

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

**ORIGINAL APPLICATION NO. 553 OF 2025**

**IN THE MATTER OF**

**MANJEET SINGH & ORS.**

**APPLICANTS**

**VERSUS**

**GOVERNMENT OF NCT  
OF DELHI & ORS.**

**RESPONDENTS**

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**FILED BY : ABHIJEET SINHA , ADVOCATE FOR APPLICANTS**

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REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANTS IN  
REPLY TO THE STATUS REPORT/AFFIDAVIT OF RESPONDENT  
NO. 2

I, Manjeet Singh, S/o Late Shri Jagjeet Singh, aged about 40 years, R/o House No. 2/17-A, Jangpura-A, South Delhi, Delhi-110014, the Applicant No. 1 herein, do hereby solemnly affirm and state as under:

1. That I am the Applicant No. 1 in the present Original Application and am fully conversant with the facts and circumstances of this case. I am duly authorised to file this Rejoinder Affidavit on behalf of all the Applicants.
2. That the present Rejoinder Affidavit is being filed in reply to the Status Report/Affidavit filed on 02.02.2026 on behalf of Respondent No. 2, the Municipal Corporation of Delhi (hereinafter referred to as 'MCD'), which is filed with the sole and mala fide intention of defeating the legitimate grievances of the residents of Jangpura-A Colony and circumventing the binding orders of this Hon'ble Tribunal and the Govt. of NCT of Delhi.



3. That the contents of the Status Report filed by MCD are denied except those that are matter of record or admitted herein. The Applicants crave leave of this Hon'ble Tribunal to deal with each contention specifically hereinbelow.

**I. THE STAND OF THE GOVERNMENT OF NCT OF DELHI IS FOR CLOSURE OF ALL DHALAOs — MCD CANNOT RESIST THE SAME**

4. That MCD, in its Status Report, has attempted to justify the continued operation of the Dhalao in Jangpura-A Colony. However, it is submitted that the *Government of NCT of Delhi itself has taken a clear and unequivocal stand before this Hon'ble Tribunal that All Dhalaos in the MCD area are to be closed.* The Chief Secretary, Delhi, vide order dated 06.04.2023, passed in compliance with this Hon'ble Tribunal's order dated 16.02.2023 in O.A. No. 606 of 2018, has specifically directed that MCD shall ensure closure of all existing 638 Dhalaos by 31st December 2024. (**Annexure -6**) This deadline has long passed and the Dhalao in Jangpura-A Colony continues to operate in defiance of a direction of the Government of NCT of Delhi.

5. That the stand of MCD that this particular Dhalao must be retained is directly in conflict with and contrary to the position of its own superior authority, the Government of NCT of Delhi, which is Respondent No. 1 in this matter. MCD cannot be permitted to contradict the policy of its own government. The compliance of the Chief Secretary's order dated 06.04.2023 is not optional for MCD, and this Hon'ble Tribunal may take serious note of MCD's defiance of the Government of NCT of Delhi's clear directive for closure of all Dhalaos.

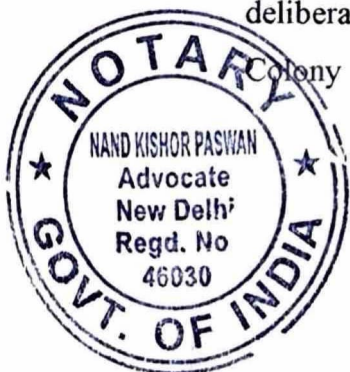


**II. MCD'S STATUS REPORT IS A DELIBERATE PLOY —  
CONTRADICTORY STANDS TAKEN BY MCD IN DIFFERENT  
PROCEEDINGS BEFORE THIS HON'BLE TRIBUNAL**

6. That the Applicants humbly submit that MCD has been blowing hot and cold in proceedings before this Hon'ble Tribunal and has adopted a mala fide and contradictory position to defeat the residents of Jangpura-A. Specifically, it is pointed out that in the proceedings relating to the petition filed by the Jangpura Extension Resident Welfare Association (O.A. No. 678 of 2023), MCD took the stand before this Hon'ble Tribunal that all waste from Jangpura Extension is being diverted to and managed at the Portable Compactor Transfer Station (PCTS) near JE (Works) Store, Pant Nagar, as directed by this Hon'ble Tribunal vide order dated 25.02.2025. The Applicant has taken photograph of the notice displayed at the closed Dhalao in Jangpura-A which is enclosed with this reply as **ANNEXURE A-1**.

