

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

ORIGINAL APPLICATION NO. 49 OF 2020

IN THE MATTER OF:

Tulinder Katoch & Anr

...Applicant

Versus

State of Haryana & Ors.

...Respondents

Next Date of Hearing: 10/12/2020

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Applicant

Through Counsel


Panchajanya Batra Singh, Advocate
Mahavir Singh, Advocate
M/s VCS – Advocates
301, Lawyers' Chambers-III,
High Court of Delhi, New Delhi
Email: vcsadvocates@gmail.com
MOB. 9717226767, 9312388208

Place: New Delhi
Dated: 20.10.2020



EN7274619131N IVR:6972727461813
SP FARIDABAD NET HD (121001)
Counter No:3,16/10/2020,15:40
To: D C COMMISSIONER, BLOCK B HOH
PIN:121007, Escortsagar Faridabad SD
From: TULINDER K, 21 A 1ST F I P C
Wt:140gms
Amt:29.50(Desk)Tax:4.50
<Track on www.indiapost.gov.in>



Date : 05.10.2020

To,
The Chairman
Haryana State Pollution Control Board
C-11, Sector-6, Panchkula, Haryana

Sub: Representation in compliance with order dated 03.09.2020 of the Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of O.A. No. 49/2020, Tulinder Katoch & Anr. v/s State of Haryana & Ors.

Sir,

The undersigned is the applicant in the captioned matter. W.r.t. garbage in front of the Modern Delhi Public School, please be informed that:

- i. Garbage is strewn not only in front of the Modern Delhi Public School situated at Tigaon Road, Sector-87, Greater Faridabad, Haryana but is dumped in heaps throughout the vicinity of the school as well. There are heaps of garbage along the approach roads to the school, all within 200 meters of the school. This garbage comprises mixed waste of all kinds including municipal solid waste, plastic waste, construction debris, bio-medical waste etc. The area

requires dedicated and daily sanitation as the piles of garbage continue to grow day by day.

- ii. There are several ponds of sewage water right in front of the school, merely 10 -15 meters from the main gates of the school. They are full of stagnant water and muck. They emit foul odour at times and are a breeding ground for mosquitoes. Tankers bring sewage from nearby areas and discharge it on the ground in front of the school and near it, often during night hours. The tankers are openly parked there itself. The said ponds have formed as a result of accumulation of this discharged sewage.
- iii. Further, garbage is frequently burnt in front of the school, at a distance of hardly 30-40 meters from the gates. Burning of waste can be seen all along the approach road to the school frequently, within 200 meters of the school.
- iv. The situation has been so bad that the school had to get the area just opposite its main gate cleaned on its own in 25.08.2020. Fresh mud was spread by the school at its own cost over a patch of land just opposite the school gates, across the Tigaon Road to fill the muddy swamp that was full of garbage and posed a hazard to safety of vehicles that ply on the road, including the school's buses and vehicles used by staff and parents, not to mention the health hazard it poses.

- v. The problem is compounded by construction material stored some 50-100 meters from the gates of the school that is a source of nuisance and dust. It has led to further narrowing down of the already narrow and pot holed road.

- vi. There is hardly any change in the overall sanitation of the area and the situation continues to be bad despite submission of the ATR by you before the Hon'ble NGT. The steps taken by you if any, do not address the root of the matter. The sewage in front of the school was not cleaned at all, nor was the construction material / debris cleared. The correct facts can be verified by visit of your officers to the area under intimation to the undersigned, to get an idea of the filth that surrounds the school. It will require more than one-time superficial and cosmetic cleaning/lifting of garbage to improve the sanitation levels near the school and clean the surrounding environment. Nothing has been done at your end to solve the problem on a permanent basis as fresh garbage / sewage is being dumped every day. You are requested to refer to the Master Plan 2031 that earmarks the entire stretch in front of the school for beautification and development of a green belt.

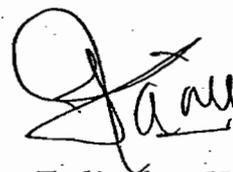
- vii. The applicant has enclosed photographs dated 02.09.20 and dated 23.09.20 with this representation that provide ample proof of the actual situation on ground.

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You are requested to take strict action in the matter and ensure cleaning and beautification of the area in question before the next date of hearing of this matter by the Hon'ble NGT on 10.12.2020.

