

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

Faridkot House, Copernicus Marg, New Delhi.

Original Application No. 628/2022

D.O.H. 27.01.2023

D.K. Puri,

President A&D Blocks Vikas Puri
Residents' Welfare Association
Versus

Applicant

Govt. of N.C.T. of Delhi & Others

Respondents

Additional Submissions on behalf of the Applicant.

Hon'ble Sirs,

1. Further to the submissions made in the Original Application and on perusal of the Report of the Joint Committee in pursuance of the order dated 30.09.2022 passed by this Hon'ble Tribunal the Applicant above named submit as under:

1.a That the report of the joint committee submitted by the Joint Committee comprising of the representatives of the DPCC, MCD, A.D.M. South West does not appear to be reliable in view of the fact that they have simply submitted the Noise Monitoring Report pertaining to the Diesel Generation Sets installed by the Reliance Mall Authorities in A- Block Community Centre, Vikas Puri, New Delhi-110018. The said committee conducted the inspection of the only Two Numbers Generator Set which are being used by the Mall Authorities as a back-up for the purpose of Mall at the Community Centre, Vikas Puri, New Delhi.

1.b The Grievance of the residents of the A&D Block, Vikas Puri, New Delhi pertains to the Air Pollution and Noise Pollution

emanating out of recently installed Generator Sets by the Mall Authorities for the purpose of telecom services/data services in the Open Area outside the Mall Building which is the main health hazard for the residents of the A & D Blocks of Vikas Puri, New Delhi who have been living in the said area for the past more than four decades. The telecom services/data services is totally being run on the two Generator Sets being run from which Noise and Air Pollution is being emanated on continual basis and needs to be removed from the close proximity of the residences of the Colony.

1.c Fortunately, the Committee has very fairly submitted that both the Diesel Generating Sets are more than 15 (Fifteen) years old vintage and have lived their life elsewhere prior to installation at the Mall Compound. This aspect needs to be considered by this Hon'ble Tribunal in the wake of Total Ban On Plying of Vehicles plying on Delhi Roads having exhausted their lives of 10 years and 15 years running on Diesel & Petrol fuels.

1.d That there is yet another important aspect is that both the Generators are of the capacity of 2080 kva which are posing danger to the Life & Liberty of the residents.

1.e That a perusal of the detailed report would further aggravate the grievance of the residents as the Committee has relied upon the The Environment Protection (Rules) 1986 as annexed to the Report as Annexure -IV. Rule No. 3 (Page 17 and 18 of the Report) of the said rules clearly and undoubtedly pin points towards the inaction on the part of the concerned authorities have been ignoring all norms as set out in the

statutory provisions of the said rules and perpetuating the wrong being done to the residents of the area.

1.e The General Conditions pertaining to Certification, Conformance Labelling, (Page 21-Annexure IV) further substantiates that all rules have been flouted by the Reliance Mall Authorities from the day one of the installation of the Diesel Generator Sets.

1.f That Sub-Rule 5 (Page 21) further stipulates that The Central Pollution Control Board shall be nodal agency to look into the aspects relating to the dispute and difficulty in implementing of these rules. All these things are being totally ignored to the detriment to the health of the residents of the area living around the Reliance Mall in Vikas Puri, New Delhi.

2. That the Reliance Mall authorities, though impleaded as Respondents by this Hon'ble Tribunal have not even bothered to respond to the call of the notice despite having been served with the notices. This aspect may also please be considered lest the defaulters continue to play with the life of the residents.

3. That the Applicant may be granted liberty to file rebuttal to the response expected to be taken by Respondent named M/S Reliance Mall, Vikas Puri, New Delhi in the interest of the welfare of the residents.

(D.K. Puri)

Applicant