7. That having made the aforesaid representation in O.A. No. 678 of 2023 which led to the closure of the three Dhalaos in Jangpura Extension - MCD now turns around in the present proceedings and claims that the Jangpura-A Dhalao is 'indispensable' because it caters to the waste of Jangpura Extension, Jangpura-A and Bhogal. This is a blatant and deliberate contradiction. MCD cannot simultaneously tell one Bench of this Tribunal that waste from Jangpura Extension is going to Pant Nagar PCTS, and tell another set of applicants in a different O.A. that the same Jangpura Extension waste necessitates the keeping open of the Jangpura-A Dhalao.

8. That this contradictory stand is not a mere procedural lapse — it is a deliberate ploy by MCD to defeat the rights of the residents of Jangpura-A Colony by exploiting the closure ordered in favour of Jangpura Extension

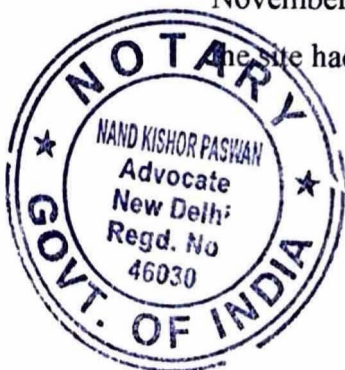


residents. In essence, MCD first secured the closure of Jangpura Extension Dhalaos by representing that it had alternate infrastructure (PCTS, Pant Nagar), and now uses the very burden created by that closure to resist the closure of the Jangpura-A Dhalao. This conduct deserves the strongest condemnation of this Hon'ble Tribunal.

9. That it is submitted that this Hon'ble Tribunal may direct MCD to clarify whether waste from Jangpura Extension is being sent to the PCTS at Pant Nagar or to the Jangpura-A Dhalao, since both cannot simultaneously be true. The Applicants reserve the right to call upon MCD to produce vehicle movement records, challans and GPS data of its collection vehicles to establish the truth.

**III. MCD IS THE DESIGNATED AGENCY UNDER SWM RULES 2016 AND CANNOT SIT OVER THE DECISION OF THE GOVERNMENT OF NCT OF DELHI**

10. That it is most humbly submitted that under the Solid Waste Management Rules, 2016, the Municipal Corporation of Delhi is expressly designated as the 'local body' and the primary implementing agency within its jurisdiction for the purposes of the said Rules. Rule 3(m) defines 'local body' to include municipal corporations and Rule 4 of the SWM Rules 2016 casts a non-negotiable statutory duty upon the local body — i.e., MCD — to ensure door-to-door collection of solid waste, segregation at source, secondary storage, and scientific disposal. MCD cannot, therefore, take a position before this Hon'ble Tribunal that the Dhalao in question is being properly managed when it has itself admitted that, prior to this Hon'ble Tribunal's intervention in November 2025, even the basic requirement of posting Safai Karamcharis at the site had not been fulfilled.



11. That it is further submitted that the SWM Rules 2016 were framed by the Central Government in exercise of powers under the Environment (Protection) Act, 1986. These Rules represent a mandatory environmental standard and not a mere directory guideline. As the designated implementing agency, MCD does not have the discretion to decide which Dhalao to close or to retain — that decision has been made for it by the Government of NCT of Delhi through the Chief Secretary's order dated 06.04.2023 which mandates closure of ALL 638 Dhalaos in MCD areas by December 2024. MCD's continued operation of the Jangpura-A Dhalao beyond the prescribed deadline is a statutory and executive default that this Hon'ble Tribunal is fully empowered to address under Section 15 of the National Green Tribunal Act, 2010.

12. That MCD, being a body constituted under a statute of the State of Delhi and functioning under the superintendence and control of the Government of NCT of Delhi, cannot override, sit over, or resist the executive decisions of the Government of NCT of Delhi. The principle of constitutional governance requires that subordinate bodies comply with the policy decisions of the competent governmental authority. The Government of NCT of Delhi — which is Respondent No. 1 in the present proceedings — has categorically decided, as a matter of policy, that all Dhalaos in Delhi are to be closed and replaced with scientific waste management infrastructure. MCD's attempt, through its Status Report, to resist and circumvent this policy decision by portraying the Jangpura-A Dhalao as 'indispensable' and 'critical' deserves to be deprecated by this Hon'ble Tribunal in the strongest terms.