Thanking you,

- Encl: 1. Latest Photographs of site with time, date and Location. (Annexure -1)
2. Copy of the Order Dt. 03.09.2020 (Annexure -2)



Tulinder Katoch

(Applicant No.1 in O.A. No. 49/2020

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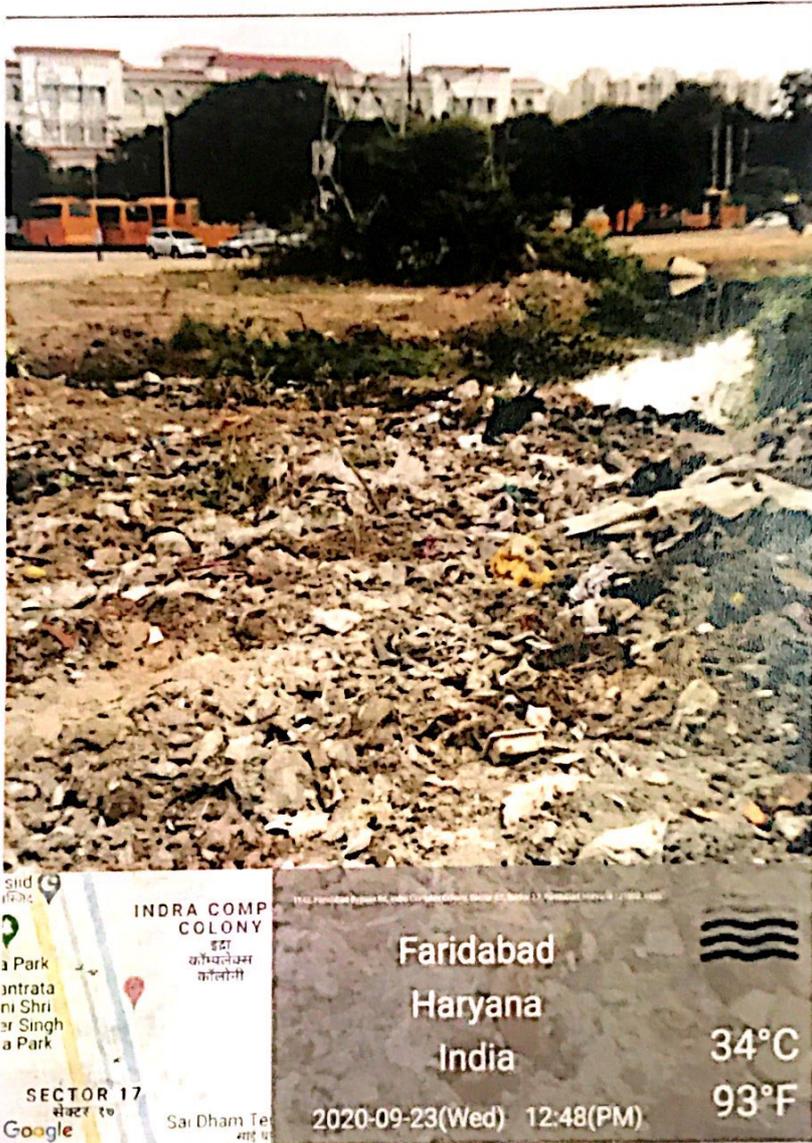
Sector - 33, Faridabad (Haryana)

