-arora-a290a31b3/>

Website: www.foxandmandal.co.in

IFLR 1000 2023

Notable Firm

asialaw 2023

Recognized Firm

IBLJ

A-list 2023-24

Forbes India

Top Law Firm

Benchmark Litigation

Notable Firm

Legal 500 APAC

Recommended Lawyers

CONFIDENTIALITY CAUTION: This e-mail and any attachment(s) is/are intended solely for the addressee(s) and may contain confidential and/or privileged information. If you are not the intended recipient, please do not disclose, copy, distribute, disseminate or take any action in reliance on information contained herein, notify the sender immediately and delete the original message.