13. That this Hon'ble Tribunal has, in numerous orders including in the present series of matters, repeatedly directed compliance with the SWM Rules 2016 and the Chief Secretary's order. MCD, despite being placed on notice



through this Hon'ble Tribunal's order dated 07.11.2025, has chosen to file a Status Report that seeks to justify its non-compliance rather than report compliance. This approach is contrary to the spirit of the NGT Act, 2010 and the principles of environmental governance, and the Applicants urge this Hon'ble Tribunal to take a serious view of the same.

#### **IV. REPLY TO SPECIFIC CONTENTIONS IN THE STATUS REPORT**

##### **A. On 'Daily Operations' and 'Compliance' (Para 4 & 5 of MCD's Affidavit):**

14. That the assertion of MCD that it is ensuring daily collection and disposal in compliance with SWM Rules 2016 is **denied**. The ground reality, which is fully supported by the photographs and affidavits forming part of the Original Application, is that waste is cleared only once in three to four days using heavy trucks, which itself is in violation of Rule 15(d) of the SWM Rules 2016 which mandates daily lifting of waste from secondary storage points.

##### **B. On 'Staged Photographs' (Para 11 and Annexure-C of MCD's Affidavit):**

15. That the photographs filed as Annexure-C by MCD are GPS-tagged and dated 02.02.2026 between 01:25 PM and 01:26 PM — being the very day before the matter was listed before this Hon'ble Tribunal on 03.02.2026. It is respectfully submitted that these photographs are a stage-managed display of compliance carried out one day prior to the hearing, and are in no way representative of the regular and habitual state of the said Dhalao. The Applicants have placed photographs on record in the Original Application depicting the actual and deplorable condition of the site on ordinary days. This



Hon'ble Tribunal has consistently deprecated such last-minute cosmetic compliance and the same ought to be disregarded. The Applicant is also annexing certain photographs being taken on a daily basis to show the actual situation prevailing at the site which are enclosed with this reply as ANNEXURE A-2 (COLLY)

**C. On Deployment of Safai Karamcharis (Annexure-A of MCD's Affidavit):**

16. That the Office Order deploying two Safai Karamcharis (SKs) at the Dhalao is dated 30.01.2026 — i.e., issued only after this Hon'ble Tribunal's directions dated 07.11.2025 in the present matter. This deployment after nearly years of non-compliance is not a sign of good governance; it is an admission that for all the preceding years, the Dhalao was being operated in violation of the SWM Rules 2016, without adequate sanitation staff, exactly as alleged by the Applicants in their Original Application.

**D. On 'Indispensability' and 1100-Litre Bins (Para 7, 8 & 9 of MCD's Affidavit):**

17. That the argument of MCD that the Dhalao has become 'indispensable' is the direct and foreseeable consequence of MCD's own failure to establish the alternate infrastructure (PCTS) as directed by this Hon'ble Tribunal and to comply with the Chief Secretary's order for Dhalao closure. MCD cannot be rewarded for its own non-compliance by permitting it to continue inflicting environmental harm on the residents of Jangpura-A. Further, the placement of 10 numbers of 1100-litre bins does not address the fundamental issue of the location of the secondary collection point — *bins of any capacity placed*



*inside a residential colony, less than 50 metres from a temple and adjacent to a children's home, remain a violation of the SWM Rules 2016*

**E. On SWM Rules 2016 (Para 12 of MCD's Affidavit):**

18. That MCD's contention that closure would be 'contrary to the object of SWM Rules 2016' is a misrepresentation of law. Schedule-I of the SWM Rules 2016 mandates that secondary storage facilities must be located at suitable locations and must not cause nuisance to residents. A Dhalao located in the innermost residential area of a dense colony, within 50 metres of a place of worship, and immediately adjoining an institution housing abandoned infants, is the very antithesis of what the SWM Rules 2016 contemplate. Moreover, Rule 4(1)(f) of the SWM Rules 2016 casts a specific duty on local authorities to '*not to throw, burn, or bury the solid waste collected under this rule on streets, open public spaces outside the premises, or in the drain, or water bodies.*'

**F. VIOLATION OF NGT ORDER DATED 25.02.2025**

19. That this Hon'ble Tribunal, vide its order dated 25.02.2025 in O.A. No. 678 of 2023 (Jangpura Extension), had specifically directed that waste from the colonies of Jangpura Extension, Jangpura-B and Bhogal shall be directed to the PCTS (Portable Compactor Transfer Station) near JE (Works) Store, Pant Nagar and NOT to any Dhalao in a residential area. MCD's own admission in Para 7 of its Status Report that the Jangpura-A Dhalao is 'catering to three contiguous colonies, namely Jangpura-A, Jangpura Extension and Bhogal' is a direct admission of contempt of the said order dated 25.02.2025.