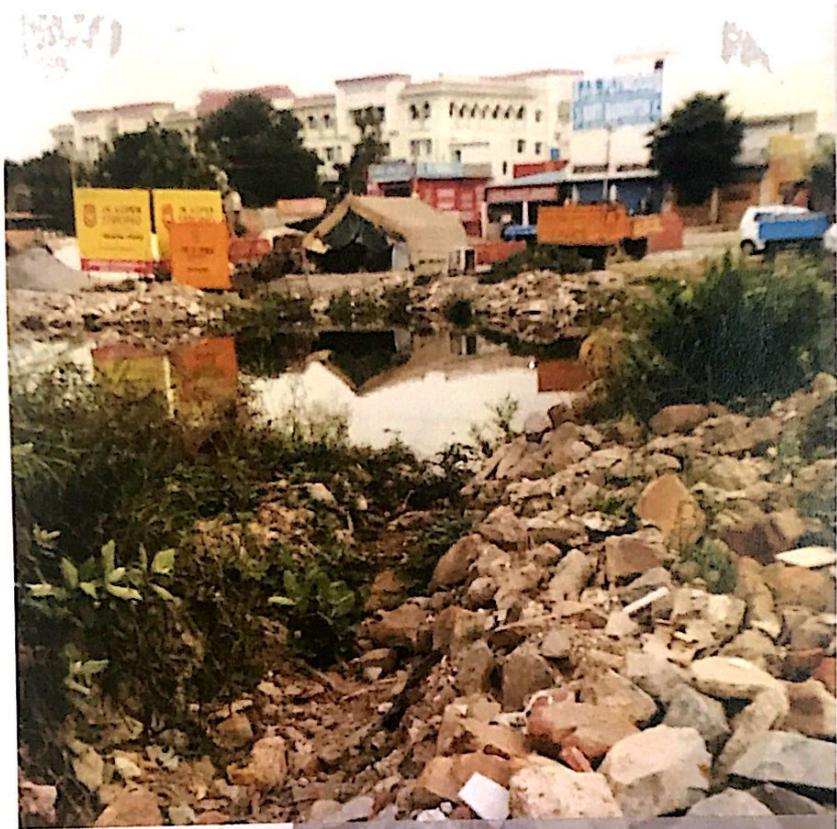
Phone : 9818158494

- C.C. to 1. ✓ Deputy Commissioner, Faridabad (HR).
2. Commissioner Municipal Corporation,
Faridabad (HR).
3. Regional Officer H.S.P.C.B., Faridabad (HR).

ANNE-1

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Sai Dham Temple साई धाम

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Faridabad Haryana India

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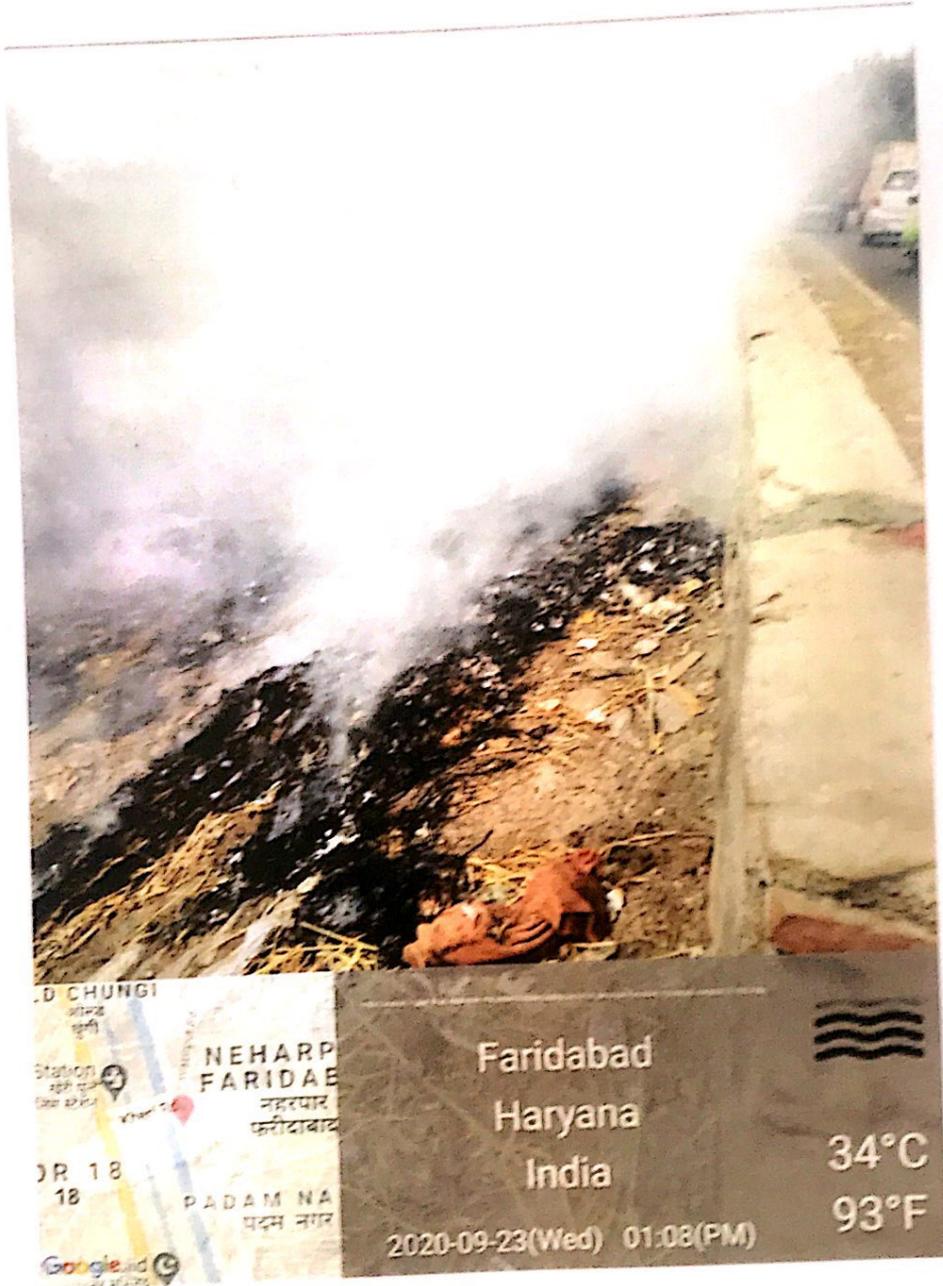
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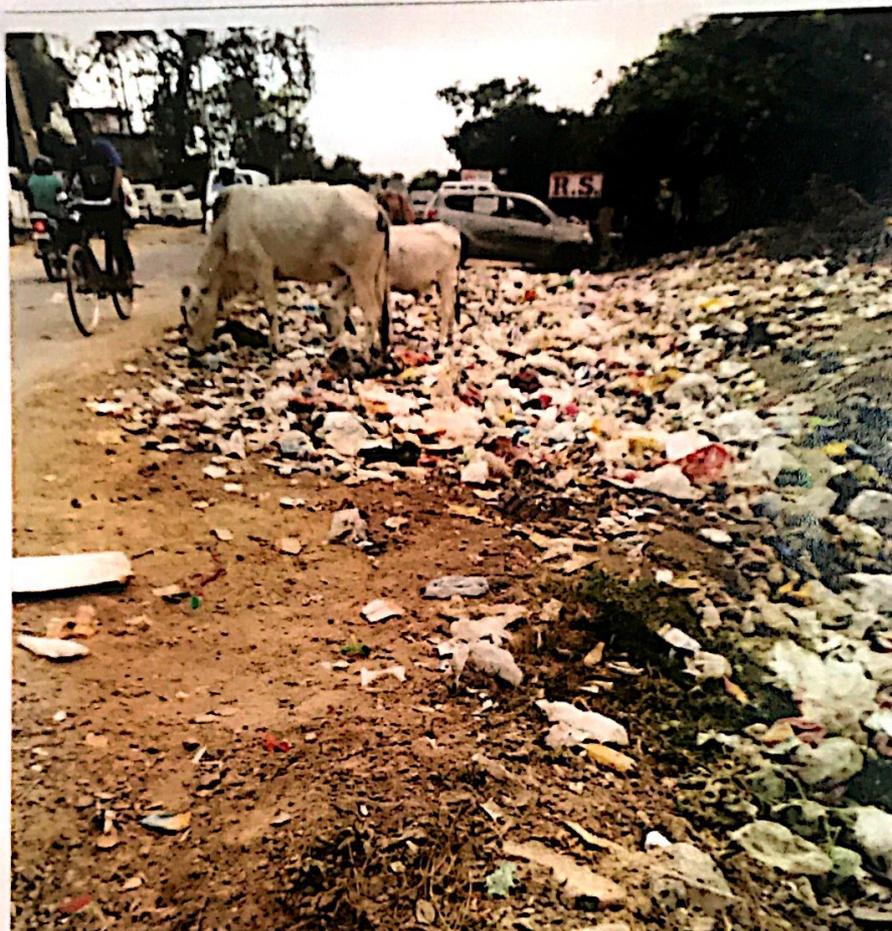
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Sai Dham Temple