**VI. DECISIONS OF THIS HON'BLE TRIBUNAL ORDERING CLOSURE OF DHALAOS IN SIMILAR CIRCUMSTANCES**

That the prayer of the Applicants for closure of the Dhalao in Jangpura-A Colony is fully supported by the consistent line of decisions of this Hon'ble Tribunal in which Dhalaos located in densely populated residential areas and near sensitive locations have been ordered to be closed. The Applicants respectfully rely upon the following decisions:

**(i) Neel Mani v. Municipal Corporation of Delhi & Anr. — O.A. No. 92 of 2023-** That in O.A. No. 92 of 2023, this Hon'ble Tribunal issued a landmark direction on 04.09.2023 ordering closure of Dhalaos in residential areas and further directed MCD to close all Dhalaos across Delhi and repurpose the sites for public use such as libraries, EV infrastructure, training centres, or senior citizen recreation spaces. In the said proceedings, MCD itself admitted before this Hon'ble Tribunal that the remaining Dhalaos in Delhi were 'eyesores' that 'need to be discouraged for functional and aesthetic reasons,' and committed to their closure by 31st December 2024. The Jangpura-A Dhalao is squarely covered by this direction and MCD's failure to comply constitutes a direct breach of the undertaking given before this Hon'ble Tribunal.

**(ii) Jangpura Extension Residents Forum RWA & Ors. v. Govt. of NCT of Delhi & Ors. — O.A. No. 678 of 2023-** That in O.A. No. 678 of 2023, this Hon'ble Tribunal vide order dated 25.02.2025 directed the closure of all three Dhalaos in Jangpura Extension — the colony immediately adjoining the Applicants' colony — upon finding that the Dhalaos therein were mismanaged, located in proximity to a Government school and a Gurudwara langar hall, and were causing health hazards and environmental nuisance to the residents. The factual circumstances in the present case are on all fours. The Jangpura-A Dhalao is located even closer to a temple and a children's



home sheltering abandoned infants, and thus deserves the same, if not stronger, relief. Crucially, the said order directed diversion of waste to the PCTS at Pant Nagar — the very infrastructure that MCD deliberately ignores in its Status Report in the present proceedings.

**(iii) Sudesh Prakash Sabberwal v. Union of India & Ors. — O.A. No. 250 of 2024 (order dated 16.10.2025)**-That in O.A. No. 250 of 2024, this Hon'ble Tribunal directed MCD to close the Dhalao located just 30 metres from Gate No. 6 of AIIMS, New Delhi. The Tribunal placed reliance on Paragraph 5.3 of the CPCB Standard Operating Procedure (SOP) dated 23.12.2024 for Secondary Storage and Transportation Facilities (SSTF), which explicitly prohibits locating waste storage facilities in densely populated areas or near sensitive locations like hospitals and schools, and held that the continued operation of the Dhalao in a densely populated and environmentally sensitive area violated the SWM Rules, 2016. The Tribunal reaffirmed that the right to a clean environment is a fundamental right under Article 21 of the Constitution. This order is already placed on record as Annexure-10 to the Original Application. The Jangpura-A Dhalao — in the innermost corner of a dense colony, within 50 metres of a temple and adjoining a children's home — satisfies the test of 'sensitive location' even more clearly than the AIIMS case.

**(iv) Akhil Bhartiya Netrahin Sangh School, Raghur Nagar v. MCD (decided November 2024)**-That in the matter of the Dhalao near a school for the visually impaired at Raghur Nagar, West Delhi, this Hon'ble Tribunal imposed environmental compensation of Rs. 20 Lakhs on MCD and directed immediate closure of the Dhalao. The Tribunal held that MCD could not take advantage of the vulnerability of residents to infringe upon their fundamental right to a clean environment, and expressly noted that it had in two earlier verdicts disapproved of the system of Dhalaos in Delhi.



In the present case, the persons most directly affected by the Dhalao's stench and filth include the abandoned infants in the baby cot kept at the gate of St. Michael Church's children's home — surely the most vulnerable section of society imaginable. This decision compels the same relief.