Shri Singh Park

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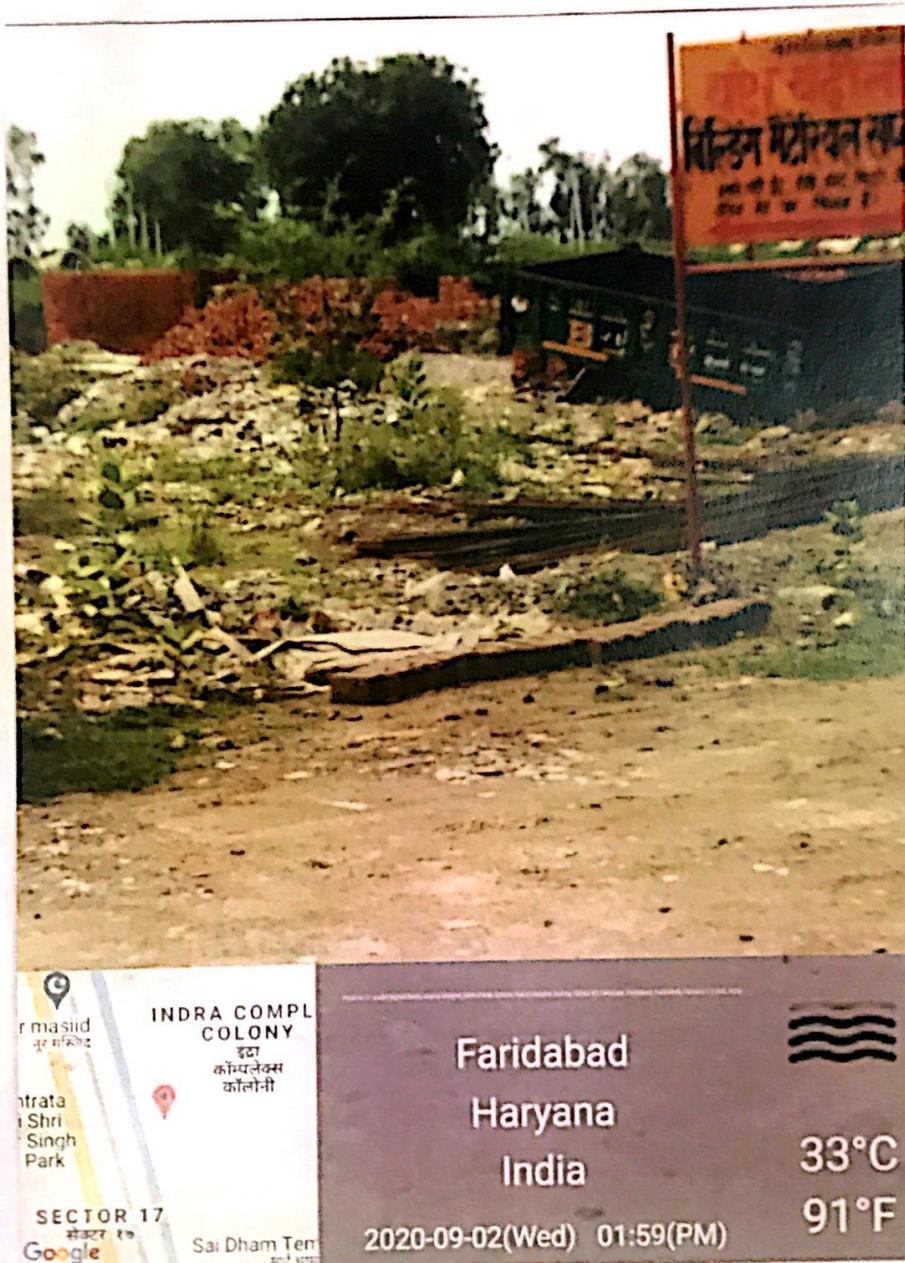
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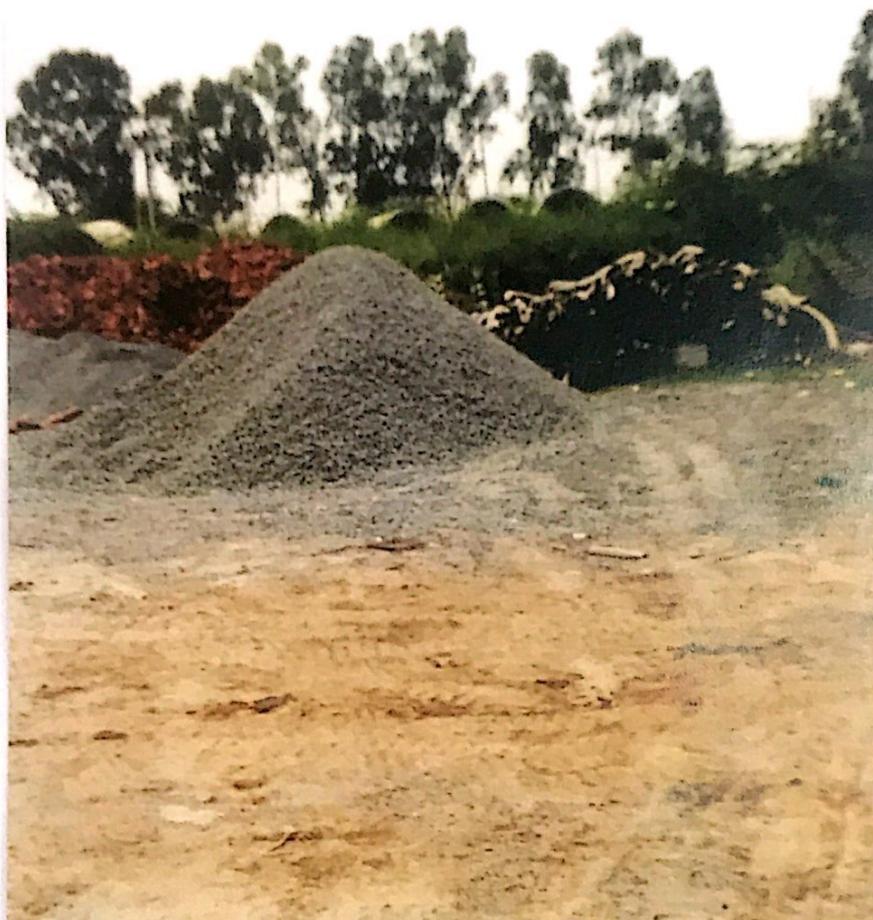
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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