VII. That it is further submitted that there is absolutely no operational or infrastructural impediment to the closure of the Jangpura-A Dhalao, because the waste generated from Jangpura-A Colony can equally and readily be diverted to the very same PCTS near JE (Works) Store, Pant Nagar. The said PCTS is in the immediate vicinity of the Jangpura-A Colony and is geographically proximate to it. Most significantly, this PCTS has been developed by MCD by spending considerable public money as a scientific, enclosed, and SWM Rules-compliant secondary waste processing facility, specifically designed to replace open Dhalaos in the surrounding area. It is a matter of deep concern that MCD, having invested considerable public funds in developing this state-of-the-art infrastructure, is now choosing to allow it to remain underutilised while simultaneously defending the continued operation of an open, unenclosed, and environmentally hazardous Dhalao in the heart of a residential colony to ensure the residents of Jangpura-A are not made to suffer needlessly.

That in view of the consistent and unequivocal position of this Hon'ble Tribunal as reflected in the above decisions, closure of the Jangpura-A Dhalao is not merely warranted but is compelled by the binding precedent of this Hon'ble Tribunal itself. MCD's resistance to closure, in the teeth of these precedents and its own admissions in prior proceedings, only underscores the mala fide character of the Status Report filed before this Hon'ble Tribunal.



In light of the foregoing submissions, it is most humbly prayed that this Hon'ble Tribunal may be pleased to allow the O.A. No. 553 of 2025 filed by the Applicants and/or Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

*Manjeet Singh*

DEPONENT

**VERIFICATION**

11 APR 2026

Verified at New Delhi on this \_\_\_ day of April 2026, that the contents of the above Affidavit are true and correct to the best of my knowledge and belief, that no part of it is false and nothing material has been concealed therefrom.

*I identify the deponent who has signed / put T.I. in my presence*

*Manjeet Singh*

DEPONENT



Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

*[Signature]*  
It as correct: *[Signature]* NOTARY DELHI

11 APR 2026





2/23, near Shiv Mandir, Jangpura A, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.5858053°

Longitude  
77.2449278°

Local 08:34:34 AM  
GMT 03:04:34 AM

Altitude 212 meters  
Friday, 06.03.2026



2/23, near Shiv Mandir, Jangpura A, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.5858053°

Longitude  
77.2449278°

Local 08:34:31 AM  
GMT 03:04:31 AM

Altitude 212 meters  
Friday, 06.03.2026



GPS Map  
Camera Lite

2\22A, Jangpura, Bhogal, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.585815000000004°

Longitude  
77.24476166666666°

Local 02:06:43 PM  
GMT 08:36:43 AM

Altitude 212 meters  
Saturday, 07.03.2026



GPS Map  
Camera Lite

2\22A, Jangpura, Bhogal, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.585808333333333°

Longitude  
77.244755°

Local 02:07:05 PM  
GMT 08:37:05 AM

Altitude 212 meters  
Saturday, 07.03.2026



GPS Map  
Camera Lite

2\22A, Jangpura, Bhogal, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.585771666666666°

Longitude  
77.24480833333334°

Local 04:38:17 PM  
GMT 11:08:17 AM

Altitude 212 meters  
Thursday, 12.03.2026



GPS Map  
Camera Lite

2\22A, Jangpura, Bhogal, New Delhi, Delhi 110014, India 🇮🇳

Latitude  
28.585771666666666°

Longitude  
77.24480833333334°

Local 04:38:17 PM  
GMT 11:08:17 AM

Altitude 212 meters  
Thursday, 12.03.2026

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**Rejoinder Affidavit to the reply filed by MCD in OA 553 of 2025 listed on 15.04.2026 before Hon'ble National Green Tribunal**

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**Abhijeet Sinha** <abhijeetsinhaa@gmail.com>

Sat, 11 Apr at 4:03 PM

To: &lt;csdelhi@nic.in&gt;, &lt;commissioner@mcd.nic.in&gt;, &lt;psud@nic.in&gt;, &lt;chdpcc@nic.in&gt;, &lt;smita081985@nic.in&gt;

To,

1. R-1 - Govt. of NCT of Delhi ([csdelhi@nic.in](mailto:csdelhi@nic.in))
2. R-2 - Municipal Corporation of Delhi ([Commissioner@mcd.nic.in](mailto:Commissioner@mcd.nic.in))
3. Proposed R-3 - J.S. Enviro Services Pvt. Ltd. ([smita081985@gmail.com](mailto:smita081985@gmail.com))
4. R-4 Delhi Pollution Control Committee ([chdpcc@nic.in](mailto:chdpcc@nic.in))
5. Department of Urban Development ([psud@nic.in](mailto:psud@nic.in))

Find attached the Affidavit in Rejoinder to the Reply filed by MCD in OA 553 of 2025.

The matter is listed 15.04.2026 before Hon'ble National Green Tribunal.

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Rejoinder to Reply of MCD OA 553 of 2025.pdf