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(By Video Conferencing)

Original Application No. 49/2020

(With report dated 30.06.2020)

Tulinder Katoch & Anr.

Applicant(s)

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 03.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Ms. Panchajanya Batra Singh, Advocate

Respondent(s): Mr. Rahul Khurana, Advocate for HSPCB, DC Faridabad and MCF

ORDER

1. Grievance in this application is against failure to take remedial action against collected garbage and sewage on the bank of U.P. – Agra canal, resulting in damage to the environment. It is stated that the piled up garbage and flowing sewage is affecting the health of the children studying in the nearby schools, including the Modern Delhi Public School situated at Tigaon Road, Sector-87, Greater Faridabad, Haryana. Apart from municipal garbage, there is also Plastic Waste, Construction and Demolition Waste, Bio-Medical Waste and E-Waste. There is pool of stagnant water giving rise to mosquitoes and having potential for diseases. The applicant approached the concerned authorities but no action has been taken. The applicant has filed photographs showing the collected garbage and waste water.

2. A report was sought from District Magistrate, Faridabad, Municipal Corporation, Faridabad and the Haryana State PCB with reference to the above with State PCB as nodal agency. Accordingly, report dated 30.06.2020 has been filed by the State PCB mentioning the action taken. However, Learned Counsel for the applicants submits that the situation remains as before, as demonstrated by the latest photographs available with the counsel.

3. In view of above, we permit the applicants to present the photographs by way of a representation to the State PCB who may ensure further action and furnish a further report in the matter. The State PCB may give its report in coordination with other members of the Joint Committee before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 10.12.2020.

A copy of this order be forwarded to the Deputy Commissioner, Faridabad, the Municipal Corporation, Faridabad and the Haryana State PCB by email for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM



Proof of Service

22

Karan Singh <ks4602483@gmail.com>

Service of documents filed by Applicant in O.A.49/20; To all respondents by counsel for Applicants

1 message

VCS ADVOCATES <vcsadvocates@gmail.com>

20 October 2020 at 15:48

To: contact@mcfbd.org, contact@mcfbd.com, ccb.cpcb@nic.in, csup@up.nic.in, ms@uppcb.com, cs@hry.nic.in, hspcbms@gmail.com

Cc: Karan Singh <ks4602483@gmail.com>

Please see attachment

VCS
Advocates

Chamber:
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Block - III, High Court of Delhi
New Delhi-110 503

Office:
1355, 2nd Floor
Sector 28, Faridabad
Haryana-121 008

Office Timings: 9a.m. to 5p.m.
Convenient time for Calls: 3.30pm to 4.30pm

 Tulinder Katoch & Anr.pdf
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